TOWNSHIP OF NUTLEY
COUNTY OF ESSEX, NEW JERSEY
BOARD OF COMMISSIONERS

RE:
PUBLIC MEETING
TRANSSCRIPT OF
PROCEEDINGS:

Township of Nutley Municipal Building
3rd Floor, Commission Chambers
One Kennedy Drive
Nutley, New Jersey 07111
Tuesday, January 6, 2009
7:00 p.m.

BEFORE:

JOANNE COCCHIOLA, Mayor
THOMAS J. EVANS, Commissioner
ALPHONSE PETRACCO, Commissioner
JOSEPH P. SCARPELLI, Commissioner

ALSO PRESENT:

KEVIN P. HARKINS, ESQ.,
MUNICIPAL ATTORNEY

Job No.: 200661
MAYOR COCCHIOLA: Could everyone please stand for the flag salute.

(Pledge of Allegiance)

MAYOR COCCHIOLA: Madam Clerk, can you please read the Sunshine Notice?

THE CLERK: Yes, Mayor.

Tuesday, January 6, 2009, pursuant to the requirements of the Open Public Meeting Law, (Chapter 231 P.L. 1975), notice of this meeting was published in the December 18, 2008 issues of the Nutley Sun, the Journal, the Star Ledger and the Herald News. A copy of this notice has been posted on the Nutley Town Hall bulletin board and a copy is on file in the Municipal Clerk's Office.

Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Here.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Here.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Here.

THE CLERK: Commissioner Tucci is absent, excused at this time. Mayor
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Cocchiola?

MAYOR COCCHIOLA: Here.

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

MAYOR COCCHIOLA: Thank you. We can move on to correspondence.

THE CLERK: Yes, Mayor. I have one item of correspondence. I have meeting minutes from the North Jersey District Water Supply Commission for their meeting held November 26, 2008. And that's all for communications, Mayor.

MAYOR COCCHIOLA: Thank you. And bills?

THE CLERK: Yes, Mayor. Bill list, January 6, 2009:

Public Affairs, $376,667.75; Revenue and Finance, $3,030.50; Public Safety, $0.00; Public Works, $298,098.99; Parks and Public Property $373,446.85.

Payroll as of December 23, 2008, $734,979.50. For a grand total bill list of $4,078,234.09.

And that's all for bills, Mayor.
UNIDENTIFIED SPEAKER: Move the bills.

UNIDENTIFIED SPEAKER: Second.

THE CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Aye.

THE CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Aye.

THE CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.

THE CLERK: Mayor Cocchiola?
MAYOR COCCHIOLA: Aye.

THE CLERK: Thank you, Mayor.
MAYOR COCCHIOLA: Thank you. I also want to note, for the record, that I have a report for the Department of Public Affairs monthly activities for December 2008. That will be incorporated in the record for this evening.

Commissioner Evans, do you have an ordinance for introduction this evening?

COMMISSIONER EVANS: Yes, which I'll read by title, 3090. An ordinance to amend an ordinance codified in the code of the Township of Nutley, Chapter 228,
entitled Vehicles and Traffic, particularly Article II, Parking of certain streets, Section 14 entitled Parking Prohibited During Certain Hours, to add the location set forth therein.

I move that this ordinance be passed to a second reading and advertised in the Nutley Sun, together with a 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 February 3, 2009.

So moved.

UNIDENTIFIED SPEAKER: Second.
THE CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Aye.
THE CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Aye.
THE CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.
THE CLERK: Mayor Cocchiola?
MAYOR COCCHIOLA: Aye. And we can move on to public hearings. Commissioner
COMMISSIONER PETRACCO: Yes, Mayor. My first ordinance is an ordinance to fix the salaries of certain officers and employees of the Township of Nutley, County of Essex, State of New Jersey, effective January 1st. It's communication operators. It's regarding (indiscernible) factors.

MAYOR COCCHIOLA: Madam Clerk, that ordinance was published, correct?

THE CLERK: Yes, Mayor. That was published in the December 18th issue of the Nutley Sun and duly noted on the bulletin board.

MAYOR COCCHIOLA: Thank you.

COMMISSIONER EVANS: I make a motion that this ordinance be passed and adopted in accordance with the law.

THE CLERK: Mayor, we need to open - -

MAYOR COCCHIOLA: We need to open up the public hearing. Is there any member of the public that would like to address
the board with respect to ordinance #3086?

(Pause)

MAYOR COCCHIOLA: There is no one. Is there anyone from the Board of Commissioners that would like to address ordinance #3086?

UNIDENTIFIED SPEAKER: Just a point of clarification. Just -- Commissioner, there's some confusion that this is linked to an adjustment that is actually for 2009, just making sure we're real clear that this is retroactive to complete fiscal year 2008 and that we haven't set any salary discussions for 2009 as yet.

UNIDENTIFIED SPEAKER: That's correct.

UNIDENTIFIED SPEAKER: Just for clarification for the record. Thank you.

UNIDENTIFIED SPEAKER: You're welcome.

MAYOR COCCHIOLA: Then I need a motion to close the public hearing.
UNIDENTIFIED SPEAKER: Move we close the public hearing.

UNIDENTIFIED SPEAKER: Second.

THE CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

UNIDENTIFIED SPEAKER: Okay, Mayor -

MAYOR COCCHIOLA: No, now we need a motion to adopt the ordinance.

THE CLERK: To move it.

MAYOR COCCHIOLA: You move it, Commissioner Petracco?

COMMISSIONER PETRACCO: Yes.

THE CLERK: Okay.

COMMISSIONER PETRACCO: I make a motion that this ordinance be passed and adopted in accordance with the law.

UNIDENTIFIED SPEAKER: Second.
THE CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Aye.
THE CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Aye.
THE CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.
THE CLERK: Mayor Cocchiola?
MAYOR COCCHIOLA: Aye. Ordinance #3087, Commissioner Petracco?
COMMISSIONER PETRACCO: Thank you, Mayor. An ordinance to amend an ordinance codified in the Township of Nutley, Chapter 49, entitled Establishment and Organization of the Police Department.
This is regarding to our making another sixth police lieutenant in the police department. And I have a few reasons why, I jotted down, that I'd like to discuss publicly, if I may.
The first thing I'd like to say is that this is part of a long-term plan.
And this is an effort in cost reduction.
Currently, right now, our police
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department has an overtime budget of
$350,000.00 in 2008, which most likely
we'll exceed the $400,000.00 mark in
2009.

Right now on the weekends and
midnights we have no lieutenants
currently. So we have fifty-two weekends
a year where there is no lieutenants at
all. The reason for this lieutenant's
position is that I want to be able to
replace sergeants on the road. Because
what happens traditionally in the police
department is when a patrolman calls out
sick, we don't have the proper coverage.
We don't have that luxury of having that
lieutenant on because of the work
schedule we have there. We have a five
and two, that means every shift there's a
hole for a lieutenant, on weekends there
is none.

So if someone calls in sick, as a
police officer, right now we don't have
enough staff to say to a sergeant, the
sergeant can go on the road and alleviate
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the overtime burden that's put on the
municipality and public safety directly.

The cost, I think there was a lot of
talk that people thought we were going to
hire out for that position at a cost of
$120,000.00 or $130,000.00, that's not
the case. The case is, is that the total
cost for this position should be
approximately $11,000.00. Because what I
am doing is I'm looking to promote a
person that is already in-house into that
position.

So just to let the public know,

Mayor, a captain is retiring this year at
ten percent longevity. We're going to
replace him with a junior captain at a
four percent longevity. So also there's
a savings there.

Also I want to make something clear,
as the Public Safety Director I'm in
charge of both budgets, actually three of
them, fire, police and also the rescue
squad. This year alone we saved well
over $100,000.00 on the fire side. And
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the reason why we saved that money was because of not replacing the firefighter which retired. We also had a litigation with an individual and when we awarded that position back we did not do that with back pay. So we saved well over $100,000.00 on the fire side.

Now the way I look at this is, we're saving $100,000.00 or even more on the fire side, if we're incurring an $11,000.00 expense right now, even though in the future I think that there's a big savings there. And another part of the puzzle I'd like to mention is the reason why we need a lieutenant is because over time what we're trying to do is civilianize the desk. I don't believe it's wise right now in this economy to have two police officers on the desk. A sergeant that works the desk makes $90,000.00 a year on the police side.

So what I'm trying to do is, I'm trying to hire civilians at half that price, approximately in the $40,000.00
range, this way we could get these police
back out on the road. And how do you do
that? If we have a lieutenant in house,
like we're proposing to do, it enables us
to put that sergeant on the road when
someone calls in sick, enabling me to cut
down on the overtime budget, which is
ultimately our goal.

One other thing I'd like to touch on
too is September 11, 9/11; it's already
eight years away. And I thing, as a
society, we forget exactly what happened
that day. Our memories go blank. If
something really hits this township we
have to be prepared. In order to be
prepared we have to have the right
staffing. And obviously there's a cost
to pay for protection and there's a cost
to pay for our children to be able to
walk down the avenue. But again, I'm not
doing this to raise the cost; I'm doing
it to reduce our overtime budget which I
really believe this does.

But again, when 9/11 hit everybody
was screaming protect us at any cost. We threw millions and millions and billions of dollars across our country as a society into homeland security. Right now I'm asking for $11,000.00, not to spend but to reduce our costs after saving the township well over $100,000.00. So I don't look at it as the police, fire budget or rescue. I believe that public safety is one budget that I'm in charge of and I think that there's a great savings there to move into the future.

So again, recapping, I'd just like to say that right now the initial cost is $11,000.00. We are not hiring someone out there for $120- or $130,000.00. We have a captain that's retiring so it's just a promotion but it gives us the luxury of being able not to be in an overtime situation right off the bat if somebody calls in sick.

And that's all I have, Mayor, on that topic.
MAYOR COCCHIOLA: Is there any member of the public that would like to address the board with respect to this ordinance, #308@?

MR. RUSSO: Hi. Mike Russo, 11 Beach Street. Commissioner Evans, I read on a local website over the weekend that you're opposed to this, is there any truth to that rumor or to that article?

COMMISSIONER EVANS: I was never asked about that article. So I have not commented on -- I did not make that comment.

MR. RUSSO: Okay. Are you in favor of this position?

COMMISSIONER EVANS: We're not going to vote this tonight but I have questions about it that I'm going to ask as well. The -- in part is understanding whether or not there's any other officers of rank that can be moved around from other positions that already exist that aren't currently on the street that maybe could be moved into an operations spot where
they can control the street. I just have a question on that, that I'd like to have answered tonight.

Also, the other question I had, which is probably at the root of yours, is that we're talking about an advancement of a sergeant to a lieutenant's position, which creates a sergeant's vacancy which would be filled. Does that create a cascade that says at the entry level am I also adding a patrolman. So my increase in the overall headcount of the police department or am I just really doing a promotion. It was a question in my mind, for clarification, as to when you think of the cascade of that. So is the effect of this $11,000.00 increase just as a promotional increase or is there also the salary, benefits and other associated by adding a patrolman to the force and therefore increasing overall headcount. Which, they start out at a low salary but then they move up by steps.
So given the financial environment that we're in, that I have questions about making sure that if this is going to help us, that it's clear that we can actually save money as a result of it.

I'm all for making decisions that are for public safety, public interest, but also that it just be real clear that we're saving money along the way.

MR. RUSSO: Thank you.

MAYOR COCCHIOLA: Is there any other member of the public that would like to address the board this evening? Any other commissioners? Commissioner Scarpelli, any other comments?

Commissioner Evans, do you have any other question?

MR. EVANS: My question was, Commissioner Petracco, your comments were directed to the cost of the promotion of $11,000.00.

COMMISSIONER PETRACCO: Uh-huh.

COMMISSIONER EVANS: So we're promoting a sergeant to a lieutenant spot
by adding to the additional lieutenant rank. So there's an increase as a result of that.

COMMISSIONER PETRACCO: Yes.

COMMISSIONER EVANS: There's then a vacancy at the sergeant's level. And so, is there also going to be a promotion of the sergeant's level, which will then create an opening at the patrolmen level, the cascade. So ultimately what's going to happen?

COMMISSIONER PETRACCO: That's actually a good question. And what's going to happen is right now, today, in the police department we have thirteen sergeants. The number of sergeants, commissioner, is not going to change. So we will have today, whether we make this promotion or not, the same amount of sergeants.

COMMISSIONER EVANS: So there's a vacancy at the sergeant level, there will be a promotion from a patrolman to the sergeant's level?
COMMISSIONER PETRACCO: Yes.

COMMISSIONER EVANS: And so that will create a vacancy at the patrol level by reducing the patrol force by one. So there is a vacancy there, is that going to be replaced?

COMMISSIONER PETRACCO: Well let me say this to you, there's always a maintenance plan, I would say, as far as having police in the academy and having patrolmen being hired, almost every year. As you know, Nutley has only sixty-eight, including our chief, a squad of sixty-eight police officers. In our neighboring towns they're well into the hundreds. Belleville has over a hundred, Bloomfield has over a hundred, Clifton has almost 200.

Now, also in this plan, commissioner, I am seeking that in the next five years, as we know our neighboring communities and the crime rate and things that are happening in our own town, it's evident that sixty-eight
is, kind of, a low number respectfully to what's around us. So would I like to see that number increase? Absolutely. Do I think that this is the economic climate for that? No. So we're trying to do more with less but in order to do more with less, such as putting the sergeants on the road -- we have thirteen sergeants right now.

Another interesting fact too, I don't know if anybody's aware of this, in 1989 we had six captains in our police department. Today, we have one. In 1977 we had sixteen sergeants in our police department, 1977; it's a long time ago. Today, we have thirteen.

So I think in order to answer your question, this is a plan that in effect if we were to catch up to our neighboring towns with police officers, and they're well into the hundreds. Again, we're at sixtyeight, maybe right now we could use another ten police officers but maybe with this plan and being able to get
Police officers from behind the desk and out into the street and civilianize where you can, maybe we could get away with only hiring two this year. So I think there's a savings there also.

COMMISSIONER EVANS: I'm sorry, I'm just not clear.

COMMISSIONER PETRACCO: Go ahead.

COMMISSIONER EVANS: So given the shift that said we're going to have thirteen sergeants --

COMMISSIONER PETRACCO: Well, that's already there.

COMMISSIONER EVANS: I know that. I know that. And so by adding a sixth lieutenant, making six, it creates a sergeant vacancy.

COMMISSIONER PETRACCO: Right.

COMMISSIONER EVANS: So we're not reducing the number of sergeants, we're keeping it at thirteen.

COMMISSIONER PETRACCO: We're keeping exactly where it is but we're not going to fourteen.
COMMISSIONER EVANS: I understand that. So the thirteenth sergeant --

COMMISSIONER PETRACCO: Yes.

COMMISSIONER EVANS: -- right, that's now open, are we going to promote someone into that position to fill that vacancy?

COMMISSIONER PETRACCO: Yes.

COMMISSIONER EVANS: Okay. So then that means that we are going to reduce the patrol staff, patrolmen, by one because we're promoting up to fill that spot. Doesn't that mean then will you then -- so my other question is, does that mean that you will add a patrolman this year?

COMMISSIONER PETRACCO: I'm actually hoping to add two or three patrolmen.

COMMISSIONER EVANS: So is there -- so the other question is, and I understand the historical perspective and part of that was looking at the ratio of supervisory personnel to line personnel and getting those ratios straightened
COMMISSIONER PETRACCO: Uh-huh.

COMMISSIONER EVANS: Al right. So I know some of that history is related to adjusting the TOO to reflect that. Okay. So my question is that then, overall, we're going to add police officers this year, this coming year?

COMMISSIONER PETRACCO: I would believe in the upcoming budget in 2009, and we obviously haven't handed it in, we are probably going to add -- we're going to be looking to add two to three patrolmen. Again, if in this challenging fiscal time, if that allows us to.

COMMISSIONER EVANS: Thank you.

COMMISSIONER PETRACCO: You're welcome.

MAYOR COCCHIOLA: I have a follow-up question. Commissioner Petracco, we just described the lieutenant moving up to the sergeant, the patrolman moving up to sergeant and a new patrolmen, forget the other additional hires but just that
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sequence, one patrolman moving up, one
sergeant moving up that is all
encompassed in the analysis that there's
only an $11,000.00 increase? Do you know
what I'm saying?

COMMISSIONER PETRACCO: I think our
initial cost is $11,000.00.

MAYOR COCCHIOLA: With the three
movements up, as a result of this one
change there's going to be a movement of
three people.

COMMISSIONER PETRACCO: Well, I
don't know that that's going to cover a
new hire in that.

MAYOR COCCHIOLA: For the new hire,
then.

COMMISSIONER PETRACCO: I mean, if
we hire somebody, obviously, I think they
start out of the academy at $25,000.00.
But Mayor let me tell you my point also,
is again, the thing I want to stress upon
is this. As a public safety director I'm
in charge of three budgets. And if I
don't replace that firefighter, not to
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say that I'm going to or not, but if I
don't replace that firefighter have I not
saved the township a $100,000.00 thousand
plus benefits and medical. So there is a
cost -- say there's a $25,000.00 cost,
still haven't we done our job and saved
$75,000.00 for the township and protected
the Nutley residents.

And the thing I can't stress upon
enough, we have sixty-eight police
officers in this town. Belleville has
over a hundred. Clifton has almost 200.
Bloomfield has well over a hundred. So
I'm not naming towns that are an hour
away from here. I'm not naming locations
down the shore; I'm naming towns that are
neighboring towns.

And I'm very confident that I could
find the money throughout the public
safety budget in order to make this
feasible. So I'm looking to save money
in other directions.

Also, a very important part of the
puzzle that I think we're missing is that
the over-time budget is going into the $400,000 dollar mark in 2009. If we put this position in and if we could possible save $50,000.00, $100,000.00, I don't know the exact number, by civilianizing the desk. So in other words, this is part of a plan. This is not just one position that I'm asking for, it's in conjunction with a plan that has to be fulfilled.

So again, if I don't have that lieutenant in order to stay in the police station and supervise that desk and tell a sergeant what to do. Again, Nutley has thirteen sergeants. They are the first line of supervision that we have. A lot of times there's two sergeants in, that's when I feel that we could get that sergeant on the road. But what occurs some of the times is if you have two people in charge at the same time, like most of the time we do and there are two sergeants, well if something really happens, who's in charge? That's why I
really think that the lieutenant's position is a very important position because he can then act as a superior officer, not just a first line defender.

COMMISSIONER EVANS: Excuse me, commissioner. Just a point of clarification again. You said that the overtime budget is going over $400,000.00?

COMMISSIONER PETRACCO: Commissioner, I'm not positive of the exact numbers, but if you traditionally factor in a three to four percent increase contractually and you do the math, I think we'll be well into the 400s.

COMMISSIONER EVANS: I think it's important that given the financial climate that we're in that we do all that is possible to reduce our costs and truly reduce them. And so looking at reductions and increase in costs is part of that but it truly doesn't actually reduce the current cost of operation, it
protects against its increasing cost. So I would -- I just -- we will obviously take this up more with the budget discussions but the rising cost of overtime is something, clearly, that we have to control and we all recognize that.

The other question I had is a little separate from the particular lieutenant's comment, is that this ordinance does much more than add a lieutenant. It does have things in it that I think is reorganizing some of the attributes of the police department, would you care to comment?

COMMISSIONER PETRACCO: I'm sorry?

COMMISSIONER EVANS: The attributes of the police department and its operation, would you care to comment on that?

COMMISSIONER PETRACCO: Well, I actually have the chief here and I'm sure that he could be very clear on it; my focus was mostly on this. But I'm pretty confident that in this ordinance most of...
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it is just language changes such as I'm very familiar with one. When I became the public safety director we had a grievance from the PVA union according to the language looking for another sergeant's position. Because as the ordinance read, it read that the Nutley Police Department shall have thirteen police officers. And what I've gone on to do is I changed the language that it gives myself, as the public safety director, an option. And I rewrote that to say up to thirteen. So if there's a day that I feel that we do not need thirteen sergeants then we'll be able to say maybe we need ten but I won't get grief from the union with that.

COMMISSIONER SCARPELLI: May I?

MAYOR COCCHIOLA: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Commissioner, you laid out how this will -- that it will cost us $11,000.00 and with reorganizing and civilianizing the
police desk there'll be a potential savings. Is there any plan, a year from now, to relook at this and see if it didn't save us money looking at it a different way, potentially?

COMMISSIONER PETRACCO: Commissioner Scarpelli, I would -- if anything that I did to jeopardize the public's tax money that we collect here, if it wasn't working and I commend all of you for your questions and I appreciate your input, I absolutely would change. And I'm not afraid if something's not working. It's a good point, Commissioner Scarpelli.

Another thing that I'm a very big fan of is when you promote somebody, a lot of times people get promotions at their job places and they now think it's time to do less. Well, people that I promote the first words that come out of my mouth is it's not time to do less it's time to do more.

So at the end of this plan, if it's a year into this, I would not -- let me
repeat that -- I would not be afraid to
demote somebody if this is not a cost
effecting plan.

COMMISSIONER SCARPELLI: Thank you.

COMMISSIONER PETRACCO: You're

welcome.

MAYOR COCCHIOLA: Commissioner
Petracco, I just want to thank you for --
I've had a number of conversations with
you and I want to thank you for
considering my comments in the redrafting
of this ordinance initially. And I
guess, Mr. Russo -- I'm sorry; Mr.
Malkinfin, I'm going to just finish and
then I'm going to allow you.

Mr. Russo, you got up and you asked
Commissioner Evans something about what
his thought process was and I guess I'm
going to add to that as well that my
biggest concern was and continues to be,
as you can see all of us have the same
concern, is the creation of a new
position like this going to increase
costs in the future or will it ultimately
save costs. And I've had numerous
discussions with Commissioner Petracco
and I have to rely on his expertise and
his judgment as the director of that
department as I do with every director.
We are all very respectful of each other
and the knowledge and expertise that we
gain by running our departments. I
listened to Commissioner Petracco talk
about this, as we all have, and I can
only be hopeful that there are going to
be cost saving measures with this
reorganization and with promoting someone
else to lieutenant.

The challenges that we face, the
five of us, are enormous. As we move
forward it's really -- I'm not really
sure how we're going to do it, we will.
We're going to devote all our time to
making sure that we do the best job that
we can for the taxpayers of this
township. But there's always a concern,
and we should have a concern, about any
ordinance that we have to vote on that
that could increase costs. And we're at a crossroads now. We're at a point where we might have to think about ways to reduce costs much more significantly than we have before.

So I was just a little concerned about your comment of just asking Commissioner Evans because I think we all have expressed a concern to the commissioner about what this means for the future. We really have to move forward together in a way that we're going to reduce costs in this township, not increase them. So that's, I guess -- I just wanted to address that because I felt that you might have just been asking one commissioner but I think that we all share the same concerns about cost in the future.

Mr. Malkinfán, how are you this evening?

MR. MALKINFIN: Fine, thank you Mayor. Ken Malkinfán, 44 Chestnut Street. Mayor, may I address
Commissioner Petracco directly?

MAYOR COCCIOGLIA: Yes, you may.

MR. MALKENFIN: Commissioner, I understand everything you're saying. I was a little bit taken aback by your comment that you want to increase us to the level of Clifton, Belleville or Bloomfield's force size. The fact that we've been able to operate with the amount of officers we have, says a lot about people who care about this town, our police officers and our fire department.

Why in the world would you want to bring the force up to a hundred or eighty, ninety, to be -- so we're equal with them? This town is not equal with them. That's my personal opinion.

COMMISSIONER PETRACCO: I don't think you understood what I was saying before. I'm just comparing Nutley to these other towns. I understand the fiscal crisis that this country is in right now and I'm not saying that
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Nutley's going to hire anywhere near a hundred people. I'm trying to make a comparison for the residents of this town by the Board of Commissioners, to say that in all that's going on our neighboring towns are at these numbers. And because of the fine job our police department does and our fire department and our rescue squad we are still holding tough at these low numbers considering what these other towns are at.

MR. MALKINFIN: I do not --

COMMISSIONER PETRACCO: So my position, I'll be very specific, my position is that if anybody wants to address me and ask me what my plan is in the future, depending on what crime rate goes to, depending on if in this bad economy is there going to be more crime, that's what I base my judgment on in saying well this year, putting all the factors in, I think, you know, and with people retiring, I think that two to three officers, patrolmen, are necessary.
Now don't forget, we're -- when people retire, people are retiring at a high level of pay at ten percent longevity. When a new hiree comes in it takes steps for them to get to that strength financially. But again, I think you misunderstood me. I don't think that Nutley needs a hundred man police department. I don't think we need a ninety police department. But I do feel, sitting in my office watching what goes on at the police station, sitting by the jail cells and seeing what's walking through there, that we are doing a terrific job with sixty-eight men in our town.

MR. MALKINF: I do not disagree with you. Possibly I misheard you.

COMMISSIONER PETRACCO: Possibly.

MR. MALKINF: Just the suggestion that we should increase our force to match the surrounding communities, that's what upset me. I disagree with that.

COMMISSIONER PETRACCO: That's not
what I'm saying.

MR. MALKINFIN: Okaye Then I apologize, I misheard you.

COMMISSIONER PETRACCO: Apology accepted.

MR. MALKINFIN: Thank you.

MAYOR COCCHIOLA: Is there anyone else that would like to address the board this evening? I need a motion to close the public hearing.

UNIDENTIFIED SPEAKER: I make a motion.

MAYOR COCCHIOLA: Your motion?

UNIDENTIFIED SPEAKER: A motion.

MAYOR COCCHIOLA: Okay.

UNIDENTIFIED SPEAKER: Second.

THE CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye. A motion,
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Commissioner Evans?

COMMISSIONER EVANS: I motioned with the fact that Commissioner Tucci is not here. I motion that we table a vote on this until tomorrow at noon.

COMMISSIONER PETRACCO: That would be fine, commissioner.

UNIDENTIFIED SPEAKER: Second.

THE CLERK: Okay. Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

THE CLERK: Mayor, at what time are we going to continue the vote?

MAYOR COCCHIOLA: At the end of the meeting we'll -- this meeting will not be adjourned; it'll be continued until tomorrow at 12 o'clock.

THE CLERK: Twelve noon, okay.
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Thank you, Mayor.

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

MAYOR COCCHIOLA: Thank you.

Commissioner Evans?

COMMISSIONER EVANS: We have a public hearing tonight on an ordinance which relates to part of effort to support the Board of Education on the purchase of land that is -- what's the church property? I forget the name of the church that's currently owned by Franklin Reform Church and is adjacent to the middle school. And the purchase of an acre of land for the school's use.

MAYOR COCCHIOLA: Is there any member of the public that would like to address the board with respect to this ordinance? And I want to note that the board is in receipt of a letter from Mr. Moore which was distributed to all the members of the Board of Commissioners and will be incorporated into the record.

Is there anyone else that would like
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to address the board with respect to
this?

UNIDENTIFIED SPEAKER: Motion to
close the public hearing.

MAYOR COCCHIOLA: Commissioner
Evans, just one question. This was
included in last year's capital budget,
correct?

COMMISSIONER EVANS: That's correct.

MAYOR COCCHIOLA: No expense.

COMMISSIONER EVANS: Yes, and this
is part of the arrangement with the
school board that they will be
responsible for paying that down.

MAYOR COCCHIOLA: Okay. Thank you.

UNIDENTIFIED SPEAKER: Mayor, do you
have a copy of that letter?

MAYOR COCCHIOLA: Yes, it was
distributed to all of us, was it not?

THE CLERK: It was sent -- we got it
late yesterday afternoon. I'll make sure
that I recirculate it.

UNIDENTIFIED SPEAKER: Motion to
close the public hearing.
UNIDENTIFIED SPEAKER: Second.

THE CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Aye.

THE CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Aye.

THE CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.

THE CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

UNIDENTIFIED SPEAKER: Motion to move the ordinance.

UNIDENTIFIED SPEAKER: Second.

THE CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Aye.

THE CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Aye.

THE CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.

THE CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

MAYOR COCCHIOLA: We can move on to resolutions. Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Be it resolved by the Board of Commissioners,
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Township of Nutley, County of Essex, New Jersey, that in accordance with the provisions of RS40A:4e59 the following transfers of 2008 appropriate reserves be and same are hereby authorized and approved. From a water operations salary and wages $2,000.00; the water operations other expenses $2,000.00; recycling salary and wages $10,000.00; street lighting $10,000.00 is a total of $12,000.00, Mayor.

I move the resolution.
Commissioner Petracco

UNIDENTIFIED SPEAKER: Second.

THE CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Aye.

THE CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Aye.

THE CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.

THE CLERK: Mayor Cocchiola?
MAYOR COCCHIOLA: Aye.

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

MAYOR COCCHIOLA: Thank you.
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Commissioner Evans, for you and
Commissioner Tucci, could you read them?

COMMISSIONER EVANS: Yes, thank you.

MAYOR COCCHIOLA: Thank you.

COMMISSIONER EVANS: By statute, absent a 2009 budget to keep the
operation of government going forward, by statute we need to establish a temporary budget authorization that will allow us to work through the first couple months of the year while we strike a budget. This resolution authorizes that.

Whereas, 40:1A-19 Local Budget Law provides that where any contracts, commitments or payments are to be made prior to the final adoption of the 2009 Budget, temporary appropriations be made for the purposes and the amounts required and in a manner and time therein provided; and

Whereas the date of this resolution is within the first thirty days of 2009; and

Whereas, the total appropriation in
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the 2008 Budget, less appropriations made for the capital improvement fund, debt service and public assistance are as follows: The current fund, $3,472,109.9; Water Utility $3,826,50.0;

Whereas, twenty-six and one-quarter percent of the total appropriations in the 2008 Budget less appropriations for capital improvement fund, debt service and public assistance in the said 2007 Budget is as follows: Current Fund $10,909,112.6; Water Utility $1,91,495.63.

Now, therefore, be it resolved, by the Board of Commissioners of the Township of Nutley, in the County of Essex, New Jersey, the following temporary appropriations be made and that a certified copy of this resolution transmitted to the Chief Financial Officer for her records: The public affairs department, $987,84.87; Department of Revenue and Finance,
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$652,446.00; Public Safety Department,
$3,213,230.00; Department of Public
Works, $731,800.00; Department of Parks
and Public Property, $2,616,090.00.

The deferred charges and statutory
expenditures within the municipal budget,
$8,000,799.87. Appropriations for sewer
-- commission of the library matching
funds, secured municipal alliance and so
on for another $1,998,833 for a total
general appropriation of $10,998,128.7.

Appropriations for the water utility
$1,919,995.63.

So moved.

Commissioner Scarpelli

UNIDENTIFIED SPEAKER: Second.

THE CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLEI: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

COMMISSIONER EVANS: Whereas, New
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Jersey Statutes 40A:4-1e9 provides that where debt service is to be paid in 2008 prior to the time of the initial adoption of the 2009 Budget, temporary appropriations should be made for the amount of such debt service in the manner and time therein provided;

Whereas, the date of this resolution is subsequent to December 20, 2008; and

Whereas, debt service will become due during the first six months of 2009;

Now, therefore, be it resolved, by the Board of Commissioners of the Township of Nutley, that the following temporary appropriations be made:

Current Fund Municipal Bonds, $88,050.00;
Interest on Bonds $155,182.25; N.J.E.I.T. Trust Principal Interest $26,875.;
N.J.E.I.T. Fund Principal $17,383.99;
Watering -- the operating budget for the water: Interest on bonds of $3,297.65 for a total debt service of $258,425.00.

So moved.

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

COMMISSIONER EVANS: Be it resolved, by the Board of Commissioners of the Township of Nutley, County of Essex, New Jersey that there is hereby established in the Department of Revenue & Finance a Petty Cash Account in the amount of $650.00, said funds to be in the custody of the Cashier, all petty cash vouchers are to be approved by the department designee and authorized by the Purchasing Agent or her designee.

So moved.

COMMISSIONER SCARPELLI: Second.
THE CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Aye.
THE CLERK: Commissioner Petracco?
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COMMISSIONER PETRACCO: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

COMMISSIONER EVANS: Be it resolved, by the Board of Commissioners of the Township of Nutley in the County of Essex, State of New Jersey, that the Treasurer be and she is hereby authorized to refund overpayments of property taxes in the amount of $4,197.07; Block 3400, lot 16 $345.25; Block 2702, lot 18, $435,515.82.

So moved.

COMMISSIONER SCARPELLI: Second.

THE CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.
COMMISSIONER EVANS: For Commissioner Tucci. Be it resolved, by the Board of Commissioners of the Township of Nutley, County of Essex New Jersey that in accordance with the provision of R.S. 40A:4e59e the following transfers of the 2008 Appropriation Reserves be and the same are hereby authorized and approved:

Parks and playground O/E $10,000.00; Shade Tree O/E $10,000.00. So moved.

COMMISSIONER SCARPELLI: Second.
THE CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Aye.
THE CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Aye.
THE CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.
THE CLERK: Mayor Cocchiola?
MAYOR COCCHIOLA: Aye.
COMMISSIONER EVANS: Whereas, sealed bids were received for the purchase of a bus on November 25, 2008 in the Township of Nutley; and
Whereas, the lowest responsible bid was significantly higher than the costs projected and budgeted by the municipality; and

Whereas, N.J.S.A. 40A:11-13.2 permits the rejection of all bids under such circumstances,

Now therefore, be it resolved by the Board of Commissioners of the Township of Nutley that all bids heretofore advertised, received and opened for the purchase of a bus are hereby rejected.

COMMISSIONER SCARPELLI: Second.

THE CLERK: Commissioner Scarpelli?
COMMISSIONER SCARPELLI: Aye.

THE CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Aye.

THE CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.

THE CLERK: Mayor Cocchiola?
MAYOR COCCHIO: Aye.

COMMISSIONER EVANS: Whereas, sealed bids for air conditioning repair service were opened and read on November 13,
Whereas, the governing body desires to substantially revise the specifications for services advertised; and

Whereas, N.J.S.A. 40A:11E-13.2 permits the rejection of all bids under such circumstances,

Now therefore, be it resolved by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, all bids heretofore advertised, received and opened for air conditioning repair service are rejected.

COMMISSIONER SCARPELLI: Second.

THE CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

THE CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

THE CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

THE CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

COMMISSIONER EVANS: Thank you,
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Mayor.

MAYOR COCCHIOLA: Thank you.

Be it resolved, by the Board of Commissioners of the Township of Nutley, County of Essex, New Jersey that there is hereby established in the Department of Public Affairs a General Assistance Petty Cash Account in the amount of $250.00, said funds to be in the custody of the Director of Welfare, all claims to be approved for payment by the Director of Welfare or by her designee, and all checks are to bear the signature of the Director of Welfare or the Township Treasurer.

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: Mayor Cocchiola?
That concludes the regular business portion of the meeting this evening. I invite any member of the public who would like to address the board to come forward.

All persons addressing the Board of Commissioners regarding community concerns should approach the microphone, provide their name and address for the record. Unless further time is granted by the board, each person shall limit their address to five minutes.

All remarks to the Board and its individual members must be addressed to and through the Mayor. The Mayor may defer citizen comments to the appropriate member of the Board.

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

Good evening, Mr. Barry.

MR. BARRY: Good evening, Madam Mayor. John Barry, I'm the traffic safety coordinator for the town. I thought it would be appropriate to notify the Board of Commissioners that yesterday the New Jersey Department of Transportation advertised for bids for a project that we've been pursuing for some time. And that is the reconstruction of the Park Avenue, River Road corridor.

The plan -- originally DOT came to us and said they want to make some modifications on Route 21 and we explained to them we didn't really think they were necessary because the accident history didn't prove out to what they had originally said. And then we brought to their attention the problems we have exiting Route 21 at Exit 8 to make the left turn under Route 21.
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They looked at that and we also brought to their attention the problems at Park Avenue and conversely, also, in Lyndhurst at their side of the river and the two entrances and exits on Route 21. so they've decided to invest two million dollars into the township to build a new traffic signal at the exit ramp of Route 21 and Park Avenue northbound. So that when you now try to get off the highway you can safely make a left turn and go underneath the highway and enter Nutley. The exit ramp and the entrance ramps will be extended on Route 21 to provide better acceleration and deceleration lanes. On the Grant Avenue exit of southbound, they'll be opening up the width of that intersection to provide better and greater turning radiiuses for vehicles and to eliminate that sharp quick turn that you have to make when you get to the end of the exit ramp. So construction is projected for early this spring and that's going to be
a nice project. The signal in Lyndhurst will be rebuilt. The signal at Center and Park Avenue will be rebuilt and all three will have video detection, so the computer will actually see the traffic at the intersections and change the light accordingly to the traffic flow and what's needed. So it should greatly improve the efficiency of all those intersections. Thank you.

MAYOR COCCHIOLA: That's a state funded project?

MR. BARRY: Yes, ma'am; two million dollars.

UNIDENTIFIED SPEAKER: Mr. Barry?

MR. BARRY: Yes, sir.

UNIDENTIFIED SPEAKER: What about the disruption of traffic during the construction phase?

MR. BARRY: Excuse me?

UNIDENTIFIED SPEAKER: Disruption of traffic down there during the construction?

MR. BARRY: A resolution was passed
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by Commissioner Petracco some time ago at the request of DOT that DOT will pick up the cost of the traffic officers and the police officers.

UNIDENTIFIED SPEAKER: Thank you.

UNIDENTIFIED SPEAKER: Mr. Barry, just one clarifying question. Are they also going to look at the light on the other side of the bridge?

MR. BARRY: Yes, that'll be rebuilt also. The light by the Lyndhurst Diner. If you notice, if you go there now, you'll see the new curbs are in place, that they're going to widen it, put turning lanes in and appropriate signals at that location.

UNIDENTIFIED SPEAKER: Thank you.

MR. BARRY: That's the Bergen County part of the project.

UNIDENTIFIED SPEAKER: Thank you.

MR. LURIE: Good evening, Mayor.

Good evening Commissioners. Frank Lurie over at Cambridge Heights. May I address Commissioner Scarpelli?
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MAYOR COCCHIOLA: Yes, you may.

MR. LURIE: Commissioner, this last past snow storm was not a stellar performance by your organization. The night of the first storm one of your trucks did go through and plowed it out. However, he never got to the secondary roads.

The following morning when we called and asked if you could please send a truck through again to clear up the secondary roads, they were told that the man went through four or five times. It didn't happen. He only went through once.

We asked them to send out trucks to lay down some salt, our answer was similar to the Township is running out of salt, we don't have enough to go over there.

On the perimeter of the complex the plows just plowed right through; blocked all the stops, bus stops, driveways, exit gates. We had to go out and clear them
up; your men wouldn't come back. It cost our community an additional $11,000.00.
I'm not complaining about that, we would like to see just a little better performance the next time around.

COMMISSIONER SCARPELLI: Well, I was in the truck that went through Cambridge Heights on Sunday. Your roads were not very well done. They were icy. You have my apologies but the trucks did go through but don't do much once the ice is packed down. And because of the cold temperatures that were over the weekend, salt also doesn't work.

So I do apologize. It wasn't from a lack of effort. This was probably one of the worst storms that we've had in recent memories, not because of the amount of snow but because of the amount of ice. And your roads were not very well done.

MR. LURIE: Thank you. Second thing; is there any possibility of getting the time change on when our garbage gets picked up.
MAYOR COCCHIOLA: That would be me.

MR. LURIE: Sorry, ma'am.

MAYOR COCCHIOLA: Are they coming early?

MR. LURIE: We would like them to come early. I left my house today at 4 o'clock and they still weren't there.

MAYOR COCCHIOLA: You know what, I can't promise that. I'm going to have to speak to the contractor.

MR. LURIE: Yeah, fine.

MAYOR COCCHIOLA: We've gotten a lot of people who are not calling us because they're not used to the difference in time. They were used to the old contractor coming early.

I could tell you that we have very, very few complaints about this contractor. They're really doing a great job but the only thing that people are concerned about is the difference in the time. So I will call tomorrow and I'll speak to them but my guess is they start a route somewhere and they probably end
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it at Cambridge Heights. But I'll give a call and I'll just express to them that maybe they might be coming a little too late.

MR. LURIE: Mayor, the only reason why we're requesting a change is that in the afternoon when the winds start whipping up we get garbage everywhere just because --

MAYOR COCCHIOLA: I think we had this problem -- didn't we have this problem years ago with you and we -- okay. Let me work on that tomorrow.

MR. LURIE: Appreciate it. Thank you. Happy New Year to you people.

MAYOR COCCHIOLA: Is there anyone else that would like to address the board this evening? Mr. Malkinfir?

MR. MALKINFIN: Ken Malkinfir, 44 Chestnut Street. Mayor, where are with the employee handbook drug testing?

MAYOR COCCHIOLA: Mr. Harkins, I think he told Mr. Moore he came up with a draft that he circulated to me and I
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guess is in the process of circulating to
the Board of Commissioners.

MR. HARKINS: I'll hit the send
button tomorrow and have it circulated to
you all.

MAYOR COCCHIOLA: It needs our
review and our comment and it's moving
along. I know you're probably going to
say what's the date? I don't know but
there is a hard copy of something for us
to look at. Of course we're not going to
release it until we have gone through it
as directors of our departments and
commented on it and request any changes
that might be made. But it exists.

MR. MALKINFIN: All right. I won't
ask for a hard date.

MAYOR COCCHIOLA: Don't, because I
can't give you one.

MR. MALKINFIN: Okay. And my last
comment is, in my fifty-nine years of
living in the Town of Nutley, never have
I been so pleased, impressed with the
Christmas and holiday display in the Town
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Ovale I know a lot of people did a lot of work on it. My congratulations to all departments and volunteers who helped. I was impressed. I think it nicely represented anyone's belief. I think it, kind of, boosted the morale of the taxpayers, I know it boosted mine. I really appreciated that.

And while these words probably won't be heard from my lips too often, I think it was money well spent.

Congratulations. Thank you.

MAYOR COCCHIOLA: Thank you. Let me just note for the record that that design was done gratis by Brian Korbanick (ph.) from Landscape Techniques. He designed that. A lot of people did do a lot of work to get that put together and it was beautiful. Agree. Thank you.

Is there anyone else that would like to address the board this evening?

UNIDENTIFIED SPEAKER: Mayor, can you comment on the lights on the cherry trees?
MAYOR COCCHIOLA: Did I --

UNIDENTIFIED SPEAKER: Can you comment on that they're going to be permanent.

MAYOR COCCHIOLA: Oh, yes. The lights -- the lights on the cherry blossoms will remain so the Board of Education will use them. We won't just use them at Christmas time. The Board can use them at any time they have a night event or any time anyone would like to use them.

If anybody has a remedy for squirrels who like to chew through any wires, please let me know because we have a little bit of a problem over there. Squirrels are hungry this year.

Is there anyone else that would like to address the board? Okay. We are not going to adjourn this meeting. This meeting will be continued tomorrow at 12 o'clock. Because of the fact that we're going to have to conference some people in we're going to have to take that
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public meeting in the back room. But it
is a public meeting and all are welcome.

One last thing, the Code of the
Township of Nutley is now available
online. So it's been a long time, we've
been waiting for this for a while, but
now any citizen can access the Code of
the Township of Nutley online.

Thank you everybody.

(Meeting Continued till 12:00 p.m.)
CERTIFICATION

I, Pnina Eilberg, 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 in the matter of the: PUBLIC MEETING OF THE TOWNSHIP OF NUTLEY BOARD OF COMMISSIONERS.

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 11, 2009

Pnina Eilberg
A continued meeting of January 6, 2009 was held on Wednesday, January 7, 2009 at 12:00 P.M.

ROLL CALL:
Commissioner Scarpelli - Present (via telephone conference)
Commissioner Petracco - Present
Commissioner Evans - Present
Commissioner Tucci - Present (via telephone conference)
Mayor Cocchiola - Present (via telephone conference)

The following ordinance was adopted:

Ordinance No. 3087
"AN ORDINANCE TO AMEND AN ORDINANCE CODIFIED IN THE TOWNSHIP OF NUTLEY CODE, CHAPTER 49, ENTITLED ESTABLISHMENT AND ORGANIZATION OF THE POLICE DEPARTMENT."

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

Commissioner Scarpelli - AYE (via telephone conference)
Commissioner Petracco - AYE
Commissioner Evans - AYE
Commissioner Tucci - AYE (via telephone conference)
Mayor Cocchiola - AYE (via telephone conference)

ADJOURNMENT:
Motion to adjourn by Commissioner Evans, seconded by Commissioner Petracco. Meeting adjourned.

ATTEST:

[Signature]
Evelyn Rosario, RMC
Municipal Clerk

Commissioner Joseph P. Scarpelli

Commissioner Alphonse Petracco

Commissioner Thomas J. Evans

Commissioner Mauro G. Tucci

Mayor Joanne Cocchiola