June 17, 2008 Meeting Transcription approved by the Board of Commissioners of the Township of Nutley at their meeting held on Tuesday June 9, 2009.

Evelyn Rosano, RMC  
Municipal Clerk

Commissioner Joseph P. Scarpelli  
Commissioner Alphonse Petracco  
Commissioner Thomas J. Evans  
Commissioner Mauro G. Tucci  
Mayor Joanne Cocchiola
TOWNSHIP OF NUTLEY, NEW JERSEY

BOARD OF COMMISSIONERS

PUBLIC MEETING

TRANSCRIPT OF PROCEEDINGS:

Tuesday June 17, 2008

7:00 p.m.

BEFORE:

Mayor Joanne Cocchiola
Commissioner Joseph Scarpelli,
   Department of Public Works
Commissioner Alphonse Petracco,
   Department of Public Safety
Commissioner Thomas Evans,
   Department of Revenue and Finance
Commissioner Mauro Tucci,
   Department of Parks and Recreation

Job No.: 202237
(Meeting commenced at 7:22 p.m.)

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

(Pledge of Allegiance recited)

MAYOR COCCHIOLA: Madam Clerk, could you please reread the sunshine notice?

THE CLERK: Yes, Mayor. Tuesday, June 17, 2008. "Pursuant to the requirements of the Open Public Meeting Law (Chapter 231, P.L. 1975), notice of this meeting was published in the December 13, 2007 issues of the Nutley Sun, the Journal, the Star Ledger and the Herald News. Said notice was amended to reflect the new start time of all 2008 remaining meetings and duly published in the May 29, 2008 issues of the Nutley Sun, the Journal, the Herald News and the June 2, 2008 issue of the Star Ledger. A copy of this notice has been posted on the Nutley Town Hall bulletin board and a copy is on file in the Municipal Clerk's Office." Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Here.

THE CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Heree

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Heree

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Heree

THE CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Heree

THE CLERK: All present, Mayore

MAYOR COCCHIOLA: Thank you. We'll just move on to correspondence. Would you like to read it for the record?

THE CLERK: Yes, Mayore I have correspondence from Robert P. Marasco, City Clerk, Newark, New Jerseye

"Dear Mse Rosario,

"At its regular meeting of May 21, 2008 the Municipal Council adopted a motion sponsored by Council Member Ronald C. Rice expressing congratulations and best wishes to the successful candidates of the May, 2008 nonpartisan elections held in towns and cities throughout the County of Essex. The Municipal Council wants to congratulate all winners of your recent May elections"
Please pass along to all successful candidates the Municipal Council's congratulations on their victory and best wishes for success during their term in office.

"Very truly yours,
"City Clerk Bob Marasco."

And that's all for communications, Mayor.

MAYOR COCCHIOLA: Thank you.

Reports. Mr. Scarpelli?


MAYOR COCCHIOLA: Thank you. Okay. Let's move on to payment of bills.


of June 11th, $113,272.86.

"Total Payroll as of June 13th, 2008
$730,443.42, for a grand total bill list
of $3,466,366.00. And that's all for
bills, Mayor.

MAYOR COCCHIOLA: Thank you. I need
a motion.

COMMISSIONER EVANS: Move this.
COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Aye.

THE CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Aye.

THE CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Aye.

THE CLERK: Mayor Cocchiola?
MAYOR COCCHIOLA: Aye.

THE CLERK: That's all for bills,
Mayor. Thank you.

MAYOR COCCHIOLA: Thank you.

Commissioner Evans, you have some
ordinances to introduce this evening?

COMMISSIONER EVANS: Yes, Mayor, I
have foure 3063, 3064, 3065 and 3066, which I will read by title individually.

3063. "Bond Ordinance providing for various capital improvements in the Township of Nutley, in the County of Essex, New Jersey, appropriating the aggregate amount of $1,027,600 therefor, and authorizing the issuance of $1,666,20 in bonds or notes of the Township for financing part of the costs thereof."

I move that this ordinance be passed to a second reading 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 July 15, 2008. So move.

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Ayee

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Ayee

THE CLERK: Commissioner Evans?
COMMISSIONER EVANS: Ayee

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Ayee

THE CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Ayee

COMMISSIONER EVANS: 3064.

"Bond Ordinance providing for the acquisition of fire hydrants in and by the Township of Nutley, in the County of Essex, New Jersey, appropriating $11,400 therefor, and authorizing the issuance of $10,450 in bonds or notes of the Township for financing part of the cost thereof."

I move that this ordinance be passed to a second reading and 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 July 15, 2008. So move.

COMMISSIONER TUCCI: Seconded

THE CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

THE CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

COMMISSIONER EVANS: 3065.

I move that this ordinance be passed to a second reading and advertised in the Nutley Sun together with the notice required by law, and that further consideration of said ordinance for a final passage by the Board of Commissioners be held at its second reading on July 15, 2008. So move.

COMMISSIONER TUCCI: Second.
THE CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Ayee
THE CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Ayee
THE CLERK: Commissioner Evans?
COMMISSIONER EVANS: Ayee
THE CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Ayee
THE CLERK: Mayor Cocchiola?
MAYOR COCCHIOLA: Ayee
COMMISSIONER EVANS: 3066e
"Bond Ordinance providing for the acquisition of property in and by the Township of Nutley, in the County of Essex, New Jersey, appropriating $314,000 therefor, and authorizing $298,000 in bonds or notes of the Township for financing part of the cost thereofe"
I move that this ordinance be passed to a second reading and 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 July 15,
2008e So movee

COMMISSIONER TUCCI: Seconde

THE CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Ayee

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Ayee

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Ayee

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Ayee

THE CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Ayee That was the last onee Correct, Commissioner Evans?

COMMISSIONER EVANS: Yes, Mayor Thank you

MAYOR COCCHIOLA: Thank yooe We're going to move on to resolutions. Commissioner Petracco?

COMMISSIONER PETRACCO: Yes, Mayor I have three tonighte The first one is to authorize participation/application Safe and Secure Communities Program projecte

"WHEREAS, the Township of Nutley, County of Essex, New Jersey wishes to
apply for funding a project under the Safe and Secure Communities Program (Grant #P-4@08@); and

"WHEREAS, the Board of Commissioners of the Township of Nutley in the County of Essex, New Jersey has reviewed the accompanying application and has approved said request; and

"WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the Township of Nutley, County of Essex, New Jersey for the purpose described in the application;

"NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley in the County of Essex, New Jersey that:

"One, as a matter of public policy the Township of Nutley, County of Essex, New Jersey wishes to participate to the fullest extent possible with the Department of Law and Public Safety.

"Two, the Attorney General of New Jersey will receive funds on behalf of the applicant.
"Three, the Division of Criminal
Justice shall be responsible for the
receipt and the review of the
applications for said fundse

"Four, the Division of Criminal
Justice shall initiate allocations for
each applicant as authorize
e"

I move the resolution
COMMISSIONER SCARPELLI: Second
THE CLERk: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Ayee
THE CLERk: Commissioner Petracco?
COMMISSIONER PETRACCO: Ayee
THE CLERk: Commissioner Evans?
COMMISSIONER EVANS: Ayee
THE CLERk: Commissioner Tucci?
COMMISSIONER TUCCI: Ayee
THE CLERk: Mayor Cocchiola?
MAYOR COCCHIOLA: Ayee
COMMISSIONER PETRACCO: The second
one is authorize leave of absence
C. Patellae

"WHEREAS, Christine M. Patella, a
certaintime employee in the Public Safety
Department, has requested a thirty day
leave of absence without pay; and

"WHEREAS, Christine Patella, a permanent employee under the provisions of Civil Service in the State of New Jersey, may receive a leave of absence without pay in accordance with the New Jersey Administrative Code, Title 4A: 6-121B;

"NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley in the County of Essex, New Jersey, the privilege of the leave of absence without pay be granted effective May 1, 2008 through June 20, 2008." Move the resolution.

COMMISSIONER SCARPELLI: Second.

THE CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Ayee

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Ayee

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Ayee

THE CLERK: Mayor Cocchiola?
MAYOR COCCHIOLA: Ayee

COMMISSIONER PETRACCO: My third and final resolution is appointment of volunteer Nutley Fire Department J. Turano.

"BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley in the County of Essex, New Jersey that the following be appointed as a volunteer in the Nutley Fire Department effective immediately:

"Joseph Turano

"233 Prospect St".

I move the resolution

COMMISSIONER SCARPELLI: Seconde

THE CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Ayee

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Ayee

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Ayee

THE CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Ayee Commissioner
Evans?

COMMISSIONER EVANS: Thank you, Mayore

"BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, that the Treasurer be and she is hereby authorized to refund an overpayment of property taxes in the amount of $2,199,16 for the said years. "Block 8200, Lot 14, $52.73 for 2006, $738.88 for 2007, $872.55 for 2008."

So movee

COMMISSIONER TUCCI: Seconde

THE CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Ayee

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Ayee

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Ayee
COMMISSIONER EVANS:

"BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, that the Treasurer be and she is hereby authorized to refund overpayments of the property tax in the amount of $6,895.8 for the year 2007 resulting from a Tax Court judgment. Block 6700, Lot 7, 242 Washington Avenue, $6,895.85."

So move.

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Scarcelli?

COMMISSIONER SCARPELLI: Ayee.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Ayee.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Ayee.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Ayee.

THE CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Ayee.

COMMISSIONER EVANS:

"BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley,
County of Essex, New Jersey that the Township Treasurer is hereby authorized to refund overpayments of water charges on the following accounts:

"Block 3201, Lot 18, $766.34e
"Block 8304e, Lot 12, $26e.02, for a total of $792.36e"

So movee

COMMISSIONER TUCCI: Seconde

THE CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Ayee

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Ayee

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Ayee

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Ayee

THE CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Ayee

COMMISSIONER EVANS:

"WHEREAS, the local capital budget for the year 2008 was introduced on the 15th day of April, 2008; and

"WHEREAS, it is desired to amend said approved budget section;
"NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, County of Essex, New Jersey, that the following amendments to the approved capital budget section be made:

"Purchase of emergency vehicle, Unit Tactical Vehicle, from 50,000 to 70,000.
"Renovation of Township buildings from 60,000 to 135,000.
"Purchase of fire truck from 200,000 to 150,000.
"Underground tank cleanup, 10,000.
"Acquisition of property, 314,000.
"Section 20 bond costs, $111,000.

So move.

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

MAYOR COCCHIOLA: Aye.

COMMISSIONER EVANS: Thank you, Mayor.

MAYOR COCCHIOLA: Thank you, Commissioner Tucci?

COMMISSIONER TUCCI: Yes.

"WHEREAS, The Township of Nutley entered into a contract with C & S Fencing, Inc., 75&77 Midland Avenue, Elmwood Park, New Jersey for professional services regarding the River Road Fence Project; and

"WHEREAS, The Superintendent of the Parks and Public Property Department has recommended the following change order from said contract as necessary:

"CHANGE ORDER NUMBER 1: An additional 250 feet of six foot high chain link fencing with evergreen Permahedge in the amount of $8,125.

"The money is available from account number 504-200 in the amount of $8,125, has been certified by the Chief Financial Officer, said certification being
attached to this resolution.

"NOW, THEREFORE, BE IT RESOLVED,
that the Board of Commissioners and the Township Clerk be and they are hereby authorized to enter into and sign said contract for the Township of Nutley."

I move the resolution.

COMMISSIONER EVANS: Second.

THE CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

COMMISSIONER TUCCI:

"WHEREAS, Anthony Andriola is employed by the Department of Parks and Public Property; and

"WHEREAS, Anthony Andriola is currently out of work due to a medical situation; and
"WHEREAS, Anthony has exhausted all of his available sick leave and other time due; and

"WHEREAS, three employees of the Department of Public Works are desirous of transferring a total of forty days -- "

Actually, it says forty, but I'm reading thirtye. It's either thirty or fortye

" -- of their accumulated sick leave to Anthony Andriola; and

"WHEREAS, under the circumstances presented herein and in view of Anthony Andriola's medical situation, and his service to the Department of Parks and Public Property, the Board of Commissioners are desirous of accommodating this request;

"NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley in the County of Essex, New Jersey as follows:

"The following employees are permitted to transfer ten days each to
Anthony Andriola:
"Michael Lombardozi, John Riccio and Frank Ferry.
"All of these employees have provided their consent to said transfers in writing to the Township Clerk.e"
I move the resolution.
COMMISSIONER EVANS: Second.
THE CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Aye.
THE CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Ayee
THE CLERK: Commissioner Evans?
COMMISSIONER EVANS: Ayee
THE CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Aye.
THE CLERK: Mayor Cocchiola?
MAYOR COCCHIOLA: Ayee
COMMISSIONER TUCCI: That's all I have, Mayore
MAYOR COCCHIOLA: Thank youe
"WHEREAS, the Zoning Board of Adjustment received a $2,000 escrow deposit from Nutley Homes, LLC for property at 97-103 Passaic Avenue for
engineering services;

"WHEREAS, Pennoni Associates has reviewed the final Mylar and plans submitted for compliance with the New Jersey map filing law; and

"WHEREAS, the Zoning Board of Adjustment has reviewed and determined the remaining escrow balance of $73,800 to Nutley Homes, LLC;

"THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township Of Nutley, County Of Essex, that the above amount to be refunded to Nutley Homes, LLC."

I move the resolution.

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Ayee

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Ayee

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Mayor Cocchiola?
MAYOR COCCHIOLA: Ayee
"BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that the Township Clerk be and she is hereby authorized to advertise for sealed bids for the collection, removal and disposal of all ashes, offal, garbage, debris and other refuse and waste matter in the Township of Nutley.
"Said bids to be received on behalf of the Board of Commissioners in the Commission Chambers, third floor at Township Hall, Nutley, New Jersey on August 28th 2008 at 3 o'clock p.m. prevailing time, at which time they will be publicly opened and read.
I move the resolution.
COMMISSIONER TUCCI: Second.
THE CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Ayee
THE CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Ayee
THE CLERK: Commissioner Evans?
COMMISSIONER EVANS: Ayee
THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Ayee

THE CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Ayee

"BE IT RESOLVED, by the Board of
Commissioners of the Township of Nutley,
in the County of Essex, State of New
Jersey, that renewal of Plenary Retail
Consumption Licenses be granted to the
following establishments, said licenses
to be effective July 1, 2008 through June
30, 2009e

"BE IT RESOLVED, that the State of
New Jersey, Department of Treasury,
Division of Taxation has provided tax
clearance certificates for each
establishment listed below for this
renewal period.

"BE IT FURTHER RESOLVED, that these
establishments have been inspected by the
Board of Health, Fire Department and Code
Enforcement Department of the Township of
Nutley and are in satisfactory condition

"Giant Vending, Inc., trading as
Franklin Steakhouse & Tavern, 522e526
Franklin Avenue
"RU POD Ince, trading as Ruthie's 3rd Base, 150 Bloomfield Avenue
"Diamond Spring Cafe LLC, trading as Diamond Spring Cafe I, 116 Harrison Street
"Papillion LLC, trading as Papillion Restaurant, 338 Passaic Avenue
"Park Place Pizza, trading as Terrazza Ristorante, 507 Franklin Avenue, all for a fee of $1432.80.
"NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that the Municipal Clerk be and she is hereby directed and authorized to issue said licenses for the licensing period of July 1, 2008 through June 30, 2009.

Move the resolution
COMMISSIONER TUCCI: Second
THE CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Ayee
THE CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Ayee
THE CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Ayee

THE CLERK: Mayor Cocchiola?
MAYOR COCCHIOLA: Ayee

"BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, that renewal of Plenary Retail Consumption License be granted to South Side Grill, LLC trading as Midtown Bar & Grill, 223 Franklin Avenue, Nutley, New Jersey, said license to be effective July 1, 2008 through June 30, 2009.

"BE IT RESOLVED, that the State of New Jersey, Department of Treasury, Division of Taxation has provided Tax Clearance Certificate for said establishment for this renewal period.

"BE IT FURTHER RESOLVED, that this establishment has been inspected by the Board of Health, Fire Department, Code Enforcement Department of the Township of Nutley and is in satisfactory condition.
"THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, County of Essex, that the Municipal Clerk be and she is hereby directed and authorized to issue said license for the licensing period of July 1, 2008 through June 30, 2009."

I move the resolution.

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

"BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, that renewal of Plenary Retail Consumption License be granted to OCI Corporation, trading as Old Canal Inn, 2
East Passaic Avenue, Nutley, New Jersey,
license number 0716-3A-022-01, said
license to be effective July 1, 2007
through June 30, 2008.

"BE IT RESOLVED, that the State of
New Jersey, Department of Treasury,
Division of Taxation has provided the Tax
Clearance Certificate for said
establishment for the July 1, 2007
through June 30, 2008 renewal period.

"BE IT FURTHER RESOLVED, that this
license number is not actively used at an
operating place of business."

I move the resolution.

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

THE CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.
"BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, in the County of Essex, that renewal of Plenary Retail Consumption License be granted to OCI Corporation, trading as Old Canal Inn, said license to be effective July 1, 2008 through June 30, 2009.

"BE IT RESOLVED, that the State of New Jersey, Department of Treasury, Division of Taxation has now provided Tax Clearance Certificate for said establishment for the July 1, 2008 through June 30, 2009 renewal period.

"BE IT FURTHER RESOLVED, that this license number is not actively used at an operating place of business."

I move the resolution.

COMMISSIONER TUCCI: Second

THE CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPelli: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Ayee

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Ayee
"BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, that renewal of Plenary Retail Consumption License be granted to Nicholas Sambuco, Sre, 79 Cathedral Avenue, Nutley, New Jersey, license number 0716-33026e004e, said license to be effective July 1, 2008 through June 30, 2009e.

"BE IT RESOLVED, that the State of New Jersey, Department of Treasury, Division of Taxation has provided a Tax Clearance Certificate for said establishment for the July 1, 2008 through June 30, 2009 renewal period.

"BE IT FURTHER RESOLVED, that this license number is not actively used at an operating place of business.e"

I move the resolution.
THE CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Ayee
THE CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Ayee
THE CLERK: Commissioner Evans?
COMMISSIONER EVANS: Ayee
THE CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Ayee
THE CLERK: Mayor Cocchiola?
MAYOR COCCHIOLA: Ayee
"WHEREAS, raffle applications have
been received from the following
organizations;
"Stuart E. Edgar VFW Post 493,
Rotary Club of Nutley and Nutley Unico.
"WHEREAS, the applications have been
reviewed and approved by the Municipal
Clerk and the Police Department.
"THEREFORE, BE IT RESOLVED, by the
Board of Commissioners of the Township of
Nutley, County of Essex, State of New
Jersey that the aforementioned licenses
are approved and the Municipal Clerk is
authorized to issue the licenses.
I move the resolution.
COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Scarpeilli?

COMMISSIONER SCARPELLI: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Commissioner Tuccé?

COMMISSIONER TUCCI: Aye.

THE CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye. This last resolution, although I wrote it and I'm introducing it, I think I'm introducing it on behalf of all five members of the Board of Commissioners. It has to do with the response of the employees of the Township of Nutley to the storm that we just had to undergo last week and the wonderful applauds and commendations and comments that we've received from the people of this community about their work performance. It was really incredible and amazing, what went on throughout the night and for those couple of days, and what the employees of the Township of
Nutley actually did, and we really commend them for their behavior.

"WHEREAS, on the evening of June 10, 2008, the Township of Nutley was struck by a violent thunderstorm; and

"WHEREAS, the storm caused extensive and serious damage to numerous homes throughout the Township, left fallen trees and debris on public streets and roadways and resulted in power outages lasting up to three days; and

"WHEREAS, the employees of the Township of Nutley, in all Departments, worked selflessly and responsibly to respond to situations created by the storm; and

"WHEREAS, the Police and Fire, Public Works and Parks and Recreation Department employees responded immediately and worked throughout the night and for days thereafter, to address emergent issues;

"WHEREAS, the Health Office and visiting nurses coordinated with the Red Cross, the Nutley Family Service Bureau,
1 and the Police and Fire Departments to
2 monitor the homebound and elderly
3 residents of the senior citizen
4 buildings;
5 "WHEREAS, the Information Technology
6 Coordinator and staff of the Revenue and
7 Finance Department, with assistance from
8 the Office of Emergency Management,
9 worked diligently to ensure that
10 communication and alerts were sent out to
11 the community via cellular phone service;
12 and
13 "WHEREAS, the staff and management
14 of Public Service Electric and Gas
15 Company worked together with the Township
16 to ensure the least amount of
17 inconvenience to residents; and
18 "WHEREAS, all employees of our
19 Township deserve to be commended for
20 their outstanding performance and level
21 of care and concern as they assisted the
22 residents of the Township in recovering
23 from the inconvenience and damage from
24 the storm;
25 "THEREFORE, BE IT RESOLVED, that the
Mayor and Board of Commissioners commend the employees of the Township of Nutley for their outstanding performance in addressing the extensive damage created by the storm and responding to the needs of the residents of the Township of Nutley in such a swift, professional and compassionate manner.

I move the resolution.

COMMISSIONER TUCCI: Second.

THE CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Yes.

Before I vote yes on this, I would like to say that a coordinated response between all departments, and it was great to see everybody working. And they worked very hard, not only the men and women of my department, but of all the departments. And not only that, but the people of Nutley, how they responded, even in light of some of the tragedies that they had. Nobody was hurt, but homes were damaged. Our own Tom McInerney (ph.), his home. To be on Williams Street and see the people. No
one complaining, just happy we were out there doing our job. It was great to see and it really speaks well for this Township. I'm proud to be up here watching it. Yes.

THE CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Yes.

THE CLERK: Commissioner Evans?
COMMISSIONER EVANS: Ayee.

THE CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Ayee.

THE CLERK: Mayor Cocchiola?
MAYOR COCCHIOLA: Aye. That concludes the regular business portion of our meeting. Is there any member of the public that would like to address the Board this evening? You can come forward.

MS. QUIRK: Terry Quirk, 45 Hampton Place, President and Spokesperson of the Nutley Parent Advocacy Network. First of all, I would like to congratulate all of you for getting in and we're just very, very happy to see you all back. And for the two new people, we're very happy to
see you as well. I also agree with Commissioner Scarpelli, everything, it was just a great effort from everybody, and everyone's jobs, and it was just a -- it was terrific.

Actually, I am not here for a complaint. I am here for an idea that I would like to share with you. It's about a piece of property that's very close to here. As many of you know, a very close friend of NPAN's has recently moved out of state. And her name is Ellen Durhey (phee), and she and her family have moved to South Carolina. And in doing so she's left her parsonage, along with another piece of property, available. And I know that we had discussed youth centers and community centers to help our kids not be on the streets, and I was just wondering if the commission could consider looking into that particular piece of property, knowing that the proximity of that property would be great, being right across the street from the high school. It's contained. It would be off the main
drag, away from everyone, and, plus, it could be used, actually, during the day for our senior citizens right up the street, just to come in and have a cup of coffee or whatever they can do. We're not looking for a really big facility. We're looking for something smaller, that can actually fit. That's not a really big piece of property. Like I said, it's something that before Ellen left she did share that with us, and it's something I'd like to share with you. So if you can think about it. You don't have to give me an answer right now. Or you could just think about it and see. But we would really like to look into something like that. We did do some research. Evidently Boo-oo (ph.) happens to have, like, a coffee house for their -- as a community center as well, and we'd like to look into -- to see how they actually do that. This summer we'll be checking in with them. And we'll let you know.

MAYOR COCCHIOLA: Thank you, Mrs.
Quirke

MSe QUIRK: Not a probleme Thank youe

MAYOR COCCHIOLA: Is there anyone else that would like to address the Board this evening?

MSe MCCLURE: My name is Ann McCluree I'm not from towne I'm from 10 Bayliss Street in North Arlingtone Last Monday there were eight of us that came through town here, and this town got hit the worst of any town in the State of New Jerseye Okay? We pulled over, and we watched your patrolmen, sergeants, lieutenants, whatever, that were out there with all the frustration from the drive. When I say frustration I mean frustration. And, I'd tell you, there wasn't one cop out there that lost his coole You guys gotta be so proud of this police department over heree I know we're proud of ourse And every single driver that was coming down the wrong street, when a cop would tell him to go left, and they're making a
right, this is how bad they were -- they
were so badly frustrated. I was
laughing. But the patrolmen in this
town, I say, when their raises come up,
the town ought to back them up the way we
back our guys up. They earn every penny
of it. And if anybody says they don't,
they're sons, husbands, daughters,
whoever. They ought to put a bulletproof
vest on for twenty-four hours and see how
it feels. They wouldn't be able to do
it. Believe me when I tell you. And all
I can say is that you guys really gotta
be so proud of these guys over here.
Nobody should be afraid to come through
this town with them.

MAYOR COCCHIOLA: Thank you. I
think we share your sentiments.

(Clapping)

MAYOR COCCHIOLA: Thank you, again.

Good evening, Mayor and council.

Or, I apologize, commission. My name is
Steve Ceragno. I'm from the Township of
Kearny, and I'd like to discuss with you
the proposed heliplex in the City of
Newarke I have a very brief statement that I'd like to read:

"We're here to address to recently proposed heliplex facility in Newarke. For those not aware, the heliplex is being proposed to be built on HUD property in Grafton Avenue in Newark's North Ward, directly against, across Route 21, approximately four miles from our current location here at Nutley Town Hall.

"Air Pegasus, the developer, is planning to build a major heliport facility on five acres of land. I quote from Air Pegasus' press release:

"This heliplex will support civil aviation activities for commercial, governmental, media and charter aircraft operations in the Newark and New York metropolitan area. This facility will provide civil aviation services to Fortune 500 employers in the City. The strategic location of this facility will encourage economic growth and increase employment opportunities in Newarke."
"The facility will also house Newark's two police helicopters. While we are all encouraged by the revitalization that the City of Newark is enjoying, this proposed location is questionable, at best. We certainly question the risk and reward scenario as to what benefits this heliplex will provide for the residents of Nutley and the region.

"Helicopter travel doesn't seem to be for the masses, and it certainly wouldn't be for the residents of our region. As we begin to understand what is at stake here, I would like to share what our four primary concerns are.

"Quality of life, safety, health/environmental and property value. We enjoy a quality of life that most certainly will be altered by this facility. The introduction of helicopters taking off and landing will certainly bring to mind noise concerns. We have 200,000 residents between all our communities with four miles of this
heliplexe. We have air traffic from Newark Liberty, Teterboro, and now this heliplexe. Why must we endure more?

"Safety concerns. A helicopter's flight pattern will create a danger to all belowe.

"Health and environmental issues. Besides the challenges of noise and safety, we are concerned about the effects on the longe-term health of our residentse. Certainly asthma comes to mind, as we would expect the study on potential health issues, clean air concerns, and, as well, as any type of environmental issues. In such a populated air space air pollutant emissions from these jet fumes sitting on a pad idling and taking off certainly need to be analyzed and examined for the longe-term health of all our residentse.

"Finally, the heliplex would create a certain decline in property valuee. Most residents bought in the boom area of the late nineties and early decade. This heliplex would certainly see our homes'
value decline, leading to financial loss for the homeowner.

"We do not believe that any of these issues have been studied or taken into consideration. As a community, we hope to resolve this proposal. However, to be proactive we, as a group, have formed the Coalition Against the Newark Heliplex. Our group's focus is to create awareness to our neighbors in all surrounding communities. We have created a petition written with the support of our Congressman, Steve Rothman. This petition represents our uniform challenges against this heliplex."

With that being said, we are here to ask for Nutley's support in considering a town resolution opposing the development of this land in Newark for the use of a heliplex. I have brought a copy of Kearny's resolution and will be sharing that with the commission. We also would like to ask Nutley's support in our efforts to gather signatures for this petition, as we have with the support
from both citizens and elected officials from other communities. We now have over 1,200 signed supporters from area towns, including residents of Nutley.

The resolution that we are suggesting to you has been passed in the following towns: Kearny, North Arlington, East Newark, Harrison and, most recently, Belleville. In addition, the township of Lyndhurst is in discussion to pass such a resolution. We hope that Nutley will consider passing this resolution against the proposed Newark Heliport. We have been out in the community for two months and will continue to work intelligently and passionately to help stop this proposal. I'm hopeful that we can work together to stop the heliplex. I thank for your valued time and the opportunity to present this. Thank you very much.

MAYOR COCCHIOLA: Thank you, Mr. Ceragno. Do you have contact information --

MRe CERAGNO: Sure.
MAYOR COCCHIOLA: -- because we do have a copy of Belleville's resolution that they passed.

MRe CERAGNO: I do. This packet there has everything, and my phone number is in there as well.

MAYOR COCCHIOLA: Thank you so much. We'll reach out to you. Thank you.

MRe CERAGNO: Thank you very much.

MAYOR COCCHIOLA: Is there anyone else that would like to address the Board this evening?

MRe BOSES: Good evening, Commissionerse. My name is Christopher Boses (phe)e. I'm a resident of Nutley for twenty-two years, and I reside at 21 Alexander Avenue, Nutley, New Jersey. I've had a problem with a town employee. I've been in contact with the police and the building inspectore. The individual's name is Jack Barry, and I am trying to find out who he seems, what his job is in town, and who his boss ise.

MAYOR COCCHIOLA: Mre Barry is the Traffic Safety Coordinatore. He reports...
to Commissioner Evans.

COMMISSIONER EVANS: He reports to me. He's the Traffic Safety Coordinator in the Code Department.

MR. BOSES: He's been in front of my house on two separate occasions writing down license plate numbers of mothers with small children. I have approached him. I've had the police approach him. And nobody can tell me why he is there, and I just want to make sure that the town is aware of the fact that he is there --

COMMISSIONER EVANS: Yes, we are.

MR. BOSES: -- and that there is some reason that he is there.

COMMISSIONER EVANS: Yes, there is.

MR. BOSES: And what is the reason that he is there?

COMMISSIONER EVANS: If you'd like to stay after the meeting I'll take it up with you and I'll explain.

MR. BOSES: Okay. Thank you.

MAYOR COCCHIOLA: Thanks, Mr. Boses. Is there anyone else that would like to
address the Board this evening?

MRe GAYER: Good evening. My name is Peter Gayer (phey), and I'm a co-owner of a small apartment building on the corner of Union and Conover Street in Nutley. About a week and a half ago I had the pleasure of talking to Mayor Cocchio -- sorry.

MAYOR COCCHIOLA: Cocchiola.

MRe GAYER: -- about the parking problem that I'm having in situ, like my tenants are having, and she recommended that I express my problem to the committee here and see if, maybe, there's some sort of resolution or solution that we can come up with.

Currently I have three apartments that are vacant, due strictly to the fact that I can't find people who don't have cars and parking in the area is unattainable. Previous tenants have had spots from people who live in the neighborhood, but as they move or people who live in these houses have kids that become of driving age or have friends who
say the next time a spot is available let me know, or can you get rid of the person who's renting, it's becoming increasingly -- not only is it becoming increasingly difficult, it's now impossible.

A while ago we've already had to resign ourselves not to rent to two people, because the likelihood is that if two people have two cars then that would only complicate the problem even more. So we were trying to concentrate on single people with one car. And now we can't even do that.

I understand from the Mayor that I'm not alone with this problem, and I realize that it's not a simple solution. At the same time I'm really hoping that we could come up with something, even on a temporary basis, where maybe I could get some permitting for a few apartments until we resolve the problem, even if it would be on a main street that would be in the area.

I'm, you know, anybody who knows
me -- and nobody here does, well, except for, maybe, one person -- we take care of the building very well. Our relation with the Building Department and the Fire Department, and if you ask any of the people who deal with us, has been excellente. We're continuously improving and upgrading the building, and we'd like to continue to do that. But out of eleven apartments for three to be vacant, it's a significant percentage, and I'm only expecting it to get worse.

Some of the people who we now have, of the three that are vacant for no parking, I have another tenant who's there and has a handicapped permit, and so they seem to be able to park on the street. Another person is a correction officer from another town who, maybe out of courtesy, and I don't mean to bring light to him, but has been able to, in some way, park. So actually I have five problems if they should leave, because I now would have to go to, quote, "normal people". So the problem is really,
really serious for me. And I'm here to ask for your help.

MAYOR COCCHIOLA: Mr. Gayer, when did you say that you initially bought the building?

MR. GAYER: About ten and a half years ago.

COMMISSIONER TUCCI: Mayor, I'd like to respond to that.

MAYOR COCCHIOLA: Sure, Commissioner.

COMMISSIONER TUCCI: I'm very much aware of the situation that you have with your apartment building. The problem lies in the fact that you had some of your tenants parking illegally in our park, the backside of Flora Louden Park, which fronts on Hancox Avenue. And when we asked the folks to please move their vehicles, all right, they became very belligerent. We also blocked it off, and they broke down our barricades and insisted on parking there.

MR. GAYER: I don't -- I'm not really familiar with the incident. Are
you talk -- within the ten years that I
have owned it this has happened?

COMMISSIONER TUCCI: I'm speaking
within the last year. All right?

MRe GAYER: Of tenants that re --

COMMISSIONER TUCCI: And we are,
just as a general rule, we are very
lenient with our neighbors that live
around our parks, because we realize that
from time to time there are
inconveniences depending on what
activities are going on. But I'd be
happy to sit down and talk with you about
what we've experienced and also bring in
some of my people so you can hear
firsthand exactly what went on there with
some of your tenantse.

MRe GAYER: Okaye I'd be more than
happy to. I think you're confusing my
building with another building. I'm
positive you are, but we could sit
down --

COMMISSIONER TUCCI: Okaye

MRe GAYER: -- and resolve ite

COMMISSIONER TUCCI: I'd be happy
to talk with you. If I am then I
apologize, but if you're --
MR. GAYER: Okay. But I --
COMMISSIONER TUCCI: -- speaking
about the building I'm thinking about --
MR. GAYER: This is --
COMMISSIONER TUCCI: -- I think that
may be part of the problem
MAYOR COCCHIOLA: Conover and Union.
COMMISSIONER TUCCI: Yes.
MAYOR COCCHIOLA: Across from
Mandy's Dog Grooming.
COMMISSIONER TUCCI: Right.
MAYOR COCCHIOLA: Okay.
MR. GAYER: It would not be -- it's
not possible, but we can talk.
COMMISSIONER TUCCI: Okay, I'll be
happy to talk to you after the meeting.
MR. GAYER: But I don't understand.
But may I -- I don't understand how that
addresses the problem that the tenants --
first of all, the tenants who have
parking, except for the two that I just
mentioned with the handicapped and the
corrections officer, the others have
parking in someone's home. So they wouldn't be searching, and we would only have rented -- our policy, and we try to be very responsible --

COMMISSIONER TUCCI: All right.

MR. GAYER: -- is we will only rent to someone if we can secure them parking. So we've never had a situation where someone lived there and didn't have parking. They've always had parking, but the trouble is that as they move and then we go back to secure the same spot again we're told it is either not available, even to the point where we would pay when there was no one there, they would say that a friend or a relative or a neighbor --

COMMISSIONER TUCCI: Right.

MR. GAYER: -- and so we've, through attrition, have lost it. But we've never rented to someone without giving them a parking spot. So the situation, that's why I'm a little, plus I know the people very -- I'm very intimate with the people in a friendly way.
COMMISSIONER TUCCI: Okay.

MRe GAYER: And it's just not possible.

COMMISSIONER TUCCI: Okay. Well, I'll be happy to --

MRe GAYER: But how would we --

COMMISSIONER TUCCI: I'll be happy to talk with you about it.

MRe GAYER: But how would we address the problem. Let's just assume that there was a misunderstanding and we corrected it. How can we still address the parking situation? I still have three and, potentially, five immediate apartments that tenants can't find parking for.

COMMISSIONER EVANS: I want just to add. Presently our parking ordinance requires off-street parking unless there's a designation of someone handicapped.

MRe GAYER: I understand.

COMMISSIONER EVANS: We have not gone through any discussion or consideration that we would consider
changing that ordinance at this time, nor
is there any provision to allow for
special permits to park on the streete
So I now realize it's a difficult
situation, that we would have to take it
up as a commission body to discuss what
we might do to amend the current parking
ordinance, which requires securing spots
off the streete

MR. GAYER: Understanding your
situation, and also understanding mine,
the type of situation or remedy that
you're saying, with possibly a perk, it
could take how long? I mean, you're not
going to have an emergency meetinge

COMMISSIONER EVANS: No, we're not
It would take a whilee

MR. GAYER: Okaye So, in the while
my buildings begin to deterioratee I'm
just thinking --

COMMISSIONER EVANS: I understande

MR. GAYER: So what you're really
saying is that there is nothing that the
commission can doe

COMMISSIONER EVANS: Under the
present ordinance, no, unless there's a modification of the ordinance, which we have yet to take up as a commission body to discuss.

MRE GAYER: And if you want to do it would take, probably, more than a year.

COMMISSIONER EVANS: It would take a while, yes.

MAYOR COCCHIOLA: Mre Gayer, I think you know, because you said you sat in on some committee meetings, that there was a committee convened, I guess, what was it? Over a year ago, or maybe a year and a half, and then they issued a report on --

MR. GAYER: Righte I spoke at that meeting.

MAYOR COCCHIOLA: Yese And the recommendation was to continue the overnight parking ban on the streets in the Township of Nutleye So the Board understands, when Mre Gayer came to speak to me I told him that I was not an advocate of changing the ordinance as it stands now, but that in fairness to him I thought he should address his comments to
the entire Board

COMMISSIONER EVANS: Suree

MAYOR COCCHIOLA: Mre Scarpelli@

COMMISSIONER SCARPELLI: How many
apartments do you have@

MRe GAYER: Elevene

COMMISSIONER SCARPELLI: Elevene

How many parking spots do you have@

MRe GAYER: Nonee

COMMISSIONER SCARPELLI: Nonee

MRe GAYER: The building has nonee

There are five apartments that have
appropriated parking in the neighborhood,
so they have parkinge. Or maybe it's sixe
The remaining do not have parking spots.
That's why three are vacante. One has a
handicap, and one has a courtesye

MAYOR COCCHIOLA: Let me ask you a
questione

COMMISSIONER EVANS: And I'm not
aware of a courtesy that we would give to
anyonee

COMMISSIONER PETRACCO: Yese

MAYOR COCCHIOLA: It's never been
donee
COMMISSIONER EVANS: So, Commissioner Petracco, maybe that might be something you would take up.

MR. GAYER: Well, I'm not here to create.

COMMISSIONER PETRACCO: I'm not aware of that either.

COMMISSIONER EVANS: I don't see how we would do that.

MAYOR COCCHIOLA: Can I ask you a question, though? When you bought the building, and it had no parking, how did you think you were going to solve the problem? You bought the building, and you knew what existed.

MR. GAYER: Exactly. Very embarrassing. At the time the woman who lived across the street, and still does, and still is a, you know, has many spots, people parked there. She was one of my main staples. We've had several elderly people who had friends in the neighborhood, but over time, as things got lost and as people needed more cars, this became a very serious problem, till
it really, you know, we've always had one apartment that took a long time, and then you get lucky and you get somebody who didn't have a car yet. But it's really right now a very serious problem, and, obviously, there is going to be no solution through --

COMMISSIONER PETRACCO: Is she still there?

MRe GAYER: Yeah

COMMISSIONER PETRACCO: Across the street --

MRe GAYER: Yeah

COMMISSIONER PETRACCO: -- that they could still park?

MRe GAYER: Clarke. Yeah. Clarke

COMMISSIONER PETRACCO: Just a suggestion. Did you try the dry cleaners and the Laundromat behind there?

MRe GAYER: Do you know them by any chance, or him?

COMMISSIONER PETRACCO: Very well

MRe GAYER: If you could get -- I mean, we had this discussion

MAYOR COCCHIOLA: We were wondering
who knew them, that maybe they could
place a call.

MR. GAYER: I can count on -- I
can't even count on two hands how many
letters certified, how many times I've
talked to each person that works there

COMMISSIONER PETRACCO: I'll try to
get in touch with them, and I'll take
your number --

MR. GAYER: Okay.

COMMISSIONER PETRACCO: -- but, also,
Belleville's not so far from you. I know
a lot of those tenants, when I was
occupying space in that building, they
would park on the Belleville side and
just walk over. If they're not willing
to do that any longer --

MR. GAYER: Okay. Well, I think I
had mentioned this, and I was told I was
wrong, but I was under the impression
about a number of years ago that
Belleville passed an ordinance that you
could not park on the street within a
certain distance of Nutley, of the border
of Nutley.
MAYOR COCCHIOLA: I don't know about that.

COMMISSIONER EVANS: I'm not aware of that.

MAYOR COCCHIOLA: Oh, Commissioner Tucci, you know anything about that?

COMMISSIONER TUCCI: No.

MAYOR COCCHIOLA: I didn't think so.

MRS GAYER: Okay. I'll investigate that. I'm not trying to say that people nowadays are lazier than they were twenty years ago, but --

COMMISSIONER PETRACCO: At least you have that avenue to go down --

MRS GAYER: Yeah.

COMMISSIONER PETRACCO: -- because you're not that far. A lot of the other buildings that are stuck in the middle of here, it's even a bigger problem for them. They don't have any options at all, so I'll get that number for you.

MRS GAYER: Okay. If you could...

COMMISSIONER PETRACCO: Yes.

MRS GAYER: You know, I could
introduce --

MAYOR COCCHIOLA: And Mrs Gayer, are you going to contact the gas -- I also suggested that he try the gas station on the corner of Centre and Unione.

MRS GAYER: Yeah.

COMMISSIONER PETRACCO: Have you?

MRS GAYER: No, that I haven't, and I'm actually, I'm with, you know, the cleaners is ideale. The neighbor that was going to sell the building was ideale. We've contacted another house to see if it's possible. But purchasing a building and then coming to the Board and finding out if we could raze it for parking, it's not a good investmente. It's not a -- it compounds the stupidity that I made ten years agoe. But as --

COMMISSIONER PETRACCO: I'll try to help you.

MRS GAYER: Okaye. Thank you very much. Should I introduce my number, my phone number, direct?

MAYOR COCCHIOLA: Yeah, I think we should be done shortly, so if you want to
wait around --

MRe GAYER: Ohe

MAYOR COCCHIOLA: -- you can give it
to --

MRe GAYER: Thank you very much e

MAYOR COCCHIOLA: Thank you e Is
there anyone else that would like to
address the Board this evening?

MRe WOJCIIK: Mayor, Commissioners,

My name is Richard Wojcike. I live at 48
Funston Place in Nutley, New Jersey, and
up front I like to let it be known that
Commissioner Tucci has said anything that
transpires in Nichols Park, we will be
informed. He will discuss it with use.
Nothing's going to be blindsided. All
right? But several weeks ago in the
Nutley Sun there were people, and I want
it public record, all right, that not
everybody is perfectly content with
Nichols Park. All right? I happen to
live two houses off the park, and we have
a great many issues. I'm not going to
get into it all tonight. As needed, all
right? I've spoken to quite a few of my
neighbors and they feel as strongly as I do. They've said I can throw their names out and they'll support me 110 percente. All right?

Our neighborhood has changed dramatically over the last fifteen years. When the park was first built, it was said don't worry about it. It'll die down. It hasn't. All right? It's gone from a seasonal park where people play ball and leave and then we have the rest of the season to ourselves, more or less, to a year-round park. In the summertime there's no place to park. I mean, people block our driveway sometimes. We can't pull in, pull out. They're more interested in entertaining the children, which the park was developed for. All right?

We don't have a problem with a playground. But we want a community playground, not a triecounty playground. I mean, we come home. There's buses from Passaic. There's buses from Newark. There's buses from Parsippany. All
right? I mean, I've seen it. I live there. So, I mean, you know, I can take films if that's what you so desire, do whatever is necessary. But we don't have privacy. We don't have a neighborhood. We have a transient area that is overcrowded. All right?

The playground has gotten to a state, which everyone is well aware of, that it's become a habitat for our neighbors from the Brook. All right? And that will continue to be as long as there's places for them to burrow and not be bothered even when there's people around. The people that do visit the park, because it's so convenient with the tables and the benches, they tend to leave their things behind. By that I mean food. So they invite our unwanted neighbors. All right? These are things that affect our neighborhood on a daily basis.

Our neighborhood has become desensitized. We have people wandering day and night at all hours. I mean, you
can check the police blotter, and you'll see we've called 3:30 in the morning because there are people, and I'm talking anywhere from ten to twenty people in the park, screaming their heads off, having a grand old time. All right? It's totally disrupted our way of life.

I would like it to stop. I would like it to be the Nutley I moved to twenty some odd years ago. I love the town. My wife says to me, where would you like to move? And I said I can't think of anyplace. I love the town. I hate the park, but I love the town. The people are good. The merchants are great. I mean, I can't think of a whole heck of a lot more that you could want, or more that you would get living anywhere else. All right?

But, I just, the quality of life has really suffered. My house was broken into. People never even noticed, because there's such a transient personage walking around. All right? And I'm talking about all kinds of people, who
dress all kinds of wayse. No one takes notice, because it's day and it's nighte. Cars are parked all day longe. It's a twoe-hour parking zone, but there's cars there, come summertime, and you don't know who they belong toe. Are they casing out my house? Are they casing out my neighbor's houses? All righte.

Again, you won't even see, for whatever reason, my breakein isn't in the police blotter in the Nutley Sun. All right? But two weeks after I was broken into three houses were randomly broken into not too far away from mee. They all made the blottere. All right? Coincidence, whatever, I don't knowe. But, again, our neighborhood is not a quiet neighborhood. It's not a reasonably safe neighborhood. Violent, noe. But we don't have securitye. I can't, at night, my wife will not leave the windows open this far, because she's afraid someone will just open the window and come in while we're in our sleep. All right? I mean, it has dramatically
affected our way of life.

A playground for the children, for the neighborhood, great. A triecounty park, we need to get rid of it. Thank you.

MAYOR COCCHIOLA: So, Mr. Wojcik, you're not saying you're against a playground there. You don't like the Creative Playground.

MR. WOJCIK: I don't want a massive structure that we have now. All right? I respect the people that spoke, and I read it in the Nutley Sun. All right? Yes, they have pride. They have a good feeling. But you know what? It's not in their backyard. They don't know what we live with on a day-to-day basis. When I first moved here there were, like, I think, four apparatus in that park. And it was magnificent. There were a couple of kids there. It was during the day, after school. That's when it's supposed to be. And they enjoyed the park. And the parents stood there, and they walked around, and it was really great. They
were there for a half hour and they went home. That's how to build a playground.

But now you have places for people to hide, people to do whatever they feel like doing, and, I mean, if you check the reports, there are some interesting things going on, because they are hidden. All right? They are not seen. And we don't have, and we don't need the expense to have a constant patrol there. All right? We need it, because of the way it is. But we don't need the added expense. So which way do you go?

A typical small playground? That's what we had. That's what I could live with. I don't want the barriers. I don't want the fences. I can't see the massive tables and benches that invite people to stay there for a half a day. All right? And then get up and leave their mess for the Parks and Rec. Additional cleanup, additional trash. They don't care. We pick up diapers off our lawns. All right? They throw in our recyclables. If we have recyclables
out, they don't care. That's fair game.
People don't take it oute.

I'm a hunter. We have a very, very
simple philosophy. You take it in, you
take it oute. All right? But a lot of
people don't live with that rule. We're
more of a conservationist than anybody
out there. Even though we get condemned
for what we do, we care more about the
woods, the country, than the average
person.

I mean, I have a small farm up in
Andover. I spent $800 dollars that very
severe winter we had, putting out feed
for the deer and other animals. I plant
ten acres of clover every year for the
deer to feed one. Yeah, I go out and I
shoot one. I bring it home. My family
eats it. All right? But I take care of
my own. All right? People don't do that
here. They're city people. They have a
different way of life.

MAYOR COCCHIOLA: Mrs. Tucci, you
have any update? I know that you spoke
about this at the last meeting.
COMMISSIONER TUCCI: Actually, I do.

At the last meeting we spoke about some of the problems that we were having there with the rodents and the condition of the park. And I had promised at that last meeting that we would get an independent evaluation of the park. And we have one that I received today from the County Engineer. Because I contacted the state, but the state no longer has certified playground inspectors on staff. I guess, with their cutbacks they let those folks go. So I have one evaluation done by a county engineer, and I have our Public Safety Director of our joint insurance fund, not Mr. Petracco, who will be conducting an evaluation tomorrow. We had an insurance meeting this morning and they are certified to do this. They will be out there tomorrow to give us another evaluation.

And I understand what you have gone through. I understand, because we have spoken about this many times, what the --

MR. WOJCIEK: That's why I wanted to
make it clear that you're not doing anything behind the scenes. And I appreciate that. But I want a public record, because other people have come forth and said we love it.

COMMISSIONER TUCCI: Right.

MRe WOJCIK: We put our heart and souls into it. Yes, they did. But it's not their backyard.

COMMISSIONER TUCCI: Right. And, as I stated before, I understand that folks are emotionally invested and invested time in building that. I was one of them. I know several of the folks here also were involved with that. But there's a health and safety issue that needs to be addressed. I have one evaluation. I'd like to wait until I get the other evaluation, which will be done tomorrow, and then I'll be happy to share it with, obviously, the Mayor and all the Commissioners and everyone else that's involved.

I understand what's going on there. I'm concerned about the health and safety
issue

MRe WOJCIK: All righte. Again, I respect the health and safety, but I really would appreciate it if you can consider making it the town I bought into. A good neighborhood playground for the local kids, not for every other town and community around.

MAYOR COCCHIOLA: One thing, though --

COMMISSIONER TUCCI: Yes?

MAYOR COCCHIOLA: --Mre Wojcik, and Mre Harkins, I should really ask this. I'm fairly certain that in any public park or playground you can't limit who can --

MRe WOJCIK: No, I'm not limiting it. But it's such an invite, because of the size.

MAYOR COCCHIOLA: I see what you're saying.

MR. WOJCIK: All right? If you make it a typical, normal neighborhood playground, with minimal apparatus, enough to keep the kids entertained for a
half hour or an hour, an afternoon, all right? Where the parents okay, it's time to go home, rather than bring your lunches, bring your dinners, and spend the whole day there. It's not Van Saun Parke. All right?

MAYOR COCCHIOLA: I understand.

M'Re WOJCIK: We don't have a kiddy zoo. We don't have a train ride. All right? It's not Van Saun Parke. But I'll tell you, they act like it is. You have to spend a couple of days in my neighborhood, all day long, to truly appreciate what I'm saying. I mean, it's, they come in by the busload. And they spend the day there. They come in by vans. You'll get fifteen people pour out of a van. And it's not one van. It's four or five of them. And they spend the whole day there. They leave their pizzae. They leave their Burger King. You name it, they leave it for use. We don't need it. All right? But that's the way it is, and that's why I plead please, make it the neighborhood I bought
intoe Make it the whole town that I lovee All righte I love the towne I hate Nichols Parke

MAYOR COCCHIOLA: Thank you. You can step forwarde

MSe FUZZY: Hie I don'et want to take anymore of your timee I'am Karen Fuzzy (phe)e I live at 43 Funston Placee I'am a house away from the parke I know I sent you an e-mail, Mayor, that you didn'et answere You should have before electione

MAYOR COCCHIOLA: Well, I spoke to Mrse Wojcik on the same day --

MSe FUZZY: Yese

MAYOR COCCHIOLA: -- and I thought she was going to convey my thoughtse

MSe FUZZY: I knowe You could have cc'ed mee That would have been goode Okaye What I'ed like to say is there are a lot of people concerned about the parke People that live theree I'am not going to go into listing the things again that Mrse Wojcik dide But you have to understand that we moved in sixteen years
ago. The park was already there. It was just built. And just recently — I'd all set up a scenario for you. My husband and I were sitting on the front stoop. It was a nice warm day. We were just sitting there talking, and we could one, hear each other above the screams from the park because there was nobody there. Two, we could actually hear the wildlife, the birds. And I said to him this is great. We had never experienced what Mrs. Wojcik used to constantly tell us about what the neighborhood was like. I couldn't imagine what it was like, because I never lived there before. And now we saw the difference. There wasn't the ice cream truck that has that little annoying song. Like, how would you like to hear that Saturday and Sunday all day long? Think about it. You have your husband's boss over. I gave you that scenario. You have kids screaming in the park. You have no place to park a car if someone's visiting you. Think about it. But I agree with Mrs. Wojcik that you
could have a park there, but make it less appealing to the masses. Make it for small children, not for the teenagers to hide in at night. That's all we're asking for. And, please, if you're having a discussion on it, bring in the neighbors from the neighborhood. Don't be questioning people that live a mile away, blocks away. Question use. We'll tell you what it's like.

MAYOR COCCHIOLA: When did you move to the neighborhood, Ms. Fuzzy?

MS. FUZZY: Hmm?

MAYOR COCCHIOLA: When did you move to the neighborhood?

MS. FUZZY: Excuse me?

MAYOR COCCHIOLA: When did you move to the neighborhood?

MS. FUZZY: Sixteen years ago.

COMMISSIONER TUCCI: Just as a point of clarification, whenever we make any change or any improvement to any park we always have neighborhood meetings. And usually we have several meetings, and we take into account the wishes of the
neighbors. Because --

MS. FUZZY: Okay. How do you notify
the neighbors that we're doing this
meeting?

COMMISSIONER TUCCI: We get your
name from the tax office, and usually we
notify everyone within 200 feet, and we
usually put an ad in the paper so that
folks that live beyond the 200 feet will
be notified.

MS. FUZZY: Okay. Thank you.

COMMISSIONER TUCCI: You're welcome.

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

MS. HICKEY: Donna Hickey, 44
Funston. Also regarding Nichols Park.
I, of all people, have the biggest
complaint of all. And it's the rodents.
I have four children. My children love
that park. I love the park.

Ms. Cocchiola, I know you're very
sentimental to the park. I have to tell
you something. My home has been
inundated by rats. More than one
occasione Ten years ago I spent $15,000
dollars, in my yard, to get rid of the
ratse They embedded in my homee. They
were in my ovens. I have four children.
I have a clean homee.

After that, I let everything goe.
I'am not one to complaine. I never
complained. I love the parke. My kids
are upset that I'am even bringing this to
your attentione. I can'at have that park
there for the safety reasons of my
children and the rodentse. I agree with
everything the Wojciks and the Fuzzys,
and they knowe. They know the ratse. We
could take video camerase. They'ere like
families to use. They come oute. I can
show youe. They'ere not even afraid of
peoplee. Okay? I had a rat recently in
my home come up, and I know you know
about it, to the second floor of my
child'es room, cut a hole into his floor,
into his bede. God knows how long that
rat was theree. And I'am telling you, I am
not exaggeratinge. This big, with a butt
this bige. All right? And I'am just
telling you like it is. Had babies and all that stuff.

I am not a bigmouth. I don't go to the town. I don't make a big stink at thingse. I love the parke. My children love the parke. I've been in that park with my children. These rats are embedded in the wood underneath. One day a child is going to get bitten. And you know what? It's going to be a child from Paterson or Passaic, and we're going to lose our town, because it's not safe there. They live there.

I call the town. You know what they tell me? We baited them. They'll go back to the water. No, that's not where they go. I see them, the Fuzzys see them, the Wojciks see them, and I have letters here from the rest of my neighbors. They see them all day and all night. Not only do the teenagers come, and the old men come, and whoever is coming in our park and causing all kinds of vandalism and noise. We hear it all night long. I pick up diapers. We pick
up -- they come in busloadse. They're not kidding you when I tell you busloadse.

Now, I came and grew up from Newark, and I came to this town, and I pay taxes to keep my children from what I grew up ine. I don't appreciate where I live, and the taxes that I paye. I never came to the town ten years ago. All as I did was call and say please help, there as a rat in my oven. I have the rats in my home and in my yard. I'm the one on the block that they come to. If they come to any other house it's because they're embarrassed to say they're theree. Trust mee. But they do come. The rats are theree. And they're dangerous. And one day, and thank God my child didn't get bit, and thank God another child, and you know what? If another child got bit, this town would be historye. We would not have this town.

It's a warning to the town and to the people in Nutleye. I know it's sentimental. I know it's a beautiful parke. My children love ite. I have four.
kidse I'm going to say it againe I love the parke But those rats, I am there every day and every nighte I walk my doge My children playe My children are so upset that I have to come here and tell you to please get rid of the parke I don'et care what's theree That wood has to goe They are embedded in that parke I could take pictures and videos to show you, as Mr. Wojcik told youe It'es dangerous This time around I submitted a claim, and they denied mee I don'et even care about the moneye I care about the safety of our children.

If your child was in my son'es bedroom two months ago, I don'et think that park would be there anymoree I'll be honest with you. If you saw the size of that rat, and the babies that I caught, and how sickening I got, and how upset I was, I don'et know how you would handle ite I really don'et. But I had to close that room off for two and a half weeks, and then fumigate it, put a new floor in, a new rug in, buy a new bed,
buy new clothing for my children, and all
their friends were afraid to come to my
house. Like, what'as my house@

It'as because it'as the rats from the
park. They do not go back to the water.
They come to our homes. They come to all
of our homes. I'm three houses in from
the park. Four houses. One, two three,
fourth house up. This is not the first
time. I can'at afford, number one, to
redo anything else in my home. And,
number two, I have four children. And
their friends are always at my house. I
have a very open home. And the kids,
they're not going to even want to come
and play anymore.

So I beg and ask of this town to
please, please, do something about the
park. I don'at care what'as there. But
the rats are dangerous to our home.

MAYOR COCCHIOLA: Mrs. Hickey, since
you seem to be directing some of your
comments at me, let me tell you that I' am
sentimental about my father and his work.
I' am not sentimental about wood that was
built, and I was one of the people that helped to build it. So when you talk about my sentiments, it's about my father and the good that he's done for this community.

MS. HICKEY: I understand that, and that's why I --

MAYOR COCCHIOLA: With regard to this playground, and as a mother of a two year old, I wouldn't want to subject my child to any kind of atmosphere that was unsafe. So understand that my sentiments are about my dad, not about the Creative Playground.

MS. HICKEY: Absolutely.

MAYOR COCCHIOLA: And the health and safety of everybody, children and parents and the people who live in that area, come before anything else. If what Commissioner Tucci tells us is that there's a serious health and safety concern there, then changes have to be made. And it's a no-brainer. That's what has to happen. I don't think anyone's going to argue with that.
So with respect to some of your comments directed toward me, that's where my sentiments lie about my dad and the things that he did for the Parks and Recreation Department in this community, not about a wooden structure. And that's number one. Number two, have you contacted my office about helping with that abatement, since it seems to be particularly serious around your home?

Have you contacted --

MS. HICKEY: No. I have attended-

MAYOR COCCHIOLA: You haven't.

MS. HICKEY: I have commented to Mr. Tucci here, and he knows the situation. And, to be honest with you, I do value your sentiments to your father, and all that. And I didn't mean that in any disrespect.

MAYOR COCCHIOLA: No, no, no. It didn't matter. No, but what I'm asking you is in my department if you are having a problem in your home with rats, I know that some of that problem emanates from the park, but if yours is particularly
burdensome we come out and we help you
with the abatement and I send somebody
out to take a look at it. And we'd be
happy to do that. My question to you is
have you contacted my office?

MSe HICKEY: Oh, no, they did come
out.

MAYOR COCCHIOLA: Joe Petti came
out?

MSe HICKEY: They did come out, and
they did find traces of what was
happening, but, I mean, it doesn't help
what happened or what's going one I
mean, the problem stands within the park.
Something has to be done. Whether it's
the rats, the teen, you know, there's a
lot of different issues here. But the
most important one, obviously, is the
rodents.

MAYOR COCCHIOLA: Absolutely. Look,
I think we're moving in a direction where
we're trying to do what's best for the
community. We're just, we, as a Board,
are waiting for information from
Commissioner Tuccie. And the information
will be presented, he'll have a
recommendation, and we'll do what we
think is best.

COMMISSIONER TUCCI: Yes. Just as
another point of clarification, Donna,
you know we've baited that park several
times. I'm just waiting for the second
evaluation. If the second one is
anything like the first one we are going
to move very quickly to rectify the
situation, and I hear you and what your
neighbors are saying as far as the
tranquility that you once had and then
the business of the park once the
structure was, in fact, built. We are
going to rectify this problem one way or
the other. And as far as your insurance
claim is concerned, you are aware that I
am the Nutley representative to the Joint
Insurance Fund. We are reconsidering not
only your claim but everything that
you've gone through, so, hopefully, we're
going to get an answer on that also. And
that is, in fact, is why, for those of
you who are not familiar with what's
going on there, the park is still closed
until that second evaluation is
completed, until we are 100 percent sure
that it's safe. And if it's not safe we
will take the appropriate action at that
point.

MS. HICKEY: I thank all of you, and
I just want you to know, in my behalf, I
really am in concern of the children's
safety, and that's my number one,
regardless if it's my children, your
child, or Passaic's children. It's the
safety of the kids that come first, in my
heart. Just so you know that.

MAYOR COCCHIOLA: I think we all
agree with that. I mean, we all have
children, and I think we all understand
we're in agreemente.

MS. HICKEY: Okaye. Thank you.

MAYOR COCCHIOLA: Thank you very
mucho. Is there anyone else that would
like to address the Board this evening?

MRE. STORY: My name is Ed Story. I
live at 88 McKinley Streete. I'd like to
bring to the Board's attention, the Board
of Commissioners, the fact that there was a fire in my neighbor's home at 84 McKinley Street. You might remember it? It was in the paper last January. One hundred and thirty cats were in the home. The Fire Department effectively fought the fire and brought it under rapid control, and the home is now declared uninhabitable. The home has never been cleaned after the 130 cats were removed. The home continues to have an odor problem, which I detected this morning while standing in my backyard.

I don't know where to go anymore with this problem.

MAYOR COCCHIOLA: Mr. Story, you sent me a letter and you expressed that there was a rodent problem, and we were out at your property and the property next door, I believe, with Always (ph.) this week, with the rodent control people. Did you see them there?

MR. STORY: I did not see the people, but what I've observed in my yard now is an infestation of mice.
MAYOR COCCHIOLA: And that was your complaint, and we sent someone out to do some abatement there --
COMMISSIONER PETRACCO: Mayor?
Also --
MAYOR COCCHIOLA: -- within the past two days.
COMMISSIONER PETRACCO: Also, I believe I was at your house and I met your wife. I was with our Deputy Chief of the Fire Department --
MAYOR COCCHIOLA: Yes.
COMMISSIONER PETRACCO: -- to see what could be done. So we paid that a visit too, and we're working on that as diligently as we can.
MR. STORY: You mean you're --
COMMISSIONER PETRACCO: There's a lot of legal matters involved with that.
MAYOR COCCHIOLA: There's problems because there's insurance, there's an insurance issue, and there are some legal issues, and we can't go in and do anything to that property other than what we've already done repeatedly with
respect to cleaning up the front. We had
the grass cut in the past week as well,
and we sent someone there to try to take
care of the rodent infestation, take a
look at it, and bait for that.

Beyond that, at this point in time,
I'm not sure what more we could do.

MR. STORY: Frankly, the place has
now become a curiosity in the
neighborhood. There's many times where
I'll be out in my yard and I see children
coming up and down the street. They all
pause and call it "the cat house". I've
watched, this weekend a bunch of teenage
boys walked up the street making comments
that I overheard my neighbors say on the
day when the fire occurred about saving
the cats. So it's become a neighborhood
curiosity.

I'm afraid that some kid is going to
get hurt over there. While you cleaned
up the front lawn, there are trees,
literally, sprouting this high out of the
backyard right now, all scattered about
wherever the seeds might have fallen. On
my side of the home and in the backyard
the leaves have never been collected for
over two years. If a spark ever hits
those dry leaves this summer we know what
that's going to do. I have some real
public safety concerns.

How that property will eventually be
remediated or whatever is with insurance
and whatever, but in the meantime there's
public safety issues here. There's air
quality issues. Your office last year
was inspecting that home and detected
mold in the home. That was a year ago,
before the fire. A lot of water was
introduced to that home.

MAYOR COCCHIOLA: I never saw a
report. I never saw a report from the
Health Officer that said that he detected
mold in the home, but I'll go back and
check that.

MR. STORY: Go back and look. There
was one report where he said mold.

MAYOR COCCHIOLA: I'm pretty
familiar with the file.

MR. STORY: And now we've introduced
a lot of water to the homee There was never a proper remediation of that water. We just closed up. So whatever water was left in there now is percolating over the summer, along with whatever feces and urine from the cats was left in the homee.

Have we ever done air samples? I know all the firemen's equipment had to be taken out to be professionally cleaned from the fire. It couldn't be just returned to the firehouse and hosed off as would normally be donee.

Something has to be done here about the quality of this structure in a residential neighborhood. It's akin to what's going on in this park.

MAYOR COCCHIOLA: We don't have the ability, Mr. Story, to go in and touch a residence that's still owned by a private homeowner. I'm certain that once she resolves her insurance issue she'll probably sell the property. Somebody's going to come in and take that house down and build a new home there. But we can't. We're the Township of Nutley.
can only do so much. And every time you
ask us to do something we are there and
we respond and we do it. But we can't
ock the house down.

MRe STORY: Last February your
office brought a health complaint, public
nuisance complaint, against that
residence. We asked what is the status
of that. It is never heard.

MAYOR COCCHIOLA: And, Mre Story,
the answer is this. That complaint was
combined with about six other complaints
and sent to Superior Courte. I have a
verbal on what happened, that is that the
homeowner was given a PTI with a number
of conditions on it. Quite frankly, I
did a verbal. What someone tells me
verbally, to send back to you was not
sufficient for me to report back to you
unless I have something in writing. And
once I get it in writing, from the
prosecutor's office, I'm going to give it
to you, because I'm more comfortable
having it in writing from them so that
there's no mistaking what the conditions
are and who has to report on theme. But I'm having a little bit of a problem getting something in writing from the prosecutor's office.

MRe STORY: I've had a problem even finding out who to talk to in the prosecutor's office, frankly.

MAYOR COCCHIOLA: We did get to someone, and we did get the information. But, quite honestly, the way I do business is I want it in writing so that I could share it with you and the other homeowner.

MRe STORY: I'd appreciate that, because it's been --

MAYOR COCCHIOLA: Not a problem.

MRe STORY: -- six months since this occurred, and about probably --

MAYOR COCCHIOLA: I think it was only resolved about a month or so ago. There had been several adjournments, and at, maybe, a month or so ago, there was a PTI disposition with conditions. But I want some information on what those conditions are.
COMMISSIONER TUCCI: Mayor, if I might?

MAYOR COCCHIOLA: Yes, Commissioner Tuccie.

COMMISSIONER TUCCI: Maybe Mr. Harkins can shed a little light on this. Kevin, is there any way that we can help the situation out? And I understand that it's going through the channels with the insurance company, but can we send a crew in there and then place a lien on the property?

MR. HARKINS: It really depends on the state of disrepair. If it's just minor disrepair that's not something where you go in and just fix some homeowner's gutters and things like that.

COMMISSIONER TUCCI: I think what we're talking about, pretty much, is property maintenance, cutting the weeds, disinfecting the --

MAYOR COCCHIOLA: We did that.

COMMISSIONER TUCCI: -- area.

MAYOR COCCHIOLA: We cut --

MR. HARKINS: Yeah.
MAYOR COCCHIOLA: We cut the grass.
We cut the weeds. We cleaned up glass.
And anytime a neighbor called and said
the wind blew something there we sent
somebody out with --

COMMISSIONER TUCCI: Righte

MAYOR COCCHIOLA: And, you know --
MRe STORY: Well, the wind blew a
week ago --

MAYOR COCCHIOLA: Even though we're
going on private property --
MRe STORY: -- and there's a lot
there.

MAYOR COCCHIOLA: -- we've been doing

COMMISSIONER TUCCI: Righte Well,
I'm responding to what MRe Story is
representing here, that there are these
small trees growing, that it's never been
cleaned, that the inside, there are odors
coming out of there. I've been on the
block. I've seen the home. I mean, it
could use some sprucing up, and I'm sure
that your personnel have done that,
Mayor, but if there's something else we
can do maybe we need to look into it
e
MRe HARKINS: Yes, I have to check, you know, it's Bill Spiezio who has --
Mayor, has he been out there to look at this property as well?

MAYOR COCCHIO: I don't know that he has in the past few weeks. He was out there when MRe Story complained about some glass that was out there. And, in fact, he sent, through Public Works there was a crew that went out to clean up the front of the building, and then we had the grass cute.

Really, the way to handle it, I think, is if those overgrown trees present a major problem, we can't just go in and do it right now. We'd have to summons her, because she does still own the property.

MRe HARKINS: Righte.

MAYOR COCCHIO: A lot of times we'll go in and do work and place a lien against a home if we can't find the homeowner.

MRe HARKINS: Righte.
MAYOR COCCHIOLA: And then we get the lien placed. But this time there is a homeowner. She is, probably, except I have no idea where she is, but she does still own the property. I've heard that she's looking to sell it, so she's accessible. We'd have to take her to court again if she doesn't do what we ask her to do.

COMMISSIONER TUCCI: Right. Is she responding to our request to keep the property in a decent condition?

MRe HARKINS: Well, I was going to say. We can have Mr. Spiezio go out again and observe the property, issue any notices that are required under the Property Maintenance Ordinance and require a response. And if she fails to do that we could take it to the next levele.

MAYOR COCCHIOLA: Then we can take it to the next level.

MRe HARKINS: We'll keep doing that to put it on the record.

MRe STORY: In the past two years
I've been her initiating lawn service. When the lawn -- grass gets this high I call the town and I say can you do something about this? Apparently they contact her, and somehow the lawn gets mowed.

MR. HARKINS: I will speak to Mr. Spiezio in the morning and make sure that this property is put on -- whatever notice it requires it will go out, and we'll see weekly.

MR. STORY: I mean this property has no utilities. The power's been cut off.

MR. HARKINS: Yeah.

MR. STORY: The water's been cut off.

MR. HARKINS: I understand.

MR. STORY: The gas has been cut off. My understanding, no one can live in that property legally.

MR. HARKINS: Yeah. What we'll do is we'll continue to observe the property. We'll issue summonses and letters as is necessary to continue to make sure that whatever can be done
legally, we are doing it.

MAYOR COCCHIOLA: I could do one other thing. I think I could send Essex Regional in to test the air quality around and -- see, we can't go inside the home, Mr. Story. The last time we did that we were threatened with a lawsuit. And because she does still own the home we can't just go in. We would need her permission to enter inside the premises to take any air quality samples inside.

MR. STORY: I would ask that you one, ask her permission, and, second, if she denies it to go to court and get it. That --

MAYOR COCCHIOLA: We could try.

MR. STORY: -- is a hazard to the neighborhood. That air seeping out of that building, especially in summer, it gets hotter and longer. This is not going to get better come July and August. I can guarantee you.

MR. HARKINS: I think we'd also --

MR. STORY: And I would ask that the leaves in the backyard and the side yard
by my home be removede

MRe HARKINS: I think we'ed also
benefit, Mayor, from whatever the
determination was by the court, because
there would be some enforcement powers
there.

MAYOR COCCHIOLA: Can you help me
out with getting to the prosecutor's
office, getting that in writing for me?

MRe HARKINS: Yeahe

MAYOR COCCHIOLA: Okaye All righte
So, Mre Story, we'll get the disposition
in writinge Commissioner Evans will send
Mre Spiezio oute I'ld send Essex
Regional over, and we'ld see where it
takes us from theree

COMMISSIONER TUCCI: Yeah. And if
we can get a response from Mre Harkins as
to what our legal recourse is, that might
be helpful alsoe

MAYOR COCCHIOLA: No problem.

MR. HARKINS: I agree. Okaye Thank
youe

MRe STORY: I thank you for your
help, and I'ed like to also congratulate
one, all of you for being on the council once again, and for the two new members, and, finally, for the excellent service that we got this recent past week. I mean, a lot of us got out, cleaned up our yards, pitched in. There were a lot of people I saw in town and workers out working late at night. You could hear the chant, you know, the tune of chain saws late into the evening. So thank you all for your excellent service that you provide. Thanks.

COMMISSIONER EVANS: Thank you.

MAYOR COCCHIOLA: Thank you. Is there anyone else that would like to address the board this evening? Then we need a motion to adjourn. Oh, one more before we close. On Wednesday, June 25th at 7 p.m., in front of the Town Hall, the Veteran's Council will be holding a flag burning ceremony for disposal of unserviceable flags. We're trying to encourage the community to come out for this honorable event. And we need a motion to close.
COMMISSIONER EVANS: Motione
COMMISSIONER TUCCI: Second.
THE CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Aye.
THE CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Aye.
THE CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.
THE CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Ayee
THE CLERK: Mayor Cocchiola?
MAYOR COCCHIOLA: Ayee
(Meeting adjourned at 8:43 p.m.)
CERTIFICATION

I, Hana Copperman, 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, 2009

Hana Copperman