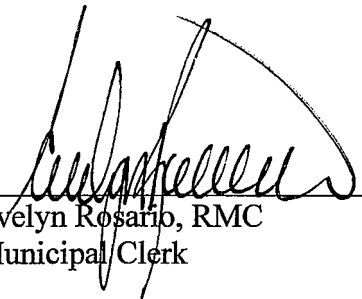
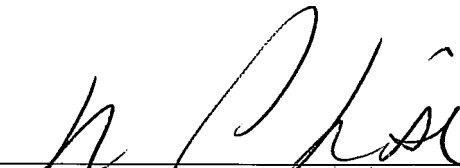


**July 15, 2008 Meeting Transcription approved by the Board of Commissioners of the Township of Nutley at their meeting held on Tuesday June 9, 2009.**




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Evelyn Rosario, RMC  
Municipal Clerk



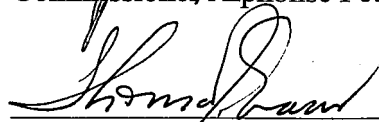
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Commissioner Joseph P. Scarpelli



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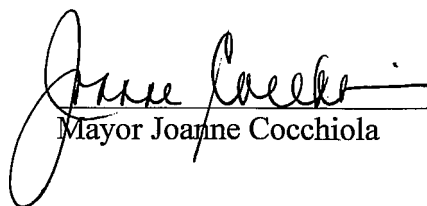
Commissioner Alphonse Petracco



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Commissioner Thomas J. Evans

Absent/Excused  
Commissioner Mauro G. Tucci



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Mayor Joanne Cocchiola

1  
2 TOWNSHIP OF NUTLEY, NEW JERSEY

## 3 BOARD OF COMMISSIONERS

4  
5 PUBLIC MEETING.

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TRANSCRIPT OF  
PROCEEDINGS:

6 - - - - -

7 ORIGINAL

8  
9 July 15, 2008

10 7:00 p.m.

11  
12  
13  
14  
15  
16 BEFORE:

17 Mayor Cocchiola

18 Commissioner Evans

19 Commissioner Petracco

20 Commissioner Scarpelli

21  
22  
23  
24  
25 Job Noe: 202240

Township of Nutley Public Meeting 7/15/08

MADAM CLERK: Could everyone please stand for the flag salute?

(Pledge of Allegiance is recited)

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

MADAM CLERK: Yes, Mayore Tuesday July 15, 2008. Pursuant to the requirements of the Open Public Meeting Law, Chapter 234, Public Laws, 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 2nd 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.

Township of Nutley Public Meeting 7/15/08

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Heree

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Here.

MADAM CLERK: Commissioner Tucci is  
absent/excused at this timee Mayor  
Cocchiola?

MAYOR COCCHIOLA: Heree

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

MAYOR COCCHIOLA: Thank youe We can  
move right on to reportse Commissioner  
Scarpelli?

COMMISSIONER SCARPELLI: Yes, Mayore  
I have monthly progress reports from the  
Parking Lot Division, June 2008e, Traffic  
Maintenance Division, June 2008e,  
Recycling Data, May 2008e and Road  
Recycling Division, May 2008e

MAYOR COCCHIOLA: And I have a  
report of the monthly activities --  
(feedback noise) whoa -- for the  
Department of Public Affairs for June of

1 Township of Nutley Public Meeting 7/15/08  
2 2008e I don't (feedback noise) -- is it  
3 me?

4 COMMISSIONER EVANS: It's a good  
5 thing we got it fixed. (Laughter)

6 MAYOR COCCHIOLA: Okay. I'm going  
7 to stay over here.

8 MADAM CLERK: Okay.

9 MAYOR COCCHIOLA: Bills.

10 MADAM CLERK: Yes, Mayor. Bill list  
11 July 15, 2008: Public Affairs,  
12 \$198,429.49; Revenue & Finance,  
13 \$2,931,765.83; Public Safety, \$55,097.24;  
14 Public Works, \$71,976.85; Parks & Public  
15 Property, \$438,005.23; Payroll, as of  
16 July 11, 2008, \$719,622.79 for a grand  
17 total bill list of \$1,454,488.83. And  
18 that's all for bills, Mayor.

19 UNIDENTIFIED SPEAKER: Move the  
20 bills.

21 UNIDENTIFIED SPEAKER: Second.

22 MADAME CLERK: Commissioner  
23 Scarpelli?

24 COMMISSIONER SCARPELLI: Aye.

25 MADAM CLERK: Commissioner Petracco?

Township of Nutley Public Meeting 7/15/08

COMMISSIONER PETRACCO: Ayee

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Ayee

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Ayee

MADAM CLERK: Thank you, Mayor

MAYOR COCCHIOLA: Commissioner

Evans, you can begin with the

introduction of your ordinance

COMMISSIONER EVANS: Yes, I have one  
introduction tonight which I'll read by  
title.

AN ORDINANCE TO AMEND ORDINANCE  
NUMBER 3015, ADOPTED ON AUGUST 7, 2007,  
TO FIX THE SALARIES OF CERTAIN OFFICERS  
AND EMPLOYEES OF THE TOWNSHIP OF NUTLEY,  
COUNTY OF ESSEX, NEW JERSEY, EFFECTIVE  
JUNE 1, 2008

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

1 Township of Nutley Public Meeting 7/15/08  
2 held at its second reading on August 19,  
3 2008e So move.

4 COMMISSIONER SCARPELLI: Second.

5 MADAM CLERK: Commissioner  
6 Scarpelli?

7 COMMISSIONER SCARPELLI: Aye.

8 MADAM CLERK: Commissioner Petracco?

9 COMMISSIONER PETRACCO: Aye.

10 MADAM CLERK: Commissioner Evans?

11 COMMISSIONER EVANS: Aye.

12 MADAM CLERK: Mayor Cocchiola?

13 MAYOR COCCHIOLA: Aye.

14 COMMISSIONER EVANS: Thank youe  
15 Mayor.

16 MAYOR COCCHIOLA: Thank youe I have  
17 a -- three ordinances for introduction  
18 this evening. The first is Ordinance  
19 number 3068 -- (feedback noise) it's my  
20 microphone -- which I'll introduce by  
21 reading -- (feedback noise) --

22 UNIDENTIFIED SPEAKER: Jo, try  
23 shutting it off and on.

24 MAYOR COCCHIOLA: -- which I'll  
25 introduce by reading its title.

1 Township of Nutley Public Meeting 7/15/08  
2 AN ORDINANCE SUPPLEMENTING THE  
3 SCHEDULE OF REGULATIONS AS TO BULK,  
4 HEIGHT AND OTHER REQUIREMENTS RESIDENTIAL  
5 DISTRICTS TO ADJUST FRONT YARD SETBACK  
6 MEASUREMENTS.

7 I move that this ordinance be passed  
8 to second reading, advertised in the  
9 Nutley Sun together with the notice  
10 required by law and that further  
11 consideration of the ordinance for final  
12 passage by the board be held at its  
13 second reading on July 24 -- I'm sorry,  
14 August 19, 2008e I move the  
15 resolution -- for the ordinance.

16 UNIDENTIFIED SPEAKER: Second.

17 MADAM CLERK: Commissioner  
18 Scarpelli?

19 COMMISSIONER SCARPELLI: Aye.

20 MADAM CLERK: Commissioner Petracco?

21 COMMISSIONER PETRACCO: Aye.

22 MADAM CLERK: Commissioner Evans?

23 COMMISSIONER EVANS: Aye.

24 MADAM CLERK: Mayor Cocchiola?

25 MAYOR COCCHIOLA: Aye. My second



1 Township of Nutley Public Meeting 7/15/08  
2 ordinance is Ordinance number 3069 which  
3 I'll read by its title.

4 AN ORDINANCE TO AMEND SECTION 240-3  
5 OF THE CODE OF THE TOWNSHIP OF NUTLEY  
6 ENTITLED DEFINITIONS AND WORD USAGE AND  
7 IN PARTICULAR THE DEFINITION OF "LOT  
8 COVERAGE"

9 I move that the ordinance be passed  
10 to second reading, advertised in the  
11 Nutley Sun together with the notice  
12 required by law and that further  
13 consideration of the ordinance for final  
14 passage be held by the Board of  
15 Commissioners at its meeting on August  
16 19, 2008e I move the ordinance.

17 UNIDENTIFIED SPEAKER: Second.

18 MADAM CLERK: Commissioner  
19 Scarpelli?

20 COMMISSIONER SCARPELLI: Aye.

21 MADAM CLERK: Commissioner Petracco?

22 COMMISSIONER PETRACCO: Aye

23 MADAM CLERK: Commissioner Evans?

24 COMMISSIONER EVANS: Aye.

25 MADAM CLERK: And Mayor Cocchiola?

Township of Nutley Public Meeting 7/15/08

MAYOR COCCHIOLA: Aye. My third ordinance for introduction is Ordinance number 3070e

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF NUTLEY, CHAPTER 240, ZONING, TO AMEND ARTICLE III DEFINITIONS AND WORD USAGE, SECTION 3, DEFINITIONS; TO AMEND ARTICLE VIIA, TOWNHOUSES, SECTION 30.5, PARKING AREAS; AND TO AMEND ARTICLE X, PARKING SPACES AND LOADING BERTHS, SECTION 45, SCHEDULE OF MINIMUM REQUIRED PARKING SPACESe

I move the ordinance be passed to second reading and be advertised in the Nutley Sun together with the notice required by law and that further consideration of the ordinance for final passage by the board be held at its meeting of August 19e 2008e I move the ordinancee

UNIDENTIFIED SPEAKER: Seconde

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye

Township of Nutley Public Meeting 7/15/08

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye

MADAM CLERK: And Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

UNIDENTIFIED SPEAKER: Excuse me,  
Mayor. I -- Morrow's mike might be  
working so if you chose to --

MAYOR COCCHIOLA: I'll move over?  
Commissioner Evans, you have public  
hearings this evening. Would you like to  
proceed?

COMMISSIONER EVANS: Yes. I have a  
series of public hearings tonight  
regarding our capital ordinances for  
2008. The first ordinance number is 3063  
is for an aggregate amount of 1,227,600  
dollars and covers such items as purchase  
of garbage trucks, replacement of some  
truck bodies, a purchase of an emergency  
tactical vehicle, part of our payments  
for the purchase of a fire truck coming  
up in 2009 would be some of the major

1 Township of Nutley Public Meeting 7/15/08  
2 itemse Purchase of a bus, which is  
3 important subject to a matching grant  
4 with the CDBG process as well as ongoing  
5 renovations to ouer buildings, resuerfacing  
6 of the tennis couerts up at DeMueo Park,  
7 wouad be the major components of that  
8 ordinancee

9 MAYOR COCCHIOLA: Is there anyone  
10 here this evening that wouad like to  
11 address the board with respect to  
12 Ordinance number 3063?

13 MRe MOORE: Rory Moore, 462 Chestnue  
14 Streete Can you hear me? Can you hear  
15 me?

16 UNIDENTIFIED SPEAKER: I can hear  
17 you but I don't think youer mike is  
18 workinge

19 MAYOR COCCHIOLA: You know what?  
20 Hold one I think I tuened off the wrong  
21 one. Okay.

22 UNIDENTIFIED SPEAKER: Try it nowe  
23 Better.

24 MRe MOORE: Mre Evans, I'm looking  
25 at the items that you have listed in this

1 Township of Nutley Public Meeting 7/15/08  
2 evening's ordinance, and I see almost a  
3 duplicate copy that was issued in  
4 Ordinance 3029e And I have a very deep  
5 concern because in here you have -- Mr.  
6 Tucci, who's not here this evening, has  
7 the resurfacing of the tennis courts for  
8 25,000 dollars which, as far as I know,  
9 was never completed but yet in the  
10 ordinance you have for this evening, you  
11 have the resurfacing of the same tennis  
12 courts for 100,000 dollars. Could you  
13 explain how you could resurface the same  
14 tennis courts?

15 COMMISSIONER EVANS: No, I can't,  
16 how you would resurface the same ones but  
17 I can explain because I did speak to  
18 Commissioner Tucci at -- after you raised  
19 your question is that the money from the  
20 prior ordinance was not used for  
21 resurfacing of the tennis courts. That  
22 money was repurposed to purchase the turf  
23 at Father Glotzbach Park, so now we're  
24 doing these --

25 MR. MOORE: Where was the amendment

1 Township of Nutley Public Meeting 7/15/08  
2 for -- right now you're borrowing  
3 taxpayers' dollars and this is the part  
4 that annoys me

5 COMMISSIONER EVANS: Thank you for  
6 the education

7 MR MOORE: If you're going to sit  
8 down with a paper and pencil and you're  
9 going to say I'm going to resurface the  
10 court but changed my mind, there should  
11 be an amendment to let the people know

12 COMMISSIONER EVANS: Yes, there  
13 would be

14 MR MOORE: But there -- to my  
15 knowledge there wasn't I haven't seen  
16 any But maybe I missed it, but I don't  
17 remember seeing one

18 COMMISSIONER EVANS: Yeah, I  
19 can't -- if there's a specific document  
20 that would say how that was repurposed, I  
21 don't have that with me tonight but if  
22 you contact Commissioner Tucci, I'm sure  
23 you would get it

24 MR MOORE: But that's -- isn't that  
25 after the fact? Tonight -- you're all

1 Township of Nutley Public Meeting 7/15/08  
2 going to sign this. This is, like, no  
3 big deal.

4 COMMISSIONER EVANS: Right.

5 MR. MOORE: However, it's, like,  
6 you're doing it all over again. Now  
7 you're saying you want to borrow 100,000  
8 dollars to resurface a court that if  
9 Mr. Tucci's ice dome goes in, the tennis  
10 courts gets ripped out. So to an average  
11 taxpayer, they might think that's not a  
12 very smart idea.

13 COMMISSIONER EVANS: I'm not sure I  
14 understand the -- your editorial comment  
15 but let me direct it to the fact --

16 MR. MOORE: You're going to  
17 resurface a tennis court for 100,000  
18 dollars, which you're going to borrow the  
19 money, which the interest rates are going  
20 up --

21 COMMISSIONER EVANS: Right.

22 MR. MOORE: Now, Mr. Tucci's --  
23 through OPRA I got the pictures, the  
24 overlays, which suggest that they're  
25 going to rip out the tennis court for

1 Township of Nutley Public Meeting 7/15/08  
2 parking. So what's the purpose of  
3 financing 100,000 dollars to redo the  
4 tennis courts if you're going to rip them  
5 out?

6 COMMISSIONER EVANS: Well, let's  
7 clarify. The tennis courts that are  
8 being resurfaced are at DeMuro park, not  
9 at down on Park Avenue. So one is a  
10 different location.

11 MR. MOORE: DeMuro park was the last  
12 one that was --

13 COMMISSIONER EVANS: Yes, but let me  
14 repeat --

15 MR. MOORE: -- so you're spending  
16 75,000 dollars --

17 MAYOR COCCHIOLA: Mre Moore, let him  
18 answer the question.

19 COMMISSIONER EVANS: Let me repeat  
20 The 25,000 dollars from three years ago  
21 or two years -- I'm not sure what year  
22 that was --

23 MR. MOORE: One year.

24 COMMISSIONER EVANS: -- it was not  
25 used for that purpose. It was



1 Township of Nutley Public Meeting 7/15/08  
2 reprogrammed for turf at Father Glotzbach  
3 Park --

4 MR. MOORE: I understand what you  
5 said.

6 COMMISSIONER EVANS: -- excuse me,  
7 which means those tennis courts were not  
8 resurfaced so we can clear up the fact  
9 that we're not resurfacing previously  
10 resurfaced courts.

11 MR. MOORE: Okay, but how do you go  
12 up 75,000 dollars?

13 COMMISSIONER EVANS: Excuse me, I'm  
14 clarifying for you, right? What the  
15 cost -- there's an estimate of what that  
16 cost is. It's 100,000 dollars to do  
17 that, all right? Not 100 minus 25 to 75.  
18 It's 100,000 dollars to do it today for  
19 what is the estimate of those repairs.  
20 So -- and tonight, it is the  
21 understanding of the Board of  
22 Commissioners that this money is being  
23 used for tennis courts. Anything else  
24 that you might suggest is not before the  
25 commissioners tonight.

Township of Nutley Public Meeting 7/15/08

MR. MOORE: Well, I'm not suggesting anything else. What I'm suggesting is -- I'm trying to think of the rationale why you're borrowing money. It's not as if you had the money. So you're borrowing this money.

COMMISSIONER EVANS: There's a need for the --

MR. MOORE: So, last year --

COMMISSIONER EVANS: There's a need for the reimprovement.

MR. MOORE: Last year, that need for reimprovement was 25,000 dollars.

COMMISSIONER EVANS: That's correct.

MR. MOORE: Twelve month later, it goes up to 100,000 dollars.

UNIDENTIFIED SPEAKER: The scope of the project could be entirely different as well.

COMMISSIONER EVANS: Exactly right.

MR. MOORE: Well, how is it -- you're resurfacing tennis courts. What's the scope -- what's so different?

COMMISSIONER EVANS: What's involved

1 Township of Nutley Public Meeting 7/15/08  
2 with the resurfacing and to the extent of  
3 the repairs that need to be made, I would  
4 ask that you speak to Commissioner Tucci  
5 as it's his department.

6 MRe MOORE: But meantime we're going  
7 to vote it in.

8 COMMISSIONER EVANS: Yeah, I'm  
9 comfortable with the fact that  
10 Commissioner Tucci --

11 MRe MOORE: I know you're  
12 comfortable with spending the money.

13 COMMISSIONER EVANS: Well, then, I'm  
14 responsible for voting on it

15 MAYOR COCCHIOLA: Mre Moore, you're  
16 not here to argue, okay?

17 MRe MOORE: Excuse me, I'm trying to  
18 talk to Mre Evanse

19 MAYOR COCCHIOLA: No, you're  
20 arguing Enough

21 COMMISSIONER EVANS: Well, first  
22 off, let's make it real clear. I'm not  
23 here to argue with you, all right? You  
24 asked me a question of what it is I  
25 answered it. So let's move one

Township of Nutley Public Meeting 7/15/08

MRe MOORE: I really -- I'll move on but I really didn't get an answer where the 75,000 dollars increase was

COMMISSIONER EVANS: It's part of the plan, whatever that is

MRe MOORE: Oh, okaye Down here you have the purchase of two garbage trucks and you only have a five-year life spane Under New Jersey State law you have to have a fifteen-year spane

COMMISSIONER EVANS: For a garbage truck? It's personal property.

MRe MOORE: All truckse All trucks.

COMMISSIONER EVANS: I'll clarify thate

MRe MOORE: So what are you going to do? Just put a one in the column and make it a fifteen?

COMMISSIONER EVANS: If I need to clarify it and amend it, I will

MRe MOORE: So when you find out -- and you other one, you purchase of dump truck -- truck bodiese That's fifteen years as well, not five.

Township of Nutley Public Meeting 7/15/08

COMMISSIONER EVANS: I see it.

MR. MOORE: Okay. So then I can expect to have -- I can expect when you find out legitimately that these are fifteen year, not five years, that this will be amended?

COMMISSIONER EVANS: Of course.

MR. MOORE: Okay. Then the same thing you have down here emergency service vehicle tactical vehicle --

COMMISSIONER EVANS: Um-hum.

MR. MOORE: -- you have the same thing; a five-year purchase. It's supposed to be fifteen for a bond.

COMMISSIONER EVANS: As I said, I will clarify it. Whatever the useful life needs to be, it will be.

MR. MOORE: See, the dots don't connect very well because the next item you have a mobile data terminal computer upgrades. That's for fifteen years.

COMMISSIONER EVANS: I saw it.

MR. MOORE: Software only lasts eighteen months.

Township of Nutley Public Meeting 7/15/08

COMMISSIONER EVANS: Software for those vehicles lasts longer than that. It is five years, but it's not eighteen months, and I will check it.

MR. MOORE: I'll be happy to challenge you on it.

COMMISSIONER EVANS: I agree with youe I actually -- I don't disagree with you but I will clarify.

MR. MOORE: But you had it for fifteen years.

MR. MOORE: So how many times do you want me to say I'm going to clarify it before you get it?

MR. MOORE: You know what really bothers me at this ordinance, I'll be honest with youe Nobedy dotted the Is and crossed the Ts.

COMMISSIONER EVANS: Well, I'll take that up with my treasurer.

MR. MOORE: When I have to sit here and look at a bank that failed and you say well, we're just going to borrow money --

Township of Nutley Public Meeting 7/15/08

MAYOR COCCHIOLA: Mr. Moore, thanks  
for the commentary.

COMMISSIONER EVANS: Thank you for  
you~~r~~ comments.

MAYOR COCCHIOLA: Do you have any  
other questions?

MR. MOORE: I'm sorry, this is an  
ordinance and the public's allowed to  
speak.

MAYOR COCCHIOLA: No, no. You're  
commenting and you are pontificating and  
we don't need to listen to it.

MR. MOORE: Yes, if you look up the  
ordinance --

MAYOR COCCHIOLA: If you have a  
question abou~~t~~ the ordinance, and you did  
and Mr. Evans answered -- Commissioner  
Evans answered it. Do you have any other  
questions abou~~t~~ this ordinance?

MR. MOORE: You have the purchase of  
the fire truck for five years.

MAYOR COCCHIOLA: He said he'll  
clarify it.

COMMISSIONER EVANS: If the useful

1 Township of Nutley Public Meeting 7/15/08  
2 life of the fire truck is --

3 MR. MOORE: Don't you think that  
4 some rationale --

5 COMMISSIONER EVANS: I will  
6 double-check --

7 MR. MOORE: When you're going to  
8 ask -- you're asking the taxpayers, under  
9 these economic times, that you're going  
10 to sit here and say okay, we just want to  
11 borrow a million dollars.

12 COMMISSIONER EVANS: Okay.

13 MR. MOORE: We can change it as we  
14 go along, but we want to borrow a million  
15 dollars. Don't you think you should dot  
16 the Is and cross the Ts?

17 COMMISSIONER EVANS: I absolutely  
18 agree.

19 MR. MOORE: Than why don't you at  
20 least do the decency -- these are  
21 nonemergency items. Why don't you amend  
22 the ordinance to have it corrected so  
23 then at least the people could know  
24 exactly what we're buying?

25 COMMISSIONER EVANS: I will



1 Township of Nutley Public Meeting 7/15/08  
2 double-check the technical clarification  
3 of the useful life. It does not impact  
4 the amounts that are being borrowed  
5 tonight so if we have to clarify it, we  
6 will.

7 MAYOR COCCHIOLA: That's if they  
8 need to be corrected. We don't know  
9 that.

10 MRe MOORE: Oh, that's if. Would  
11 you -- are you willing to lose your  
12 license on this one? I'd love to --

13 MAYOR COCCHIOLA: Mre Moore --

14 UNIDENTIFIED SPEAKER: Mre Moore --

15 MAYOR COCCHIOLA: -- enough.

16 UNIDENTIFIED SPEAKER: -- listen.  
17 Listen. The ordinance describes the  
18 improvement and the purpose, the  
19 appropriation estimated cost, maximum  
20 amount of bonds or notes and, as  
21 Commissioner Evans indicated, if the  
22 ordinance needs to be amended in terms of  
23 period of usefulness, we'll certainly do  
24 that.

25 MRe MOORE: Then you have down

1 Township of Nutley Public Meeting 7/15/08  
2 here --

3 UNIDENTIFIED SPEAKER: Anything  
4 else?

5 MRe MOORE: Yes, I doe I'm looking  
6 at all of it because you haven't gotten  
7 any of -- the purchase of a fire truck,  
8 five yearse

9 MAYOR COCCHIOLA: We just said we're  
10 going to amend it if necessary,  
11 Mre Mooree Do you have any other  
12 questions about the ordinance?

13 MRe MOORE: Yes, I doe If you stop  
14 interrupting mee

15 MAYOR COCCHIOLA: You don't need to  
16 go through item by iteme We're going to  
17 check the usefuðness periode

18 MR. MOORE: Thank youe I'm talking  
19 to Mre Evans, pleasee You have down here  
20 the purchase of a bus. Now, the last  
21 ordinance -- last year you bought a buse  
22 How many more buses are you going to buy?

23 COMMISSIONER EVANS: Speak to  
24 Commissioner Tuccie

25 MRe MOORE: Oh, but Mre Tucci isn't

1 Township of Nutley Public Meeting 7/15/08  
2 here tonight and you're going to vote on  
3 an ordinance and a public question is not  
4 being answered. Every ordinance you go  
5 through to borrow money, you always buy a  
6 bus.

7 COMMISSIONER EVANS: Made a  
8 determination that we need a bus. I'm  
9 comfortable that we need a bus.

10 MR. MOORE: You're comfortable with  
11 it? And you have it down a purchase --  
12 purchase of --

13 COMMISSIONER EVANS: If you'd like  
14 to be comfortable with it on our side,  
15 then run for commissioner.

16 MR. MOORE: But I'd like to be  
17 comfortable too because I'm the one who  
18 pays property taxes.

19 COMMISSIONER EVANS: I agree.

20 MR. MOORE: Down here it says -- on  
21 item H, purchase of trucks. What trucks?

22 COMMISSIONER EVANS: Well, it's a  
23 specific as it needs to be --

24 COMMISSIONER EVANS: I know it's  
25 only five years, I know we've been here.

Township of Nutley Public Meeting 7/15/08

COMMISSIONER EVANS: It's as specific as it needs to be as far as the type of trucks, they're in the Parks Department so I assume that they're small utility trucks.

MR. MOORE: Well, how can you assume at 70,000 dollars? Is that one truck? Two trucks? One big one?

COMMISSIONER EVANS: Could be multiple.

MR. MOORE: But it -- could you please have it down --

UNIDENTIFIED SPEAKER: Mr. Moore, it says purchase of trucks, plural --

COMMISSIONER EVANS: It specifies it's for trucks.

UNIDENTIFIED SPEAKER: -- 70,000 dollars, period.

MR. MOORE: It says trucks, that's plural. What kind of trucks are we buying?

COMMISSIONER EVANS: Ask Commissioner Tucci.

MR. MOORE: But he's not here, how

1 Township of Nutley Public Meeting 7/15/08  
2 can you vote on an ordinance?

3 MAYOR COCCHIOLA: Move on to you~~e~~  
4 next question, Mr. Moore, or sit down.

5 MR. MOORE: No, I want a question to  
6 my first question.

7 MAYOR COCCHIOLA: Move on to you~~e~~  
8 next question.

9 MR. MOORE: Then you~~e~~re renovating  
10 town buildings again and you renovated  
11 town bu~~u~~ldings over here. What town  
12 bu~~u~~ldings are you renovating?

13 COMMISSIONER EVANS: There are  
14 renovations that are going on right now  
15 at Public Safety which needs significant  
16 renovations. There are ongoing  
17 renovations at Town Hall. Every year  
18 we're going to be renovating the  
19 bu~~u~~ldings. The buildings are very old.

20 MR. MOORE: According to Section 3  
21 of New Jersey State law, you~~e~~re sup~~o~~posed  
22 to articu~~u~~date what you~~e~~re spending the  
23 money on. You haven't done that.

24 MR. HARKINS: Mr. Moore, that's an  
25 adequate --

Township of Nutley Public Meeting 7/15/08

MR. MOORE: No, it is not.

MR. HARKINS: -- description of the  
New Jersey law.

MR. MOORE: I'll send it to you

MR. HARKINS: This was run by our  
bond counsel.

MR. MOORE: I'll send it to you  
tomorrow morning.

MR. HARKINS: I don't need to see  
it.

MAYOR COCCHIOLA: Do you have your  
license, Mr. Moore?

MR. HARKINS: If we wanted to  
categorize --

MR. MOORE: No, but if you're  
willing to bet it, I'll go along with  
you

MAYOR COCCHIOLA: I don't need to  
bet with you. I have a license, you  
don't. Listen to Mr. Harkins.

MR. HARKINS: The titles are here  
have been --

MAYOR COCCHIOLA: Do you have any  
other questions?

Township of Nutley Public Meeting 7/15/08

MRe MOORE: Yeah, the park  
improvementse How come you have 140,000  
for park improvements? What park  
improvements? Is the Creative Playgrouad  
included in that?

COMMISSIONER EVANS: No, it's note

MRe MOORE: It's note So we're  
going to go improve all the other parks  
but we're going to ignore the Creative  
Playgrouad?

COMMISSIONER EVANS: It's for a  
series of improvements to the parkse It  
doesn't have to be clarified any further,  
and it's already been cleared with bond  
couasele

MRe MOORE: It's right in here, you  
did it eighteen months ago, and it wasn't  
that, actuallly, and you approved the  
parks for 100,000 dollars.

COMMISSIONER EVANS: Yes.

MR. MOORE: Okaye

COMMISSIONER EVANS: Because the  
repairs --

MRe MOORE: So we have 100,000 --

Township of Nutley Public Meeting 7/15/08

COMMISSIONER EVANS: -- Mr. Moore --

MR. MOORE: And 140 --

COMMISSIONER EVANS: -- we will have, on a regular basis, a need to continue to do renovations for our buildings, for our parks and public property. So every year we probably will have a line item that covers that.

MR. MOORE: I'll take it out later. So I can expect that this is going to be amended, because I'll send you the amendments tomorrow morning.

COMMISSIONER EVANS: I don't need them from you

MAYOR COCCHIOLO: Is there anyone else who would like to address the board with respect to Ordinance number 3063? We need a motion to close. Oh, I'm sorry.

MR. MOLKENTHIN: My name is Kenneth Molkenthin, I live at 44 Chestnut Street in Nutley. Commissioner Evans, in light of what I've just heard, how in good conscience can you ask any of these



1 Township of Nutley Public Meeting 7/15/08  
2 commissioners to vote on any of these  
3 bills if they're all incorrect?

4 COMMISSIONER EVANS: The question  
5 that was raised tonight is the period of  
6 usefu~~l~~ life, not the amou~~nt~~ or the use of  
7 the money.

8 MR. MOLKENTHIN: It still, as I  
9 understand, from what I just heard, is  
10 incorrect. Yes or no?

11 COMMISSIONER EVANS: The usefu~~l~~ life  
12 may need to be modified. It's been  
13 cleared throug~~h~~ bond cou~~ns~~el; it's been  
14 cleared throug~~h~~ my treasur~~er~~. I will  
15 follow-up on Mr. Moore's question and if  
16 there's a need sub~~se~~qu~~en~~tly to amend the  
17 usefu~~l~~ life, we will do that.

18 MR. MOLKENTHIN: But you're going to  
19 ask you fou~~r~~ commissioners to vote yes on  
20 spending ou~~r~~ taxpayers' dollars on  
21 something that is based on incorrectness.

22 COMMISSIONER EVANS: A technical  
23 incorrectness on usefu~~l~~ life, not the  
24 underlying sub~~st~~ance of the need to  
25 purchase these capital improvements for

1 Township of Nutley Public Meeting 7/15/08  
2 the amounts that are indicated.

3 MAYOR COCCHIOLA: It wouldn't be a  
4 substantive change, Mr. Molkenthin. Even  
5 if we adopted this, it's not a  
6 substantive change that would change the  
7 substance of what we are voting on.

8 MR. MOLKENTHIN: Mayor, we can dress  
9 it up and drag it as long as you want.  
10 What's right is right, what's wrong is  
11 wrong.

12 MAYOR COCCHIOLA: Well, it hasn't  
13 been determined that it's wrong, either.

14 MR. MOLKENTHIN: If the numbers that  
15 you are presenting, as you have specified  
16 in a written document, are five years and  
17 Mr. Moore is correct, and I have no  
18 reason to doubt that he is, has fifteen  
19 years, then you're asking you four people  
20 to put your name on something and sign  
21 something that is incorrect. Wrong is  
22 wrong.

23 COMMISSIONER EVANS: Thank you for  
24 your comment.

25 MAYOR COCCHIOLA: Thank you, sir.

Township of Nutley Public Meeting 7/15/08

Is there anyone else who like to address  
the board with respect to this ordinance?  
Then we need to close the public hearinge

COMMISSIONER SCARPELLI:

Mre Harkins, do we have any problem  
voting on this ordinance?

MRe HARKINS: No, I mean -- we could  
do one of two thingse We could either  
vote on it as is and if the period of  
usefulness needs to be changed, we can  
subsequently amend it; we could, right  
now, just postpone the vote until the  
next meeting and if those periods of  
usefulness are incorrect, just change it  
thene That might be the easier way to  
go, although I would say that you have  
the improvement and purpose described,  
the appropriation and estimated costs and  
max amount of the bond and notes which  
are the substantive parts of what you're  
voting one

UNIDENTIFIED SPEAKER: Commissioner  
Evans? I don't know if we can postpone  
this but some of the things that are

1 Township of Nutley Public Meeting 7/15/08  
2 listed here, according to Parks and Rec  
3 and not having Commissioner Tucci here, I  
4 think to postpone it might be something  
5 that I could be interested in.

6 COMMISSIONER EVANS: We have a  
7 question that has been raised on useful  
8 life, not the amount, so even in here  
9 that the -- there are things that need to  
10 go out to bid and once we vote on it  
11 tonight there is a twenty-day estoppel  
12 period, for a waiting period, before we  
13 execute. Gives us ample time to  
14 investigate which -- tomorrow morning, my  
15 treasurer, Ro Costa, will follow up and  
16 if there is a technical correction to the  
17 useful life, it does not impact the fact  
18 that we need the vehicle or whatever the  
19 capital improvement relates to. How we  
20 depreciate it over time is an accounting  
21 vehicle that will spread the cost over  
22 some useful life. It won't have any  
23 impact as to whether or not we need to  
24 make the underlying purchase. So it's  
25 just -- one aspect of this is a technical

1 Township of Nutley Public Meeting 7/15/08  
2 accounting correction as to useful life,  
3 not the substance of the actual purchasee

4 So, for example, if the useful life  
5 needs to be corrected on the purchase of  
6 the dump trucks, if we delay to the next  
7 meeting, and we ultimately find that that  
8 needs to be changed to fifteen years, it  
9 has no substantive impact on the fact  
10 that we need to purchase two dump trucks.  
11 We will make sure that, based upon the  
12 inquiries that have been made tonight, to  
13 make sure that the useful lives are  
14 corrected and that we do the appropriate  
15 paperwork and the amendment to make sure  
16 that that accounting period is correct.  
17 I will verify it in the morning with  
18 counsel, bond counsel, and our treasurer  
19 and if it has to change, I will make sure  
20 those amendments are made but it still  
21 doesn't impact the fact that in Public  
22 Works, we need to purchase two dump  
23 trucks. It doesn't impact the fact that  
24 in Public Safety, we need to purchase a  
25 tactical unit. And before we --

Township of Nutley Public Meeting 7/15/08

UNIDENTIFIED SPEAKER: I'm very clear on what my part of the budget is, it's just that it seems to be, without Commissioner Tucci here, that it's a little unclear what he's asking for.

COMMISSIONER EVANS: I've talked to Commissioner Tucci. My prior -- we went through the -- through our meetings, we went through our discussion of these are the capital items that are there, and it is -- I'm comfortable that the items that need to be purchased, do need to be purchased. There's justification for it. It's a question of useful life.

MAYOR COCCHIOLA: Mr. Harkins, what would you recommend?

MR. HARKINS: I mean, the critical inquiry is whether it's substantive or not and that would not be something that's substantive. If there's -- if it's not substantive, we can certainly vote on it and we could amend it later. If you're more comfortable or if the commission is more comfortable closing

1 Township of Nutley Public Meeting 7/15/08  
2 the public hearing and tabling the vote,  
3 you could do that as well.

4 COMMISSIONER SCARPELLO: Mr. Evans,  
5 where does this put us if we table the  
6 vote on the garbage trucks? I'd like to  
7 have those for the fall because that's  
8 when I need them. So where does that put  
9 us as far as timing?

10 COMMISSIONER EVANS: If we don't  
11 vote it tonight, it goes to the next  
12 meeting in two weeks and then a  
13 twenty-day period probably puts you the  
14 very end of August, early September, when  
15 you can actually sit down to negotiate  
16 the acquisition of those vehicles and  
17 then whatever the delivery time is on  
18 getting the trucks here, whatever that  
19 process is. And the same thing for the  
20 tactical unit. You know, it's a  
21 possibility if you want to do that.

22 MAYOR COCCHIOLA: Saying if we want  
23 we could not adjourn the meeting and  
24 continue it tomorrow afternoon He'll  
25 get the answer first thing in the morning

1 Township of Nutley Public Meeting 7/15/08  
2 and then we could reconvene tomorrow?

3 UNIDENTIFIED SPEAKER: That's  
4 probably the best bet because then you'll  
5 have the answers.

6 UNIDENTIFIED SPEAKER: I'm  
7 comfortable with that.

8 MAYOR COCCHIOLA: And then we're not  
9 losing any time.

10 UNIDENTIFIED SPEAKER: Just continue  
11 the meetinge

12 UNIDENTIFIED SPEAKER: What time?

13 UNIDENTIFIED SPEAKER: We'll have to  
14 set a time. It would not be until the  
15 end of the day because I'm not in town  
16 tomorrow.

17 MAYOR COCCHIOLA: I'm okay with  
18 tomorrow anytime so if everyone else is,  
19 maybe we can do that.

20 UNIDENTIFIED SPEAKER: Fine.

21 UNIDENTIFIED SPEAKER: I probably  
22 couldn't get back here before 5 o'clock.

23 MAYOR COCCHIOLA: 5 o'clock?

24 UNIDENTIFIED SPEAKER: 5 o'clock's  
25 fine.



Township of Nutley Public Meeting 7/15/08

MAYOR COCCHIOLA: Okay.

UNIDENTIFIED SPEAKER: Do we know that Commissioner Tu~~eci~~'s going to be able to attend that or we're just going to --

MAYOR COCCHIOLA: Well, we'll reach out to him but I think it's a better alternative than waiting two weeks.

UNIDENTIFIED SPEAKER: Okay.

MADAM CLERK: Mayor will continue the meeting to Wednesday, July 16~~th~~, 5 p.m., okay?

UNIDENTIFIED SPEAKER: Mayor, I think you want to close the public hearing.

UNIDENTIFIED SPEAKER: Yes.

MAYOR COCCHIOLA: Yes, we're going to close the public hearing and --

MADAM CLERK: We'll need a motion.

MAYOR COCCHIOLA: -- we'll table the vote until tomorrow at 5.

UNIDENTIFIED SPEAKER: Move to close the public hearing.

UNIDENTIFIED SPEAKER: Second.

Township of Nutley Public Meeting 7/15/08

MADAM CLERK: Commissioner  
Scarpelli?

COMMISSIONER SCARPELLI: Ayee

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Ayee

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Ayee

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Ayee

UNIDENTIFIED SPEAKER: Now we need a  
motion to table the vote

MADAM CLERK: Um-hum.

UNIDENTIFIED SPEAKER: Motion to  
table the vote until tomorrow afternoon  
at 5 p.m.

UNIDENTIFIED SPEAKER: Second

MADAM CLERK: Commissioner  
Scarpelli?

COMMISSIONER SCARPELLI: Ayee

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Ayee

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Ayee

MADAM CLERK: Mayor Cocchiola?

Township of Nutley Public Meeting 7/15/08

MAYOR COCCHIOLA: Aye. Number 3064.  
Commissioner Evans?

COMMISSIONER EVANS: Yes. This is  
for the acquisition of new fire hydrants  
in the amount of 11,000 dollars.

MAYOR COCCHIOLA: Is there anyone  
here this evening that would like to  
address the Board with respect to Bond  
Ordinance number 3064?

MR. MOORE: Rory Moore, 462 Chestnut  
Street. Where are the fire hydrants  
going in?

COMMISSIONER EVANS: Commissioner  
Scarpelli?

COMMISSIONER SCARPELLI: Excuse me,  
Mr. Moore?

MR. MOORE: There's absolutely  
nothing attached how many fire hydrants  
and where they're going in. I'm just  
curious.

COMMISSIONER SCARPELLI: Well,  
first, we don't know how many fire  
hydrants because we don't know what  
they're going to cost when we go out to

1 Township of Nutley Public Meeting 7/15/08  
2 bid on them.

3 MRe MOORE: Then how can you put a  
4 price down if you don't know what it is?

5 COMMISSIONER SCARPELLI: Well, we're  
6 going to be able to buy as many -- we  
7 need fire hydrants because they're old  
8 and they have to be --

9 MRe MOORE: That's not --

10 COMMISSIONER SCARPELLI: Wait, wait,  
11 let me finishe And public safety -- you  
12 know, for public safety, to make sure if  
13 there's a fire that they worke A lot of  
14 oue fire hydrants are very, very olde So  
15 it's an ongoing maintenance program of  
16 changing those fire hydrants overe So  
17 there was an amouat of money in the  
18 budget last year and this year and we're  
19 going to purchase as many fire hydrants  
20 as we cane This is not enough money to  
21 replace all the fire hydrants that we  
22 have to replacee

23 MRe MOORE: No, I understand thate  
24 I'll give you an examplee If you call up  
25 the city of Newark and ask them how many

1 Township of Nutley Public Meeting 7/15/08  
2 they're going to replace, they'll tell  
3 you fifty, a hundrede They'll give you a  
4 numbere And all I'm saying is, again,  
5 you're asking to go oue and bid on  
6 borrowed money for an item that is well  
7 needed -- that's not in dispute --

8 COMMISSIONER SCARPELLI: Mre Moore,  
9 I'm very comfortabde going oue to bid  
10 with the amount of money that's in heree

11 MRe MOORE: Is it possible to say  
12 we'd like to replace fifty? So we could  
13 have some kind of an idea?

14 COMMISSIONER SCARPELLI: I don't  
15 know how manye I don't knowe

16 MR. MOORE: Okay. That's alle

17 MAYOR COCCHIOLA: Is there anyone  
18 else who would like to address the board?  
19 We need to close the hearinge

20 UNIDENTIFIED SPEAKER: Motion to  
21 close the public hearinge

22 MADAM CLERK: I need a second,  
23 pleasee

24 UNIDENTIFIED SPEAKER: Seconde

25 MADAM CLERK: Commèssioner

1 Township of Nutley Public Meeting 7/15/08  
2 Scarpelli?

3 COMMISSIONER SCARPELLI: Aye.

4 MADAM CLERK: Commissioner Petracco?

5 COMMISSIONER PETRACCO: Aye.

6 MADAM CLERK: Commissioner Evans?

7 COMMISSIONER EVANS: Aye.

8 MADAM CLERK: Mayor Cocchiola?

9 MAYOR COCCHIOLA: Aye.

10 COMMISSIONER EVANS: Move the  
11 ordinance.

12 UNIDENTIFIED SPEAKER: Second.

13 MADAM CLERK: Commissioner  
14 Scarpelli?

15 COMMISSIONER SCARPELLI: Aye.

16 MADAM CLERK: Commissioner Petracco?

17 COMMISSIONER PETRACCO: Aye.

18 MADAM CLERK: Commissioner Evans?

19 COMMISSIONER EVANS: Aye.

20 MADAM CLERK: Mayor Cocchiola?

21 MAYOR COCCHIOLA: Aye. Ordinance  
22 number 3065. Mr. Evans?

23 COMMISSIONER EVANS: Yes. This  
24 ordinance relates to road construction  
25 improvements for streets and sidewalks in

1 Township of Nutley Public Meeting 7/15/08  
2 the township in the amount of 220,000,  
3 part of our ongoing road maintenance  
4 program.

5 MAYOR COCCHIOLA: We'd like to open  
6 up the public hearing. Is there anyone  
7 here who would like to address the board  
8 with respect to this ordinance? There's  
9 no one.

10 COMMISSIONER EVANS: Motion to close  
11 the public hearing?

12 COMMISSIONER SCARPELLI: Second.

13 MADAM CLERK: Commissioner  
14 Scarpelli?

15 COMMISSIONER SCARPELLI: Aye.

16 MADAM CLERK: Commissioner Petracco?

17 COMMISSIONER PETRACCO: Aye.

18 MADAM CLERK: Commissioner Evans?

19 COMMISSIONER EVANS: Aye.

20 MADAM CLERK: Mayor Cocchiola?

21 MAYOR COCCHIOLA: Aye.

22 COMMISSIONER EVANS: Move the  
23 ordinance.

24 COMMISSIONER SCARPELLI: Second.

25 MADAM CLERK: Commissioner

1 Township of Nutley Public Meeting 7/15/08  
2 Scarpelli?

3 COMMISSIONER SCARPELLI: Ayee

4 MADAM CLERK: Commissioner Petracco?

5 COMMISSIONER PETRACCO: Ayee

6 MADAM CLERK: Commissioner Evans?

7 COMMISSIONER EVANS: Ayee

8 MADAM CLERK: Mayor Cocchiola?

9 MAYOR COCCHIOLA: Ayee

10 COMMISSIONER EVANS: Last ordinance  
11 relates to -- back when we had to review  
12 the school board budget there was an item  
13 included which is the acquisition of land  
14 behind the middle school and we agreed  
15 that we would -- because of our bonding  
16 requirements for capital are different  
17 from the school system that we agreed  
18 that we would help them with that  
19 acquisition by including it in our  
20 capital and through an interlocal  
21 services arrangement, the school board  
22 would then reimburse us over the bond's  
23 life for the acquisition of that land.  
24 So through a sharing arrangement, we are  
25 working together with the district to



1 Township of Nutley Public Meeting 7/15/08  
2 help them acquire this piece of property  
3 for their use.

4 MAYOR COCCHIONE: Is there anyone  
5 here this evening that would like to  
6 address the Board with respect to this  
7 ordinance?

8 MR. MOORE: Rory Moore, 462 Chestnut  
9 Street. I believe the original ordinance  
10 had stated that there was going to be an  
11 interlocal agreement attached with this  
12 ordinance, and I called around and there  
13 is no interlocal agreement. How are you  
14 going to have the Board of Education  
15 contribute without interlocal agreement?

16 COMMISSIONER EVANS: We will craft  
17 the interlocal agreement. What this does  
18 is it enables -- by establishing this  
19 ordinance, it enables the township to  
20 then incur the financing to purchase the  
21 land. We will then -- now, once we get  
22 this on the books, we will create the  
23 agreement with the school board.

24 MR. MOORE: Well, that's incorrect  
25 because I called Mr. Zarra today and he

1 Township of Nutley Public Meeting 7/15/08  
2 explained to me that this was nixed from  
3 the budget because the capital -- because  
4 you removed the capital budget and the  
5 only thing he remembers is that  
6 Mse Cocchiola saying don't worry we'll  
7 buy the propertye There is no interlocal  
8 agreemente They don't have onee They  
9 don't know anything aboue thise

10 COMMISSIONER EVANS: I just said it  
11 will be drafted. It doesn't exist todaye  
12 He's absolutely correct in the fact that  
13 that doesn't existe

14 MRe MOORE: Under Title 40:8A-1e you  
15 can't draft it after; you have to draft  
16 it beforee That's the law. Interlocal  
17 agreements are beforee

18 COMMISSIONER EVANS: Noe

19 MR. HARKINS: Mr. Moore, all this  
20 does is appropriate the moneye We  
21 haven't bought the property yet --

22 MR. MOORE: You already dide We all  
23 know thate

24 MRe HARKINS: As part -- if this is  
25 passed, we will then enter into a

1 Township of Nutley Public Meeting 7/15/08  
2 contract to purchase the property and,  
3 simultaneously, enter into an interlocal  
4 service agreement with the Board of  
5 Education.

6 MR. MOORE: Well --

7 MR. HARKINS: That's how the process  
8 works.

9 MR. MOORE: No, it's not.

10 MR. HARKINS: It is.

11 MR. MOORE: It's right here. It's  
12 under 40:8A --

13 MR. HARKINS: I don't know what  
14 you're reading but I know the statute.

15 MR. MOORE: I'm reading it too.

16 MR. HARKINS: You don't need to read  
17 it to me, sir.

18 MR. MOORE: Okay, then it says  
19 clearly, it's not for parking lots.  
20 Interlocal agreements have to reduce  
21 property taxes. That's the law.

22 MR. HARKINS: Mr. Moore, you're way  
23 off base. You don't need to read or show  
24 me anything. I don't know where you're  
25 getting these things. You're way off

1 Township of Nutley Public Meeting 7/15/08  
2 base.

3 MR. MOORE: I got it from DCA; they  
4 actually faxed it to me today.

5 MR. HARKINS: Okay. Good.

6 MR. MOORE: So you're going to buy a  
7 piece of property so out of state -- out  
8 of town teachers can park.

9 MR. HARKINS: You got the cart ahead  
10 of the horse here, Mr. Moore.

11 MR. MOORE: Pardon me?

12 MR. HARKINS: All this does is  
13 authorize and appropriate the money. We  
14 haven't bought the property yet.

15 MR. MOORE: Mr. Harkins, it's right  
16 here. It's in the law. You have to have  
17 it first.

18 MR. HARKINS: Mr. Moore, I know the  
19 law.

20 MR. MOORE: Well, obviously, you  
21 don't.

22 MR. HARKINS: No, I do and do you  
23 know what? I think you're going to learn  
24 to speak respectfully to me and every  
25 other member of this Board of

1 Township of Nutley Public Meeting 7/15/08  
2 Commissioners, okay?

3 MRe MOORE: Well, I am speaking  
4 respectfully to youe

5 MRe HARKINS: No, you're note

6 MRe MOORE: It's right heree

7 MRe MOORE: You don't need to stand  
8 there and lecturee and pontificatee

9 MAYOR COCCHIOLA: Mre Moore, you're  
10 not a lawyer, so, pleasee

11 MRe HARKINS: If you have something  
12 to say, say ite

13 MRe MOORE: Well, I doe It's very  
14 simplee Right now the teachers park in  
15 this church parking lot and they don't  
16 pay any moneye So they park there for  
17 freee So why do we have to pay 314,000  
18 dollars so the teachers can continue to  
19 park free?

20 MRe HARKINS: Because if somebody  
21 else is going to buy the property,  
22 they're not parking free anymore, are  
23 they?

24 MRe MOORE: Well, let them go find  
25 someplace to park because under the law,

1 Township of Nutley Public Meeting 7/15/08  
2 that you've obviously missed, is the fact  
3 that it can't be used for parking.  
4 Public safety, environmental --

5 MR. HARKINS: Mr. Moore, I disagree  
6 with you

7 MR. MOORE: -- and it has to reduce  
8 income taxes.

9 MR. HARKINS: I don't even know what  
10 you're looking at and, you know, I've  
11 been down this road so many times with  
12 you

13 MR. MOORE: Forty --

14 MR. HARKINS: I'm satisfied that  
15 we're okay.

16 MR. MOORE: I know; you're all  
17 satisfied.

18 MAYOR COCCHIOLA: Mr. Moore, Mr.  
19 Harkins knows the law. Do you have  
20 another question?

21 MR. MOORE: Yeah, I do.

22 MAYOR COCCHIOLA: Okay, good.

23 MR. MOORE: So tonight, if you  
24 didn't pass this ordinance, tomorrow  
25 morning the teachers are still going to

1 Township of Nutley Public Meeting 7/15/08  
2 park there and it doesn't cost the  
3 taxpayers 314,000 dollarse

4 MAYOR COCCHIOLA: Well, when someone  
5 else purchases the property and the  
6 teachers have nowhere else to park --

7 MRe MOORE: But there are no other  
8 suâtorse Nobody else is buying the  
9 propertye

10 MRe HARKINS: How do you know that?

11 MAYOR COCCHIOLA: Well, you know  
12 what? We don't need to get into this  
13 with youe

14 MRe MOORE: You want to know why?

15 MAYOR COCCHIOLA: It's ouæ decision  
16 and that's the decision that we've madee

17 MRe MOORE: Because under -- when I  
18 called Mre Zarra, he told me there was no  
19 other suâtorse

20 MRe HARKINS: I don't know where  
21 he's getting --

22 MRe MOORE: So if you're going to go  
23 into a local agreement with Mre Zarra --

24 MRe HARKINS: Mre Moore --

25 Mre Moore, we're not going to spar heree

1 Township of Nutley Public Meeting 7/15/08

2 MAYOR COCCHIOLA: You don't know the  
3 history of the whole transaction anyway,  
4 Mr. Moore --

5 MR. MOORE: Pardon me?

6 MAYOR COCCHIOLA: -- and you're  
7 incorrect.

8 MR. MOORE: Pardon me?

9 MAYOR COCCHIOLA: I said you don't  
10 know the history of the transaction and  
11 what's transpired and you are incorrect.

12 MR. MOORE: Well, I talked to  
13 Mr. Zarra, so I think I know better.

14 MAYOR COCCHIOLA: Well, I don't care  
15 if you talked to Mr. Zarra. We talk to  
16 him all the time.

17 MR. MOORE: Oh, so then did he tell  
18 me a lie?

19 MAYOR COCCHIOLA: Do you have any  
20 other questions?

21 MR. MOORE: Yes. I want to know --  
22 in the master plan next year there's  
23 supposed to be a proposed -- for a level  
24 parking deck. Now, why would you want to  
25 spend 314,000 dollars to buy one piece of



1 Township of Nutley Public Meeting 7/15/08  
2 property --

3 MAYOR COCCHIOLA: Who's talking  
4 about a parking deck in a master plan?

5 MRe MOORE: I heard -- I went to the  
6 master planner I heard that they were  
7 considering --

8 MAYOR COCCHIOLA: You did? Well  
9 that meeting --

10 MRe MOORE: Yese

11 MAYOR COCCHIOLA: -- occurs tomorrow  
12 night so if you went to it, I don't think  
13 that you --

14 MRe MOORE: Okaye Okaye

15 MAYOR COCCHIOLA: Okay? That's  
16 tomorrow nighte

17 MRe MOORE: So, I just want to make  
18 sure, for the record, you're going to  
19 spend 314,000 dollars so the teachers can  
20 park?

21 MAYOR COCCHIOLA: We're going to  
22 purchase property that we in turn are  
23 going to lease to the Board of Education,  
24 okay?

25 MRe MOORE: That's taxpayers' moneye

1 Township of Nutley Public Meeting 7/15/08  
2 Let them lease it.

3 MAYOR COCCHIOLA: That's what we're  
4 doing.

5 MR. HARKINS: You want them to park  
6 on your lawn? I mean -- come on.

7 MR. MOORE: Pardon me?

8 MR. HARKINS: They need parking.

9 MR. MOORE: So do I.

10 MAYOR COCCHIOLA: We don't need to  
11 argue the case anymore. We're purchasing  
12 property that we will lease to the Board  
13 of Education. Do you have any other  
14 questions?

15 MR. MOORE: How much are you going  
16 to lease it for?

17 MAYOR COCCHIOLA: It hasn't been  
18 determined yet.

19 MR. MOORE: Oh, okay.

20 MAYOR COCCHIOLA: Is there anyone  
21 else that would like to address the board  
22 with regard to Ordinance number 3066?

23 COMMISSIONER EVANS: Motion to close  
24 the public hearing.

25 UNIDENTIFIED SPEAKER: Second.

Township of Nutley Public Meeting 7/15/08

MADAM CLERK: Commissioner  
Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

COMMISSIONER EVANS: Move the  
ordinance.

UNIDENTIFIED SPEAKER: Second.

MADAM CLERK: Commissioner  
Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

COMMISSIONER EVANS: Thank you  
Mayor.

MAYOR COCCHIOLA: Thank you

1 Township of Nutley Public Meeting 7/15/08  
2 Resolutions, Mr. Scarpelli?

3 COMMISSIONER SCARPELLI: Yes, Mayor.  
4 I have a resolution on a refund.

5 Whereas, a payment was made for a  
6 new water line service at 364 Bloomfield  
7 Avenue, Nutley, New Jersey, Block 5702,  
8 Lot 16e01.

9 And whereas, the homeowner will use  
10 the existing water line service at 364  
11 Bloomfield Avenue, Block 5702, Lot 16-01e

12 And whereas, the Town Treasurer is  
13 hereby authorized to refund the homeowner  
14 for a new water line service in the  
15 amount of 2,000.00 dollars.

16 Now therefore be it resolved, by the  
17 Board of Commissioners of the Township of  
18 Nutley, in the County of Essex, State of  
19 New Jersey, that the Township Treasurer  
20 is authorized to refund said payment in  
21 the amount of 2,000.00 dollars. I move  
22 the resolution.

23 COMMISSIONER PETRACCO: Second

24 MADAM CLERK: Commissioner  
25 Scarpelli?

Township of Nutley Public Meeting 7/15/08

COMMISSIONER SCARPELLI: Ayee

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Ayee

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Ayee

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Ayee

COMMISSIONER SCARPELLI: That's all

I have, Mayor.

MAYOR COCCHIOLA: Thank youe

Commissioner Petracco?

COMMISSIONER PETRACCO: I have two  
resolutions

Be it resolved by the Board of  
Commissioners of the Township of Nutley,  
County of Essex, State of New Jersey,  
that Jason Weber, employee in the  
Department of Public Safety, be granted a  
medical leave of absence without pay  
effective July 7, 2008 through August 31,  
2008. I move the resolution.

COMMISSIONER SCARPELLI: Seconde

MADAM CLERK: Commissioner

Scarpelli?

Township of Nutley Public Meeting 7/15/08

COMMISSIONER SCARPELLI: Aye

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

COMMISSIONER PETRACCO: Second

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 township towing services  
Specifications are available in the  
Purchasing Department, Town Hall, One  
Kennedy Drive, Nutley, NJ. Bids to be  
received on Tuesday, August 12, 2008 in  
the Commission Chambers, Third Floor,  
Township Hall, Kennedy Drive, at 3 PM,  
prevailing time, at which time they will  
be publicly opened and read. I move the  
resolution.

COMMISSIONER SCARPELLI: Second

Township of Nutley Public Meeting 7/15/08

MADAM CLERK: Commissioner  
Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye. Commissioner  
Evans?

COMMISSIONER EVANS: Thank you,  
Mayor.

Whereas, a professional services  
contract was awarded to Raymond  
Sarinelli, R.M.A. of the firm of  
Nisivoccia & Company, Certified Public  
Accountants, 5 Emery Road (sic),  
Randolph, New Jersey, via Resolution  
number 22-08 adopted by the Board of  
Commissioners of the Township of Nutley  
at their meeting held January 15, 2008

And whereas, an amendment to the  
resolution number 22-08 is required in  
order to comply with the provisions of

1 Township of Nutley Public Meeting 7/15/08  
2 nonfair and open contracts laws pursuant  
3 to N.J.S.A. 19:44A-20 or 20.5 as  
4 appropriate.

5 And whereas Raymond Sarinelli,  
6 R.M.A., of the firm Nisivoccia & Company  
7 has completed and submitted the Business  
8 Entity Disclosure Certification which  
9 certifies Raymond Sarinelli, R.M.A., has  
10 not made any reportable contributions to  
11 a political or candidate committee in the  
12 Township of Nutley in the previous one  
13 year, and that the contract will prohibit  
14 Raymond Sarinelli, R.M.A., of the firm  
15 Nisivoccia & Company from making any  
16 reportable contributions through the term  
17 of the contract.

18 Whereas, N.J.S.A. 40A:5-4 requires  
19 that the governing body of every local  
20 unit shall cause an annual audit of its  
21 books, accounts and financial  
22 transactions to be made and completed  
23 within five months after the close of its  
24 fiscal year and for that purpose shall  
25 employ a registered municipal accountant .



1 Township of Nutley Public Meeting 7/15/08  
2 of New Jersey

3 Now, therefore, be it resolved by  
4 the Board of Commissioners of the  
5 Township of Nutley, County of Essex, that  
6 the aforementioned amendment is hereby  
7 authorized and approved. So move.

8 COMMISSIONER SCARPELLI: Second.

9 MADAM CLERK: Commissioner  
10 Scarpelli?

11 COMMISSIONER SCARPELLI: Aye.

12 MADAM CLERK: Commissioner Petracco?

13 COMMISSIONER PETRACCO: Aye.

14 MADAM CLERK: Commissioner Evans?

15 COMMISSIONER EVANS: Aye.

16 MADAM CLERK: Mayor Cocchiola?

17 MAYOR COCCHIOLA: Aye.

18 COMMISSIONER EVANS: Thank you,  
19 Mayor.

20 MAYOR COCCHIOLA: Thank you.

21 Whereas, the City of Newark's  
22 housing authority has agreed to sell  
23 property located on Grafton Avenue in  
24 Newark, near the Passaic River, to Air  
25 Pegasus Helicopters, LLC for the purpose

1 Township of Nutley Public Meeting 7/15/08  
2 of developing commercial helicopter  
3 landing and take-off facilities, which  
4 would include corporate and charter  
5 flights.

6 Whereas, the proposed helicopter  
7 facility is adjacent to a residential  
8 area in Newark and, on the other side of  
9 the Passaic River, directly opposite  
10 residential areas close to and near the  
11 Township of Nutley

12 Whereas, residents on the ground  
13 under and adjacent to helicopter flight  
14 paths are subject to harmful effects of  
15 helicopter engines, including reduced air  
16 quality as well as excessive noise, which  
17 is intrusive and disruptive, interfering  
18 with residents' quality of life and quiet  
19 enjoyment of their homes and property

20 Whereas, the proposed helicopter  
21 landing facility would produce  
22 considerable noise nuisance and would  
23 augment existing aircraft noise due to  
24 the existence of numerous routes to and  
25 from Newark and Teterboro airports that

1 Township of Nutley Public Meeting 7/15/08  
2 pass over or very close to the Township  
3 of Nutley.

4 Whereas no environmental impact  
5 study has been conducted to assess the  
6 impact of the proposed helicopter  
7 facility or air quality pollution.

8 Therefore be it resolved by the  
9 Mayor and Board of Commissioner of the  
10 Township of Nutley that they strongly  
11 oppose the proposed development of the  
12 helicopter landing and take-off  
13 facilities on Grafton Avenue in Newark  
14 due to the site's proximity to areas in  
15 the Township of Nutley as it will result  
16 in unacceptable levels of noise pollution  
17 and other adverse environmental impacts.  
18 I move the resolution.

19 COMMISSIONER PETRACCO: Second.

20 MADAM CLERK: Commissioner  
21 Scarpelli?

22 COMMISSIONER SCARPELLI: Aye.

23 MADAM CLERK: Commissioner Petracco?

24 COMMISSIONER PETRACCO: Aye.

25 MADAM CLERK: Commissioner Evans?

Township of Nutley Public Meeting 7/15/08

COMMISSIONER EVANS: Ayee

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Ayee

Whereas, an application has been received from the Nutley Irish American Alliance, Inc. for an off-premise raffle to be held on October 18, 2008 (#40-08).

Whereas, the application has been reviewed and approved by the Municipal Clerk and the Police Departmente

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 Irish American Alliance, Inc. I move the resolutione

COMMISSIONER PETRACCO: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Ayee

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Ayee

1 Township of Nutley Public Meeting 7/15/08

2 MADAM CLERK: Commissioner Evans?

3 COMMISSIONER EVANS: Aye.

4 MADAM CLERK: Mayor Cocchiola?

5 MAYOR COCCHIOLA: Aye. That  
6 concludes the business portion of our  
7 meeting. Is there any member of the  
8 public that that would like to address  
9 the Board this evening?

10 MR. NEGRA: Ed Negra, 649 Bloomfield  
11 Avenue. First of all, I would like to  
12 commend the commissioners for passing the  
13 two ordinances tonight that were  
14 recommended by the Planning Board that  
15 address a development problem here in  
16 Nutley. I think it's a step in the right  
17 direction.

18 MAYOR COCCHIOLA: They were  
19 introduced this evening, Mr. Negra.  
20 There'll be -- actually, there'll be a  
21 public hearing on August 19th.

22 MR. NEGRA: Okay.

23 MAYOR COCCHIOLA: And that will be  
24 passed on that date.

25 MR. NEGRA: Well, it's a step.

Township of Nutley Public Meeting 7/15/08

MAYOR COCCHIOLA: Thank you

MRe NEGRA: Unfortunately,

Commissioner Tucci's not here tonight  
because the Creative Playgroup and Committee  
had some concrete resolutions to present  
to him as far as the Creative Playgroup  
goes I guess I'll have to address that  
at the next meeting

MAYOR COCCHIOLA: Or you can submit  
them to him in writing, as well

MRe NEGRA: No, I don't like to do  
that

MAYOR COCCHIOLA: Okay

MR. NEGRA: I like to talk  
face-to-face

MAYOR COCCHIOLA: Okay

MRe NEGRA: So I can see what I'm up  
against I have to admit that Mre Moore  
was on a roll tonight Am I allowed to  
ask a question to Ms. Rosario, Town  
Clerk?

MAYOR COCCHIOLA: Well --

MR. HARKINS: I think if you address  
it to the board and they feel

1 Township of Nutley Public Meeting 7/15/08  
2 appropriate.

3 MR. NEGRA: Well, I submitted a OPRA  
4 request, probably last week, in reference  
5 to some materials out of the Parks and  
6 Rec Department and I have not today  
7 received any information. I just  
8 wondered if Ms. Rosario had that  
9 information and when can I receive it  
10 because I believe the seveneday period is  
11 up either tomorrow or Thursday.

12 MADAM CLERK: You will have that  
13 tomorrow. I spoke to Ms. Kathy Ritacco,  
14 Commissioner Tucci's administrative  
15 assistant, this afternoon, and it's on  
16 its way. I should have it first thing in  
17 the morning.

18 MR. NEGRA: Okay, good.

19 MADAM CLERK: I can give you a call  
20 and you can pick that up.

21 MR. NEGRA: Thank you.

22 MADAM CLERK: You're welcome.

23 MR. NEGRA: That's all.

24 MAYOR COCCHIOLA: Thank you. Is  
25 there anyone else that would like to

1 Township of Nutley Public Meeting 7/15/08  
2 address the board?

3 MR. MOLKENTHIN: Kenneth Molkenthin,  
4 44 Chestnut Street in Nutley Board  
5 members, I've lived in this town all my  
6 life. I was a volunteer in this town for  
7 thirty-eight years, and I also run a  
8 local business in this town.  
9 Commissioners, what I would like to know,  
10 and I would like to applaud Commissioner  
11 Petracco on his use and purchase of the  
12 Segway and the bicycle.

13 COMMISSIONER PETRACCO: Thank you.

14 MR. MULCANTHON: But I would also  
15 like to know what else we are doing to  
16 reduce our gas bills. For too many years  
17 in the past there have been abuses, there  
18 have been cars seen on Long Beach Island  
19 with unmarked plates and no markings,  
20 cars down on Point Pleasant, cars in Bay  
21 Head. There's a lot of town buses that  
22 get used for concerns that are not  
23 necessarily townwide. It seems some of  
24 the past commissioners have forgotten  
25 what the word meant "for the good of the



1 Township of Nutley Public Meeting 7/25/08  
2 people".

3 I'd like to know why -- with the  
4 exception of our detective bureau, why we  
5 have so many unmarked cars running around  
6 this town and why we're burning so much  
7 gasoline. Why do I see HazMat vehicles  
8 parked on the streets of Nutley all over  
9 when there seems to be no calls? I  
10 listen to the radio, people. There just  
11 seems to be an awful lot of gas waste.  
12 We can't afford it. This town is no  
13 longer just bleeding; we're hemorrhaging.  
14 And I think you need to do something.

15 Industry has left this town. Past  
16 administrations have chased it. I know  
17 because a lot of those industries were my  
18 customers. They're no longer here.  
19 They've been replaced by condominiums.  
20 Condominiums only increase taxes to us in  
21 the way of services, in the way of  
22 overloading our schools, overloading  
23 every service we own. So, I think -- I  
24 would ask that you all evaluate how many  
25 vehicles you have on the road.

Township of Nutley Public Meeting 7/15/08

Unfortunately, Mr. Petracco, you're new, but the amount of vehicles increased under the HazMat and fire department is astronomical. I spent time on the Nutley Volunteer Fire Department. We had one station wagon. We call it the service car. Why do we need so many vehicles? Once again, sir, this is not of your doing. And the pat answer of the past commissioners, it's a federal grant. It's a county grant. It's a state grant. Seems to me that some of you people have forgotten we are the federal, we are the county; we are the state. It's out of our pockets. The amount of houses for sale in the Township of Nutley; unbelievable. And they're not selling. A few are here and there but be aware, it's not a good situation and it's not getting better, it's getting worse.

So, please, I am now becoming a senior citizen. I don't know how I can stay here, so I really don't know how some of my neighbors can. We're

1 Township of Nutley Public Meeting 7/15/08  
2 hemorrhaging, commissioners. Please do  
3 something. Don't talk. Don't come up  
4 with these wild plans like our governor,  
5 you just shift costs all over the place.  
6 Do something constructive. Bite the  
7 bullet. We're going to be angry at you  
8 one way or the other. Let's be honest  
9 about it. But I'd rather be angry at you  
10 doing something constructive for the  
11 entire town, not just a few people.  
12 Thank you

13 MAYOR COCCHIOLA: Thank you  
14 Mr. Molkenthin. Thank you for your  
15 comments. Thank you for your  
16 respectfulness, as well.

17 UNIDENTIFIED SPEAKER: Good evening,  
18 commissioners. Frank Collery (ph.) from  
19 Cambridge Heights. I would just like to  
20 address the statement that was made about  
21 condominiums being a drain on this  
22 township. I live over at Cambridge  
23 Heights. We donate, free of charge,  
24 about five million dollars a year in  
25 taxes. We're a very little drain on the

1 Township of Nutley Public Meeting 7/15/08  
2 resources of the townshipe I wish some  
3 of you people would stop knocking  
4 Cambridge Heights and realize that we  
5 give a lot of money to the township in  
6 terms of taxese Thank youe

7 MAYOR COCCHIOLA: Thank youe

8 MRe MOORE: Rory Moore, 462 Chestnuē  
9 Streete Mre Evans, two meetings ago, I  
10 had asked you a question aboue the TV  
11 monitors downstairs -- I believe I asked  
12 you privately and you told me that they  
13 were monitored across the streete  
14 They're note Because that night I went  
15 over to the police department and I asked  
16 the duty sergeant who said they don't  
17 monitor them theree I can respect a  
18 disagreement with each othere That's  
19 okaye But I hate being lied toe

20 Tonight in your resolution, you have  
21 Nisivoccia coming in of the audit againē  
22 I'd like a copy of the initial audit  
23 letter that you had sent to hime It  
24 should have been attached, but there  
25 isn't onee It should only be two pages

1 Township of Nutley Public Meeting 7/15/08  
2 and it should specifically tell  
3 Nisivoccia what he's authorized to audit

4 COMMISSIONER EVANS: Say again what  
5 you're specifically asking for

6 MRe MOORE: When you first have an  
7 audit, you have to have an audit  
8 agreement. In other words, you told  
9 Nisivoccia this is the areas that you are  
10 going to audit. He's not allowed to go  
11 outside of the bounds of the area. It's  
12 an initial audit letter.

13 COMMISSIONER EVANS: Excuse me, just  
14 by clarification, it's Nisivoccia &  
15 Company.

16 MRe MOORE: Okay, I'm sorry.

17 COMMISSIONER EVANS: Two, an  
18 independent auditor, you cannot tell them  
19 what they can look at or not look at  
20 because that's a scope restriction that  
21 would violate the principles of an audit.

22 MRe MOORE: You have to provide an  
23 initial letter.

24 COMMISSIONER EVANS: It is a  
25 representation letter that is --

Township of Nutley Public Meeting 7/15/08

MR. MOORE: Yes, I'd like to see that.

COMMISSIONER EVANS: You're welcome to it.

MR. MOORE: I would say two page -- I'll put an OPRA request and I'll have the pages in the mail to me.

COMMISSIONER EVANS: You betcha.

MR. MOORE: It should be the initial letter. In the caucus meeting --

COMMISSIONER EVANS: Excuse me. I would also like to respond --

MR. MOORE: Oh, I'm sorry.

COMMISSIONER EVANS: -- to your comment, okay? I did not lie to you. Okay.

MR. MOORE: Yes, you did. You told me --

COMMISSIONER EVANS: Excuse me.

MR. MOORE: -- it was monitored over there.

COMMISSIONER EVANS: Excuse me.

MR. MOORE: It's not.

COMMISSIONER EVANS: Let me make it

1 Township of Nutley Public Meeting 7/15/08  
2 really clear

3 MRe MOORE: Please

4 COMMISSIONER EVANS: At the time I  
5 spoke to you, I had no knowledge of the  
6 fact that the monitor at Police  
7 Headquarters was not displaying the  
8 monitor at Town Hall. That has now since  
9 been corrected. At the time I spoke to  
10 you, I had every understanding that it  
11 was there. And today you will find, if  
12 you go over to that monitor, there is an  
13 icon that they can now access that will  
14 demonstrate the fact that they can see  
15 over to Town Hall.

16 Second thing is, is that I'm a  
17 little troubled by the fact that the duty  
18 officer, whoever you spoke to, would  
19 actually talk to you about the security  
20 situation for the Township of Nutley and  
21 expose my people to a higher level of  
22 risk by sharing that information freely.  
23 So I would ask Commissioner Petracco to  
24 make sure that it doesn't happen again  
25 because it is part of our security.

1 Township of Nutley Public Meeting 7/15/08  
2 umbrella.

3 Second, there is a buzzer that is  
4 part of the cashier's office that is  
5 connected across the street so in the  
6 event there was a problem, we have  
7 immediate access to resources.

8 MR. MOORE: We didn't speak about  
9 the buzzer. We spoke specifically about  
10 the TV sets.

11 COMMISSIONER EVANS: I'm clarifying  
12 and I just explained to you I did not lie  
13 to you at the time I spoke to you. It  
14 has been since corrected. I became aware  
15 of the fact that it was not up there. I  
16 did speak to Jason Kirk, who is my  
17 technology person, who followed up and  
18 corrected it.

19 COMMISSIONER PETRACCO: Mr. Moore?  
20 I'm over here.

21 MR. MOORE: Hi.

22 COMMISSIONER PETRACCO: What's the  
23 interest of that icon in --

24 MR. MOORE: There's no interest.  
25 There's absolutely no interest



1 Township of Nutley Public Meeting 7/15/08  
2 whatsoever couldn't care less It's  
3 just that the research that I did, I knew  
4 it wasn't monitored over there and it  
5 should be but whether it is or it  
6 isn't --

7 COMMISSIONER PETRACCO: So are you  
8 telling me that they brought you behind  
9 into the com center and showed you --

10 MRe MOORE: No, noe I just went to  
11 the window and I had asked a general  
12 question of the duty supervisor --

13 COMMISSIONER PETRACCO: Who did you  
14 ask the question to?

15 MRe MOORE: He was the sergeant on  
16 duty that nighte It was two weeks ago --  
17 two meetings agoe And I had just asked  
18 do you guys monitor Town Hall and they  
19 said noe And he said if they did, they  
20 didn't know about ite That's all he  
21 saide

22 COMMISSIONER PETRACCO: And it was a  
23 sergeant?

24 MRe MOORE: It was a sergeante It  
25 was a duty sergeante

Township of Nutley Public Meeting 7/15/08

COMMISSIONER PETRACCO: Do you have the date?

MR. MOORE: It was two meetings ago. Whatever two meetings ago was. And no, I never asked to go behind to see it, to violate the security agreement. I don't think I would ever do that. The -- Mr. Scollara (ph.) spoke of a 700 megahertz system in the joys and wonders --

COMMISSIONER EVANS: Mr. Who?

MR. MOORE: Mr. Scollara, in the caucus meeting.

COMMISSIONER PETRACCO: Mr. Moore, excuse me. It was at what time did you go there, did you say?

MR. MOORE: 7:30, 8, a little bit after 8. Between 8 and 8:30.

COMMISSIONER PETRACCO: Thank you

MR. MOORE: The 700 megahertz system that Mr. Scollara talks about, I had put one in. It's good for -- would help Mr. Scarpelli, separately; it would help Commissioner Petracco wonderfully but you

Township of Nutley Public Meeting 7/15/08  
can never put -- you can never put  
Internet throughput through the schools  
because it's only 700 megahertz  
Mrs Molkenthin and I, you're into our  
areas and we can tell you the rights and  
wrongse I'm not trying to put a damper  
on it, it's just that this is not the  
greatest in the worlde Noboddy in the  
state of New Jersey combines the DPW  
channels with health and safety channelse  
It's just never donee

COMMISSIONER EVANS: Thank youe

Mrs MOORE: Becausee of different  
reasonse

COMMISSIONER EVANS: Thank youe All  
we had a conversation about was doing a  
studye to investigate, so thank you for  
that informatione

Mrs MOORE: But the throughput for  
700 megahertz, it's a voicee It's just  
datae

COMMISSIONER EVANS: Thank youe

Mrs MOORE: And there's one last  
question I do have, I'm looking for ite

1 Township of Nutley Public Meeting 7/15/08  
2 Oh, Mre -- the Traffic Safety Coordinator  
3 under the reorganization was changed to  
4 you~~e~~ departmente

5 COMMISSIONER EVANS: Correcte

6 MRe MOORE: According to Town  
7 Ordinance 38:82 and 38:83, it clearly  
8 puts in under the direction of -- the  
9 Division of Public Safety, not your  
10 officee So there's language that you  
11 either have to cor~~re~~ct or the Traffic  
12 Safety Officer reports to Commissioner  
13 Petraccoe

14 COMMISSIONER EVANS: Mre Harkins --

15 MRe MOORE: It's righ~~t~~ here, you  
16 can't miss ite

17 COMMISSIONER EVANS: No, the  
18 ordinance -- we do need to amend the  
19 ordinance and I think I addressed that  
20 with the board and I'll prepare an  
21 amendmente It places him -- it doesn't  
22 place him in that department but there is  
23 some confus~~io~~n in some of the wording as  
24 to who he reports toe

25 MR. MOORE: No, 38:82 --

Township of Nutley Public Meeting 7/15/08

COMMISSIONER EVANS: No, I read the ordinance.

MR. MOORE: Yeah, but 38:83 puts him in Public Safety.

COMMISSIONER EVANS: No. No. It's -- he's in the Code Enforcement --

MR. MOORE: Yes, under 82 he's in Code Enforcement.

COMMISSIONER EVANS: Right and he takes -- prior to the reorganization here, Code Enforcement was in Public Safety.

MR. MOORE: 83a

COMMISSIONER EVANS: Right. So we just need to -- it's a matter of housekeeping cleaning up in that ordinance to indicate --

MR. MOORE: Right, under the Walsh Act you have to put him over under a resolution.

COMMISSIONER EVANS: Right.

MR. MOORE: But then I would ask the question on the building on Bloomfield and Harrison --

Township of Nutley Public Meeting 7/15/08

COMMISSIONER EVANS: The what?

MR. MOORE: The building on  
Bloomfield and Harrison, they've now  
put -- I believe it's six parking spaces  
that had been indented and they're within  
twenty feet of a crosswalk on both sides.  
They're blocking a driveway. Why do I  
have to come and tell you that there's  
something wrong with the traffic and that  
the traffic should be -- there's no time  
limit so anybody could park there and  
stay there all day long. If it's for a  
business, it should be fifteen-minute  
parking or there should be parking  
meters.

COMMISSIONER EVANS: I have no  
answer for that tonight. I will speak to  
the Traffic Coordinator in the morning.

UNIDENTIFIED SPEAKER: I did speak  
to Jack about that and he said they are  
in compliance and he says it's  
twenty-five feet.

MR. MOORE: It's twenty.

UNIDENTIFIED SPEAKER: You measured

1 Township of Nutley Public Meeting 7/15/08  
2 it?

3 MRe MOORE: No, it's the ordinance,  
4 it's the lawe

5 UNIDENTIFIED SPEAKER: So --

6 MRe MOORE: I'll send it to you  
7 tomorrowe I'd be happy to do ite

8 UNIDENTIFIED SPEAKER: And how far  
9 is it from an intersection?

10 MRe MOORE: It's less than twenty  
11 feet becausē it's right in from the  
12 crosswalke

13 UNIDENTIFIED SPEAKER: I did speak  
14 to him on this and he was confidente

15 MRe MOORE: I respectfully will  
16 challenge him on this onee

17 UNIDENTIFIED SPEAKER: Did you  
18 measurē it?

19 MRe MOORE: I'll be happy to do  
20 thate

21 MAYOR COCCHIOBA: Is there anyone  
22 else that wouăd like to address the board  
23 this evening? Our meeting will be  
24 continuēd until 5 o'clock p.m. tomorrow  
25 in the chambērse

Township of Nutley Public Meeting 7/15/08

UNIDENTIFIED SPEAKER: Adjourn it to  
that time, Mayor?

(End of audio)



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

I, Zipporah Geralnik, hereby certify that the foregoing is a true and correct transcription, to the best of my ability, of the sound recorded proceedings submitted for transeriptione

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

In witness whereof, I hereby sign this date:

May 26, 2009e

Zipporah Geralnik su

Zipporah Geralnik

**Township of Nutley  
Board of Commissioners  
Meeting Minutes  
Continued Meeting of Tuesday, July 15, 2008  
held on Wednesday, July 16, 2008  
5:00 P.M.**

A continued meeting of July 15, 2008 was held on Wednesday, July 16, 2008 at 5:00 P.M.

**ROLL CALL:**

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

**The following bond ordinance was adopted:**

**Bond Ordinance No. 3063**

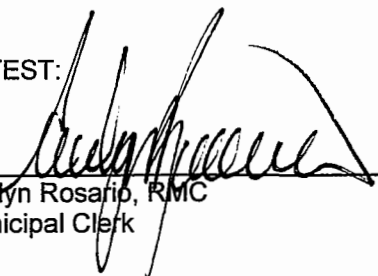
"BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN THE TOWNSHIP OF NUTLEY, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$1,227,600 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$1,166,220 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE COSTS THEREOF."

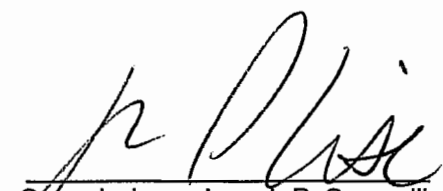
Motion to adopt on second and final reading by Commissioner Evans, seconded by Commissioner Scarpelli. All ayes on a roll call vote.

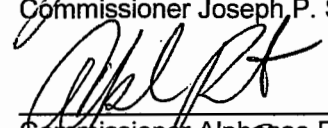
**ADJOURNMENT:**

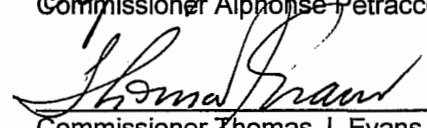
Motion to adjourn by Commissioner Evans, seconded by Commissioner Petracco. Meeting adjourned at 5:10 P.M.

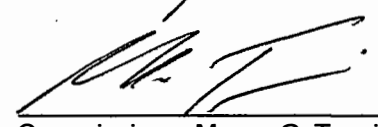
ATTEST:

  
\_\_\_\_\_  
Evelyn Rosario, RMC  
Municipal Clerk

  
\_\_\_\_\_  
Commissioner Joseph P. Scarpelli

  
\_\_\_\_\_  
Commissioner Alphonse Petracco

  
\_\_\_\_\_  
Commissioner Thomas J. Evans

  
\_\_\_\_\_  
Commissioner Mauro G. Tucci

  
\_\_\_\_\_  
Mayor Joanne Cocchiola