TOWNSHIP OF NUTLEY, NEW JERSEY

BOARD OF COMMISSIONERS

PUBLIC MEETING

TRANSCRIPT OF

PROCEEDINGS:

Tuesday January 20, 2009
7:00 p.m.

BEFORE:
Mayor Cocchiola
Commissioner Scarpelli
Commissioner Petracco
Commissioner Evans
Commissioner Tucci

Job No: 200662
MAYOR COCCHIOLA: Could everyone please stand for the flag salute?

(Pledge of Allegiance recited)

MAYOR COCCHIOLA: Madam Clerk, could you please read the Sunshine Notice for those who were not in caucus?

MADAM CLERK: Yes, Mayor.

"Tuesday January 20, 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 and January 6, 2009 issues of the Nutley Sun, The Journal, The Star Ledger and the Herald News. A copy of this notice has been posted on the Nutley Town Hall bulletin board and a copy is on file in the municipal clerk's office.

Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Here.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Here.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Here.

MADAM CLERK: Commissioner Tucci?
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COMMISSIONER TUCCI: Here.

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Here.

MADAM CLERK: All present, Mayor.

MAYOR COCCHIOLA: Thank you. As we open the meeting this evening, on behalf of the Board of Commissioners I would like to wish our newly inaugurated President Obama all the best in his term in office. Not a job I'd like to have, but we really do wish him all the best.

We're going to change the agenda a little bit. We have some special guests here this evening, beginning with -- it's been a couple of months we've been trying to get these little celebrities here. I would like to read a resolution in honor of Samantha and Craig Campos, and they're here this evening and we're really very excited about that. So let me just find this.

"Whereas, Craig and Samantha Abaya Campos are a brother and sister dance team; and
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"Whereas, Craig is a freshman at Nutley High and Samantha attends St. Clare Elementary School in Clifton; and

"Whereas, the Campos children, including their sister Cara, are accomplished dancers; and

"Whereas, Cara was previously successful in being selected as a finalist in the "Dancing with the Stars" 2008 Season 6 competition; and

"Whereas, Craig and Samantha also qualified for the finals of Dancing with the Stars; and

"Whereas, the Nutley High School student body hosted a pep rally for the Campos' team on November 13, 2008; and

"Whereas, Craig and Samantha faced stiff competition in the contest; and

"Whereas, Craig and Samantha won the championship on ABC's Dancing with the Stars Junior Ballroom Championship on November 24, 2008; and

"Now, therefore be it resolved, that the Mayor and the Board of Commissioners
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of the Township of Nutley congratulate
Craig and Samantha Campos and the Campos
family, for winning the Junior Ballroom
Championship of Dancing with the Stars
Season 7, and we wish them well in all of
their future endeavors."

Many congratulations. I move the
resolution.

COMMISSIONER Tucci: Second.

(Applause)

MADAM CLERK: Commissioner
Scarpelli?

COMMISSIONER SCARPELLI: Yes, and
I'd like to say I enjoyed watching you,
voting for you. You made yourselves
proud, you made your family proud, and
you made Nutley proud. Thank you.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Mayor Cocchiola?
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MAYOR COCCHIOLA: Aye.

We'd like for the children and the family to come forward so we can take a photograph.

(Pause followed by applause)

MAYOR COCCHIOLA: We are very proud of you children. And just a note, we've asked the children, and we'll be asking them formally to help us out with an event that the Municipal Alliance is running called Senior Prom for Seniors. So I'm really hoping that the children will be able to join us.

But Mrs. Campos just advised me that Governor Schwarzenegger has asked them to attend an event for him as well. So they're in great demand and we're really very proud of them.

(Applause)

MAYOR COCCHIOLA: Okay.

Commissioner Tucci, you have some special guests here this evening as well.

COMMISSIONER TUCCI: Yes, thank you, Mayor. As you can see, our numbers have
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swelled this evening in the chambers, not
only to congratulate our young stars but
also some of our older stars -- not old, 
but older.

Our Nutley Irish American
Association is an organization that is 
premier in this township. The good work 
that they do is felt by not only the 
Irish but everyone in the township. The 
good feelings and the good cheer that 
they bring to folks. The parade that 
they put on is second to none. And this 
year I have the honor once again of 
honoring their dignitaries, the Grand 
Marshal, the Deputy Grand Marshal and the 
Queen. So without any further ado:

"Whereas, On Saturday, March 7, 
2009, The Irish American Association will 
hold its 31st Annual St. Patrick's Day 
Parade; and

"Whereas the St. Patrick's Day 
Parade has become an exciting event in 
the Township of Nutley, which is looked 
forward to and enjoyed by both spectators
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and participants alike; and

"Whereas, the Nutley Irish American
Association will celebrate its annual St.
Patrick's Day Parade Grand Marshal dinner
on Saturday, February 7, 2009 at The
Landmark in East Rutherford, New Jersey;
and

"Whereas, This year's Grand Marshal
is Scott Sim; and

"Whereas, Mr. Sim is joined by
Deputy Grand Marshal, Kevin Nally, and
Member of the Year, Danielle Carlo, along
with Parade Queen, Margaret "Peggy"
McIntyre as this year's dignitaries; and

"Now, therefore, be it resolved that
the Board of Commissioners of the
Township of Nutley, County of Essex, join
with the citizens of Nutley to salute and
congratulate Grand Marshal, Scott Sim,
Deputy Grand Marshal, Kevin Nally, Member
of the Year, Danielle Carlo and Parade
Queen, Peggy McIntyre as they are honored
here tonight."

I move the resolution.
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COMMISSIONER SCARPELLI: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Yes.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

COMMISSIONER TUCCI: Congratulations to all of you.

MAYOR COCCHIOLA: Congratulations.

(Applause)

COMMISSIONER TUCCI: Can we have the dignitaries please come forward, along with the President and Commissioners and the Mayor, please? Please come up.

(Pause)

COMMISSIONER TUCCI: Thank you, guys.

MAYOR COCCHIOLA: We'll just take a
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break for a minute. If there's anyone that wants to leave and not have to listen to the rest of our business, you can leave, or you're all welcome to stay.

MR. SPEAKER: -- PJ McDonald, our friendly councilman from Belleville for being with us this evening.

MAYOR COCCHIOLA: Welcome, councilor.

MR. SPEAKER: PJ, thank you for coming. We'll see you at the dinner and the parade.

(Pause)

MAYOR COCCHIOLA: Okay. We can move on to approval of minutes.

MADAM CLERK: Okay, Mayor. We have Board of Commissioner meeting minutes for meeting held April 14, 2008 and May 6, 2008.

MR. SPEAKER: Move the minutes.

MR. SPEAKER: Second.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Tucci?
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COMMISSIONER TUCCI:  Aye.

MADAM CLERK:  Mayor Cocchiola?

MAYOR COCCHIOLA:  Aye.

MADAM CLERK:  And I also have meeting minutes for meeting held May 20, 2008, which was our reorganization meeting; and our May 20, 2008 regular meeting; and lastly, the June 2, 2008 meeting.

MR. SPEAKER:  Move the minutes.

MR. 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:  Commissioner Tucci?

COMMISSIONER TUCCI:  Aye.

MADAM CLERK:  Mayor Cocchiola?

MAYOR COCCHIOLA:  Aye.

Any correspondence?

MADAM CLERK:  Yes, Mayor.  I have
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one item of correspondence from the
Nutley Irish American Association, and
I'll read it into the record:

"The 31st annual Nutley
St. Patrick's Day Parade is scheduled to
take place on March 7, 2009. As in past
years, arrangements are in place to
utilize Holy Family's parking lot as an
assembly area with the parade lineup on
Evergreen Avenue and Brookline Avenue.
The parade is scheduled to step off at
1 p.m. and will proceed along the normal
route: west on Harrison Street, north on
Franklin Avenue, and east onto Chestnut
Street where it will terminate. Fans and
other participating organizations are
being instructed to park their buses and
cars along Booth Drive where participants
can meet after the parade. Although we
hope our Irish luck will bring us good
weather, all arrangements are in place
for a rain or shine parade. If you have
any questions or concerns, I can be
reached at 973-953-2114. Sincerely,
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Danielle Carlo, co-parade chair."
And that's all that I have for correspondence, Mayor.

MAYOR COCCHIOLA: Thank you. Then we can move onto reports. Mr. Scarpelli?

COMMISSIONER SCARPELLI: There are various reports for 2008.

MAYOR COCCHIOLA: Thank you. Commissioner Tucci?

COMMISSIONER TUCCI: Yes, I have a Shade Tree report for November and December of 2008.

MAYOR COCCHIOLA: Thank you. Bills, Madam Clerk?

MADAM CLERK: Bill list, Tuesday January 20th 2009:

Public Affairs: $196,193.87
Revenue and Finance: $2,937,588.11;
Public Safety: $163,943.67;
Public Works: $185,367.44;
Parks and Public Properties: $778,928.38;
Payroll as of January 9, 2009: $760,570.22; for a grand total bill of $5,022,591.69. And that's all for bills, Mayor.
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MR. SPEAKER: Move the bills.

MR. 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: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

MADAM CLERK: Thank you, Mayor.

MAYOR COCCHIOLA: Thank you. We have no ordinance introductions or public hearings this evening so we can move on to resolutions. Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Thank you, Mayor.

"Whereas, the Township of Nutley has entered into a contract with D&L Paving Contractors, Inc., 185 High Street, Nutley, New Jersey 07110, for a project
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known as Passaic Avenue Section 3 for an
original contract amount of $170,704.87;
and

"Whereas, change order No. 5 has
been authorized from the original
contract amount to be reduced by
$7,724.79 for a total contract price of
$162,980.08;

"Now therefore, be it resolved by
the Board of Commissioners in the
Township of Nutley, County of Essex,
State of New Jersey, that the change
order No. 5, as attached, is a change
from the contract previously made by the
Township of Nutley with D&L Paving
Contractors, Inc., for the project known
as Passaic Avenue Section 3 are hereby
authorized and approved."

I move the resolution.

COMMISSIONER PETRACCO: Second.

MADAM CLERK: Commissioner

Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?
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COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

COMMISSIONER SCARPELLI: "Whereas the Township of Nutley through the Department of Public Works has a need to acquire the services of an engineering consultant as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44 A-20.4 or 20.5, as appropriate; and

"Whereas, the engineering coordinator has determined and certified in writing that the value of the aggregate services provided by the vendor for the term of this contract will exceed $17,500; and

"Whereas, the anticipated term of this contract is for twelve (12) months, from January 1, 2009 through December 31,
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2009; and

"Whereas, Pennoni Associates, Inc.
has submitted a proposal dated January
14, 2009 indicating they will provide
engineering services according to a fee
scheduled attached; and

"Whereas, Pennoni Associates, Inc.
has completed and submitted a Business
Entity Disclosure Certification which
certifies that said corporation has not
made any reportable contributions to a
political or candidate committee in the
Township of Nutley in the previous one
year, and that the contract will prohibit
Pennoni Associates from making any
reportable contributions through the term
of the contract; and

"Whereas, the contract is not to
exceed $165,000.00 for general
engineering services and whereas funds
are available from account 9-01-404-200
and have been certified by the chief
financial officer, said certification
being attached to this resolution,
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"Now, therefore, be it resolved that the Board of Commissioners of the Township of Nutley enter into a contract with Pennoni Associates, Inc. as described herein; and

"Be it further resolved that the Business Disclosure Entity Certification and Determination of Value be placed on file with this resolution.

"Be it further resolved that the notice of this action shall be printed once in the Nutley Sun in accordance with the Local Public Contracts Law."

I move the resolution.

COMMISSIONER PETRACCO: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.
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MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

MR. SPEAKER: Mayor, if I might, I'd just like to make one comment. I voted in favor of this resolution in deference to my colleague, Mr. Scarpelli. But as I've said in the past, I have some reservations about this, but once again I will afford Mr. Scarpelli that latitude to run his department the way he sees fit, and I trust that his judgment is sound and good. But this is something that raises many questions in my mind. We spoke about this, Commissioner, earlier today, as far as hours that they put in, the base services that they provide, and the charges that are doled out to other departments. But again, in deference to you, I voted yes.

COMMISSIONER SCARPELLI:

Commissioner, I think that the -- you know, we took a look at the contract that they have previously, we reworked it a little bit, I think for the benefit of
Everybody. And I think it's going to work out and I think we have some other plans for the future with our new engineering coordinator that I think will benefit everybody also down the road.

MR. SPEAKER: Great. I look forward to working with you on that. Thank you.

MAYOR COCCHIOLA: Thank you.

COMMISSIONER SCARPELLI: One more, Mayor.

"Whereas, bids for the purchase of 5/8 x 3/4 and 1 inch Badger water meters were received and opened on Tuesday December 30, 2008.

"Whereas, L/B Water Service, Inc., 4101 Sylon Blvd., Hainesport, NJ 08036 was the lowest bidder priced at 5/8 x 3/4 read head at $162.00 each, 1 inch read head at $244.00 each, Retrofitting 5/8 inch at $135.00 each, and Retrofitting 1 inch at $135.00 each.

"Whereas, funds are available from account number 702-200 in the amount of $20,000.00 and
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"Whereas, number 714-200 in the amount of $20,000.00 and have been certified by the Chief Financial Officer, said certification being attached to this resolution and:

"Now, therefore be it resolved by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that a contract be awarded to L/B Water in the amount not to exceed $40,000.00, and that the Mayor and Township Clerk be and they are hereby authorized to enter into and sign said contract for the Township of Nutley."

I move the resolution.

COMMISSIONER PETRACCO: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Tucci?
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COMMISSIONER TUCCI: Aye.

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

COMMISSIONER SCARPELLI: That's all I have, ma'am.

MAYOR COCCHIOLA: Mr. Petracco?

COMMISSIONER PETRACCO: "Whereas, sealed bids for furnishing and delivering one Tactical Truck were publicly opened and read on November 18, 2008; and "Whereas, Sirchie Acquisition Company LLC d/b/a Sirchie Finger Print Laboratories was the lowest responsible bidder; and "Whereas, the funds are available in an appropriation entitled Capital Ordinance 3063C 'Purchase of Emergency Service Unit-Tactical Vehicle' in the amount of $70,000.00 and in Capital Ordinance 3029L 'Purchase of Police Tactical Equipment' in the amount of $7,491.00 and have been certified by the Chief Financial Officer, said certification being attached to this
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resolution;

"Now, therefore, be it resolved by
the Board of Commissioners of the
Township of Nutley, County of Essex, New
Jersey that a contract for furnishing and
delivering one Tactical Truck be and is
hereby awarded to Sirchie Acquisition
Company LLC d/b/a Sirchie Finger Print
Laboratories, 612 Gravelly Hollow Road,
Medford, NJ 08055."

I move the resolution.

COMMISSIONER SCARPELLI: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: No.

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye, yes.

COMMISSIONER PETRACCO: Okay. My
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second resolution is for Captain Thomas Strumolo. Captain Thomas Strumolo is retiring from our police department after thirty-five years of service. Unfortunately, he couldn't make it here tonight. We are having some promotions at the Public Safety building on February 2nd, so if anybody would like to attend to honor Thomas Strumolo.

"Whereas, Thomas Strumolo was appointed to the Nutley Police Department on April 9, 1973; and

"Whereas, Officer Thomas Strumolo served with distinction as a member of the uniform patrol division; and

"Whereas, Officer Thomas Strumolo served as a Detective from October 22, 1987 through May 23, 1988; and

"Whereas, Officer Thomas Strumolo served as a Detective from October 22, 1987 through May 23, 1988; and

"Whereas Officer Thomas Strumolo continually excelled, attaining the rank of Sergeant on May 28, 1960, Lieutenant ...
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on August 23, 1999, and Captain on March 9, 2004; and

"Whereas Captain Thomas Strumolo made significant contributions to the Police Department Serving in the capacity of Patrol Commander, and was instrumental in the formation of the Emergency Service Unit; and

"Whereas Captain Thomas Strumolo further distinguished himself through the attainment of numerous citations for meritorious service; and

"Whereas, Captain Thomas Strumolo retires from the Nutley Police Department on January 31, 2009;

"Now, therefore be it resolved by the Board of Commissioners in the Township of Nutley, County of Essex, State of New Jersey, that Captain Thomas Stumolo's substantial contribution to the safety and welfare of the Township of Nutley be hereby recognized; and

"Be it further resolved that the gratitude of this community be hereby
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extended to Captain Thomas Strumolo for his thirty-five years of distinguished service with the Nutley Police Department."

I move the resolution.

COMMISSIONER SCARPELLI: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

COMMISSIONER PETRACCO: That's all I have.

MAYOR COCCHIOLA: That's it? Mr. Evans?

COMMISSIONER EVANS: "Whereas, the Township of Nutley, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may
by resolution and without advertising for
bids, purchase any goods or services
under the State of New Jersey Cooperative
Purchasing Program for any State
contracts entered into on behalf of the
State by the Division of Purchase and
Property in the Department of the
Treasury; and

"Whereas, the Township of Nutley has
the need on a timely basis to purchase
goods or services utilizing State
contracts; and

"Whereas the Township of Nutley
intends to enter into contracts with the
attached reference state contract vendors
through this resolution and properly
executed contracts, which shall be
subject to all the conditions applicable
to the current state contracts;

"Now, therefore, be it resolved,
that the Township of Nutley authorizes
the purchasing agent to purchase certain
goods or services from those approved New
Jersey state contract vendors on the
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attached list, pursuant to all conditions of the individual State contracts; and

"Be it further resolved, that the governing body of the Township of Nutley pursuant to N.J.A.C. 5:30-5.1(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time of the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

"Be it further resolved that the duration of the contracts between the Township of Nutley and the referenced state contract vendors shall be from January 1, 2009 to December 31, 2009."

The vendors include Auto Zone, Dell, Gateway, Hewlett Packard, National Fuel Oil, National Terminal, Absolute, Approved Fire, Breathe Safe, Cain & Sons,
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Gen-el, Guardline, Stateline, Total Fire Group, Turn Out, Maco Office Supplies, Quality Communications, Motorola, Triangle Communications, Bradley Tire, C&C Tire, Custom Bandage, Goodyear, Inter City Tire, and Kirk's Orange Tire.

So move.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

COMMISSIONER EVANS: "Whereas, the Township of Nutley wishes to purchase three 2009 Ford Crown Victoria police cars from an authorized vendor under the State of New Jersey Cooperative
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Purchasing Program; and

"Whereas, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12; and

"Whereas, Winner Ford, 250 Haddonfield-Berlin Road, Cherry Hill, NJ, has been awarded NJ State Contract #A72467 for police vehicles, for the period of 9/11/08 to 9/10/09; and

"Whereas the projected cost for the purchase of three 2009 Ford Crown Victoria police cars is expected not to exceed $66,491.92; and

"Whereas, the utilization of this contract is recommended on the grounds that it represents the best price available; and

"Whereas, funds are available from account 9-01-332-200 and have been certified by the chief financial officer, said certification being attached to this resolution; and

"Whereas, N.J.A.C. 5:34-7.29
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requires that purchases made under the
State's Cooperative Purchasing Program
which individually or cumulatively exceed
the statutory limit of $21,000 be
authorized by resolution,

"Now, therefore, be it resolved by
the Board of Commissioners of the
Township of Nutley that Winner Ford be
awarded a contract for the purchase of
three Ford Crown Victoria police cars in
accordance with State Contract #A72467."

So moved.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner
Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?
COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Commissioner Evans?
COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Tucci?
COMMISSIONER TUCCI: Aye.

MADAM 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 the Township Treasurer is hereby authorized to refund overpayment of water charges on the following accounts:

- Block 9100, Lot 7, $97.15;
- Block 1601, Lot 22, $39.59,

for a total of $136.73."

So moved.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

COMMISSIONER EVANS: "Whereas the
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Township of Nutley, pursuant to N.J.S.A. 40A:11-11 may, by resolution and without advertising for bids, purchase any goods or services under an approved County Cooperative Purchasing Program.

"Whereas the Township of Nutley has the need on a timely basis to purchase goods and services utilizing the Morris County Cooperative Purchasing Program; and

"Whereas the Township of Nutley intends to enter into contracts with the attached referenced Morris County contract vendors through this resolution and properly executed contracts, shall be subject to all the conditions applicable to the current Morris County contracts;

"Now therefore, be it resolved, that the Township of Nutley authorizes the purchasing agent to purchase certain goods and services from those approved Morris County co-op vendors on the attached list, pursuant to all conditions of the individual county contracts; and
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"Be it further resolved that the
governing body of the Township of Nutley,
pursuant to N.J.A.C. 5:30.5(b), the
certification of available funds, shall
either certify the full maximum amount
against the budget at the time the
contract is awarded or no contract shall
be chargeable or certified until such
time as the goods or services are ordered
or otherwise called for prior to placing
the order, and a certification of
available funds is made by the Chief
Financial Officer; and

"Be it further resolved that the
duration of the contracts between the
Township of Nutley and the referenced
Morris County Cooperative Purchasing
Program Vendors shall be from January 1,
2009 through December 31, 2009.

"David Weber Oil Co., CMF Business
Supplies, WB Mason Co., Inc., Metuchen
Center, Inc., Passon's Sports, R&R
Sporting Goods, Riddell, Triple Crown
Sports, Metuchen Center, Inc., R&R
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Sporting Goods, Riddell, Triple Crown
Sports, CMF Business Supplies, Paterson
Papers, and WB Mason Co., Inc."

So move.

COMMISSIONER TUCCI: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

COMMISSIONER EVANS: Thank you, Mayor.

MAYOR COCCHIOLA: Thank you.

Commissioner Tucci?

COMMISSIONER TUCCI: Yes.

"Be it resolved that the Board of Commissioners of the Township of Nutley in the County of Essex, New Jersey, that
the Township Clerk is hereby authorized
to advertise for sealed bids for
recreation uniforms and recreation
equipment. Bids to be received on
Wednesday, February 11, 2009 in the
Commission Chambers, Township Hall at
3:00 p.m. at which time they will be
publicly opened and then read."

I move the resolution.

COMMISSIONER EVANS: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

COMMISSIONER EVANS: "Whereas the
Governing Body of the Township of Nutley,
Department of Parks and Public Property
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desires to further the public interest by
obtaining a grant from the State of New
Jersey in the amount of approximately
$3,000.00; and

"Whereas the grant would fund the
Community Forestry Management Plan 2009
Green Communities Grant; and

"Whereas the Governing Body of the
Township of Nutley authorizes Mauro
Tucci, Director of Parks and Public
Property to (a) make an application for
such a grant, (b) if awarded, to execute
a grant agreement with the State of New
Jersey for a grant in the amount of not
less than $3,000.00 and not more than
$3,000.00, and (c) to execute any
amendments thereto which do not increase
the Grantee's obligation; and

"Whereas the Board of Commissioners
of the Township of Nutley authorizes and
hereby agrees to match 33.3 percent of
the total amount in compliance with the
match requirements of the agreement; and

"Whereas 100 percent of the match
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will be made up of in-kind services;

"Now therefore, be it resolved, that the Grantee agrees to comply with all applicable Federal, State, Municipal laws, rules and regulations in its performance pursuant to the agreement."

I move the resolution.

COMMISSIONER EVANS: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: Aye.

COMMISSIONER TUCCI: That's all I have, ma'am.

MAYOR COCCHIOLA: Thank you.

"Be it resolved by the Board of Commissioners of the Township of Nutley
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in the County of Essex as follows:

"Whereas the Nutley Health Department wishes to provide health program screenings to its residents;

"Whereas Noreen P. McManus, CNM, is willing and able to provide cervical and breast cancer screening and education for the target population in accordance with 'Minimum Standards',

"Whereas the Local Public Contract Law permits contracts for professional services without competitive bidding:

"Therefore, be it resolved by the Board of Commissioners of the Township of Nutley to determine the contract is from January 1, 2009 through December 31, 2009. The amount to be paid by voucher will be $55.00 per hour, per clinic session, and that would be one clinic session per month, and a Certified Nurse Midwife will present malpractice and liability insurance;

"Be it further resolved that the contract is awarded without competitive
bidding as a professional service in accordance with the Local Public Contracts Law as it is a service performed by persons authorized by law to practice a recognized profession;

"Be it further resolved that a copy of the resolution, as well as the contract shall be placed on file with the Clerk and a notice in accordance with the Local Public Contracts Law in the form attached hereto will be published in the Nutley Sun."

I move the resolution.

COMMISSIONER SCARPELLI: Second.

MADAM CLERK: Commissioner Scarpelli?

COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Mayor Cocchiola?
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MAYOR COCCHIOLA: Aye.

"Whereas raffle applications have been received from the following organizations:

"Nutley Irish American Alliance, Inc., License No. 10-09 for an "Off-Premise 50/50 Cash Raffle on March 7, 2009;"

"St. Mary's Rosary Society, License No. 11-09, 12-09, March 27, 2009;"

"St. Mary's Church, License No. 13-09, for June 12, 2009.

"Whereas the applications have been reviewed and approved by the Municipal Clerk and the Police Department.

"Therefore, be it resolved by the Board of Commissioners of Township of Nutley that the aforementioned licenses are approved and the Municipal Clerk is authorized to issue the licenses."

I move the resolution.

COMMISSIONER EVANS: Second.

MADAM CLERK: Commissioner Scarpelli?
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COMMISSIONER SCARPELLI: Aye.

MADAM CLERK: Commissioner Petracco?

COMMISSIONER PETRACCO: Aye.

MADAM CLERK: Commissioner Evans?

COMMISSIONER EVANS: Aye.

MADAM CLERK: Commissioner Tucci?

COMMISSIONER TUCCI: Aye.

MADAM CLERK: Mayor Cocchiola?

MAYOR COCCHIOLA: The board has concluded its regular business. We are going to have the meeting open to the public at this time and then we're going to move into executive session.

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

All remarks to the board and its individual members must be addressed to
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the Mayor. The Mayor may defer citizen comments to the appropriate member of the board. Dialogue between citizens and others addressing the board shall be allowed unless the mayor or presiding officer or the majority of the membership of the board shall determine that the interest of decorum and/or the expeditious conduct of municipal business are being adversely affected by such dialogue.

Good evening, Mrs. Quirk.

MS. QUIRK: Hi. Teri Quirk, 45 Hampton Place, President, Spokesperson of Nutley Parent Advocacy Network. I come bearing good news. Recently, actually about a month or two ago, we were having an NPN meeting with our parents, and one of our parents suggested that -- we were talking about workshops and what could we do for the community, because we had one last year and we wanted to provide another one for the community. And one of our parents said that why don't we
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have something that's really different
and that could just support all of our
parents, and that would be a parent fair.
So it would just be on any issue that
really affects our children and us, as
parents, and we all know how difficult
that job is.

So we have come up with a time, and
actually I had an opportunity to talk to
Commissioner Tucci, and he was very
helpful for us, and we do thank you, sir.
And our date that we would like to have
it would be Sunday March 29th from 1 to 5
p.m. And the way we're going to work it,
actually we're going to take your idea,
Mayor Cocchiola, with the Welcome Sagon,
which is a wonderful fair as well. But
instead of just having the tables as
presenters and giving their information
there, we're actually going to have the
two rooms that are adjacent to the Frank
Cocchiola gym and the room that's
upstairs above the offices.

And we're going to provide
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workshops. And we have some speakers that are coming in. Tina Nocera will be doing her -- and she's got a great workshop -- Kids Don't Come With Manuals. We have Cary Green (ph.) who is an expert on ADHD. We have the Essex County Prosecutor's Office. I think they're going to be providing us a workshop on cyber-bullying and gang awareness. We also have the 15 Minute Child Break which I believe is --

MAYOR COCCHIOLA: Thursday, yes.

MS. QUIRK: I know, but they're coming back in March. So whoever doesn't get a chance to see it tomorrow night, they can come back and see -- and they're willing to do two sessions for us as well. Also, we've approached Mountainside Hospital and they may be doing something on young children too.

This is really open for parents of all ages -- with children of all ages and parents of all ages. If you're confused, come. So it's for babies up to teens.
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And it's going to be a good time to see everyone, you know, just to feel that support from everyone. And this is actually an invitation that all of you are getting right now just to see if you'd like to come, and we'd certainly love to have you. Thank you.

MAYOR COCCHIOLA: Great. Thank you very much. Good news. Thank you, Mrs. Quirk. Is there anyone else who would like to address the board? There appears to -- oh.

MR. MOLKENTHIN: Ken Molkenthin, 44 Chestnut Street. Good evening.

MAYOR COCCHIOLA: Good evening, Mr. Molkenthin.

MR. MOLKENTHIN: Several months ago we discussed marking all the town vehicles. I noticed that the majority of the vehicles are properly marked. However, I ask that we still have some that are on the road that are not completely marked or are incorrectly marked, that we re-evaluate the fleet
again and go over it and make sure
they're all taken care of. I appreciate
that.

MAYOR COCCHIOLA: Not a problem.
Thank you. We'll do that.

MR. MOLKENTHIN: The second thing is
several months ago I had spoken about the
fact that the town needed to reduce its
spending by twenty percent by each
department. And it's obvious by tonight
that we haven't done that. And by the
amount of people that we have hired since
then, we're facing a crisis. And I would
rather see you cut programs or cut
expenses than to turn to some of these
new town employees you've hired and say
I'm sorry, you don't have a job anymore.
That's what we're coming to. You can't
hide your head in the sand anymore. You
can't say it's not happening. The
economy is not turning around at the
present time.

So my suggestion is that you put a
freeze on hiring, and essentially, a
freeze on nonessential spending until the calendar year of 2010 when it will be re-evaluated again. If you do not do this, we are going to have many angry people who are working for you. I run a small business in this town. I make my decisions. And if I don't have the money, I don't spend it. That's the way life has become. You five are going to have to start looking at it that way. Or next time the election comes around I'll be looking at five new faces. This is a serious problem. Please talk amongst yourselves, find a resolution, get rid of the unnecessary spending, and no more hiring. Thank you.

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

We need a motion to move into executive session.

MR. SPEAKER: Move it.

MR. SPEAKER: Second.
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MADAM CLERK: "Whereas the Board of Commissioners of Township of Nutley in the County of Essex in the State of New Jersey desires to proceed to closed executive session; and

"Therefore, be it resolved by the Board of Commissioners of the Township of Nutley that the Township Commission shall now move into closed executive session to discuss" --

MR. SPEAKER: The pending litigation and contract negotiations.

MADAM CLERK: -- pending litigation and, I'm sorry, what was that?

MR. SPEAKER: Contract negotiations.

MADAM CLERK: -- "pending litigation and contract negotiations.

"Be it further resolved that the time when such discussions may be disclosed to the public shall be when such disclosure may be made without adversely affecting the Township's pending and/or anticipated legal, personal, contractual matters and other
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MADAM CLERK: All in favor, Aye.

MAYOR COCCHIOLA: We will resume public session to close the meeting at the conclusion of executive session.

(End of audio)
CERTIFICATION

I, Sharona Shapiro, hereby certify that the foregoing is a true and correct transcription, to the best of my ability, of the sound recorded proceedings submitted for transcription.

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

In witness whereof, I hereby sign this date:
May 4, 2009.

[Signature]
Sharona Shapiro