

TOWNSHIP OF NUTLEY, NEW JERSEY

BOARD OF COMMISSIONERS

 ORIGINAL

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

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

3 (Pledge of Allegiance recited)

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

7 MADAM CLERK: Yes, Mayor.

8 "Tuesday January 20, 2009. Pursuant
9 to the requirements of the Open Public
10 Meeting Law (Chapter 231, P.L. 1975),
11 notice of this meeting was published in
12 the December 18, 2008 and January 6, 2009
13 issues of the Nutley Sun, The Journal,
14 The Star Ledger and the Herald News. A
15 copy of this notice has been posted on
16 the Nutley Town Hall bulletin board and a
17 copy is on file in the municipal clerk's
18 office.

19 Commissioner Scarpelli?

20 COMMISSIONER SCARPELLI: Here.

21 MADAM CLERK: Commissioner Petracco?

22 COMMISSIONER PETRACCO: Here.

23 MADAM CLERK: Commissioner Evans?

24 COMMISSIONER EVANS: Here.

25 MADAM CLERK: Commissioner Tucci?

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2 COMMISSIONER TUCCI: Here.

3 MADAM CLERK: Mayor Cocchiola?

4 MAYOR COCCHIOLA: Here.

5 MADAM CLERK: All present, Mayor.

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

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

23 "Whereas, Craig and Samantha Abaya
24 Campos are a brother and sister dance
25 team; and

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2 "Whereas, Craig is a freshman at
3 Nutley High and Samantha attends St.
4 Clare Elementary School in Clifton; and

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

8 "Whereas, Cara was previously
9 successful in being selected as a
10 finalist in the "Dancing with the Stars"
11 2008 Season 6 competition; and

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

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

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

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

24 "Now, therefore be it resolved, that
25 the Mayor and the Board of Commissioners

1 Township of Nutley Public Meeting 1/20/09
2 of the Township of Nutley congratulate
3 Craig and Samantha Campos and the Campos
4 family, for winning the Junior Ballroom
5 Championship of Dancing with the Stars
6 Season 7, and we wish them well in all of
7 their future endeavors."

8 Many congratulations. I move the
9 resolution.

10 COMMISSIONER TUCCI: Second.

11 (Applause)

12 MADAM CLERK: Commissioner
13 Scarpelli?

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

19 MADAM CLERK: Commissioner Petracco?

20 COMMISSIONER PETRACCO: Aye.

21 MADAM CLERK: Commissioner Evans?

22 COMMISSIONER EVANS: Aye.

23 MADAM CLERK: Commissioner Tucci?

24 COMMISSIONER TUCCI: Aye.

25 MADAM CLERK: Mayor Cocchiola?

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2 MAYOR COCCHIOLA: Aye.

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

6 (Pause followed by applause)

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

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

20 (Applause)

21 MAYOR COCCHIOLA: Okay.
22 Commissioner Tucci, you have some special
23 guests here this evening as well.

24 COMMISSIONER TUCCI: Yes, thank you,
25 Mayor. As you can see, our numbers have

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2 swelled this evening in the chambers, not
3 only to congratulate our young stars but
4 also some of our older stars -- not old,
5 but older.

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

18 "Whereas, On Saturday, March 7,
19 2009, The Irish American Association will
20 hold its 31st Annual St. Patrick's Day
21 Parade; and

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

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2 and participants alike; and

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

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

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

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

25 I move the resolution.

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2 COMMISSIONER SCARPELLI: Second.

3 MADAM CLERK: Commissioner
4 Scarpelli?

5 COMMISSIONER SCARPELLI: Aye.

6 MADAM CLERK: Commissioner Petracco?

7 COMMISSIONER PETRACCO: Yes.

8 MADAM CLERK: Commissioner Evans?

9 COMMISSIONER EVANS: Aye.

10 MADAM CLERK: Commissioner Tucci?

11 COMMISSIONER TUCCI: Aye.

12 MADAM CLERK: Mayor Cocchiola?

13 MAYOR COCCHIOLA: Aye.

14 COMMISSIONER TUCCI: Congratulations
15 to all of you.

16 MAYOR COCCHIOLA: Congratulations.

17 (Applause)

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

22 (Pause)

23 COMMISSIONER TUCCI: Thank you,
24 guys.

25 MAYOR COCCHIOLA: We'll just take a

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2 break for a minute. If there's anyone
3 that wants to leave and not have to
4 listen to the rest of our business, you
5 can leave, or you're all welcome to stay.

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

9 MAYOR COCCHIOLA: Welcome,
10 councilor.

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

14 (Pause)

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

17 MADAM CLERK: Okay, Mayor. We have
18 Board of Commissioner meeting minutes for
19 meeting held April 14, 2008 and May 6,
20 2008.

21 MR. SPEAKER: Move the minutes.

22 MR. SPEAKER: Second.

23 MADAM CLERK: Commissioner Evans?

24 COMMISSIONER EVANS: Aye.

25 MADAM CLERK: Commissioner Tucci?

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2 COMMISSIONER TUCCI: Aye.

3 MADAM CLERK: Mayor Cocchiola?

4 MAYOR COCCHIOLA: Aye.

5 MADAM CLERK: And I also have
6 meeting minutes for meeting held May 20,
7 2008, which was our reorganization
8 meeting; and our May 20, 2008 regular
9 meeting; and lastly, the June 2, 2008
10 meeting.

11 MR. SPEAKER: Move the minutes.

12 MR. SPEAKER: Second.

13 MADAM CLERK: Commissioner
14 Scarpelli?

15 COMMISSIONER SCARPELLI: Aye.

16 MADAM CLERK: Commissioner Petracco?

17 COMMISSIONER PETRACCO: Aye.

18 MADAM CLERK: Commissioner Evans?

19 COMMISSIONER EVANS: Aye.

20 MADAM CLERK: Commissioner Tucci?

21 COMMISSIONER TUCCI: Aye.

22 MADAM CLERK: Mayor Cocchiola?

23 MAYOR COCCHIOLA: Aye.

24 Any correspondence?

25 MADAM CLERK: Yes, Mayor. I have

1 Township of Nutley Public Meeting 1/20/09

2 one item of correspondence from the
3 Nutley Irish American Association, and
4 I'll read it into the record:

5 "The 31st annual Nutley
6 St. Patrick's Day Parade is scheduled to
7 take place on March 7, 2009. As in past
8 years, arrangements are in place to
9 utilize Holy Family's parking lot as an
10 assembly area with the parade lineup on
11 Evergreen Avenue and Brookline Avenue.
12 The parade is scheduled to step off at
13 1 p.m. and will proceed along the normal
14 route: west on Harrison Street, north on
15 Franklin Avenue, and east onto Chestnut
16 Street where it will terminate. Fans and
17 other participating organizations are
18 being instructed to park their buses and
19 cars along Booth Drive where participants
20 can meet after the parade. Although we
21 hope our Irish luck will bring us good
22 weather, all arrangements are in place
23 for a rain or shine parade. If you have
24 any questions or concerns, I can be
25 reached at 973-953-2114. Sincerely,

1 Township of Nutley Public Meeting 1/20/09

2 Danielle Carlo, co-parade chair."

3 And that's all that I have for
4 correspondence, Mayor.

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

7 COMMISSIONER SCARPELLI: There are
8 various reports for 2008.

9 MAYOR COCCHIOLA: Thank you.
10 Commissioner Tucci?

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

14 MAYOR COCCHIOLA: Thank you. Bills,
15 Madam Clerk?

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

18 ~~Public Affairs: \$196,193.87~~
Revenue and Finance: \$2,937,588.11;

19 Public Safety: \$163,943.67;

20 Public Works: \$185,367.44;

21 Parks and Public Properties: \$778,928.38;

22 Payroll as of January 9, 2009:

23 \$760,570.22; for a grand total bill of

24 \$5,022,591.69. And that's all for bills,

25 Mayor.

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2 MR. SPEAKER: Move the bills.

3 MR. SPEAKER: Second.

4 MADAM CLERK: Commissioner
5 Scarpelli?

6 COMMISSIONER SCARPELLI: Aye.

7 MADAM CLERK: Commissioner Petracco?

8 COMMISSIONER PETRACCO: Aye.

9 MADAM CLERK: Commissioner Evans?

10 COMMISSIONER EVANS: Aye.

11 MADAM CLERK: Commissioner Tucci?

12 COMMISSIONER TUCCI: Aye.

13 MADAM CLERK: Mayor Cocchiola?

14 MAYOR COCCHIOLA: Aye.

15 MADAM CLERK: Thank you, Mayor.

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

20 COMMISSIONER SCARPELLI: Thank you,
21 Mayor.

22 "Whereas, the Township of Nutley has
23 entered into a contract with D&L Paving
24 Contractors, Inc., 185 High Street,
25 Nutley, New Jersey 07110, for a project

1 Township of Nutley Public Meeting 1/20/09
2 known as Passaic Avenue Section 3 for an
3 original contract amount of \$170,704.87;
4 and

5 "Whereas, change order No. 5 has
6 been authorized from the original
7 contract amount to be reduced by
8 \$7,724.79 for a total contract price of
9 \$162,980.08;

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

20 I move the resolution.

21 COMMISSIONER PETRACCO: Second.

22 MADAM CLERK: Commissioner
23 Scarpelli?

24 COMMISSIONER SCARPELLI: Aye.

25 MADAM CLERK: Commissioner Petracco?

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2 COMMISSIONER PETRACCO: Aye.

3 MADAM CLERK: Commissioner Evans?

4 COMMISSIONER EVANS: Aye.

5 MADAM CLERK: Commissioner Tucci?

6 COMMISSIONER TUCCI: Aye.

7 MADAM CLERK: Mayor Cocchiola?

8 MAYOR COCCHIOLA: Aye.

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

17 "Whereas, the engineering
18 coordinator has determined and certified
19 in writing that the value of the
20 aggregate services provided by the vendor
21 for the term of this contract will exceed
22 \$17,500; and

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

1 Township of Nutley Public Meeting 1/20/09
2 2009; and

3 "Whereas, Pennoni Associates, Inc.
4 has submitted a proposal dated January
5 14, 2009 indicating they will provide
6 engineering services according to a fee
7 scheduled attached; and

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

19 "Whereas, the contract is not to
20 exceed \$165,000.00 for general
21 engineering services and whereas funds
22 are available from account 9-01-404-200
23 and have been certified by the chief
24 financial officer, said certification
25 being attached to this resolution,

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2 "Now, therefore, be it resolved that
3 the Board of Commissioners of the
4 Township of Nutley enter into a contract
5 with Pennoni Associates, Inc. as
6 described herein; and

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

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

15 I move the resolution.

16 COMMISSIONER PETRACCO: Second.

17 MADAM CLERK: Commissioner
18 Scarpelli?

19 COMMISSIONER SCARPELLI: Aye.

20 MADAM CLERK: Commissioner Petracco?

21 COMMISSIONER PETRACCO: Aye.

22 MADAM CLERK: Commissioner Evans?

23 COMMISSIONER EVANS: Aye.

24 MADAM CLERK: Commissioner Tucci?

25 COMMISSIONER TUCCI: Aye.

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2 MADAM CLERK: Mayor Cocchiola?

3 MAYOR COCCHIOLA: Aye.

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

21 COMMISSIONER SCARPELLI:

22 Commissioner, I think that the -- you
23 know, we took a look at the contract that
24 they have previously, we reworked it a
25 little bit, I think for the benefit of

1 Township of Nutley Public Meeting 1/20/09
2 everybody. And I think it's going to
3 work out and I think we have some other
4 plans for the future with our new
5 engineering coordinator that I think will
6 benefit everybody also down the road.

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

9 MAYOR COCCHIOLA: Thank you.

10 COMMISSIONER SCARPELLI: One more,
11 Mayor.

12 "Whereas, bids for the purchase of
13 5/8 x 3/4 and 1 inch Badger water meters
14 were received and opened on Tuesday
15 December 30, 2008.

16 "Whereas, L/B Water Service, Inc.,
17 4101 Sylon Blvd., Hainesport, NJ 08036
18 was the lowest bidder priced at 5/8 x 3/4
19 read head at \$162.00 each, 1 inch read
20 head at \$244.00 each, Retrofitting 5/8
21 inch at \$135.00 each, and Retrofitting 1
22 inch at \$135.00 each.

23 "Whereas, funds are available from
24 account number 702-200 in the amount of
25 \$20,000.00 and

1 Township of Nutley Public Meeting 1/20/09

2 "Whereas, number 714-200 in the
3 amount of \$20,000.00 and have been
4 certified by the Chief Financial Officer,
5 said certification being attached to this
6 resolution and:

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

16 I move the resolution.

17 COMMISSIONER PETRACCO: Second.

18 MADAM CLERK: Commissioner
19 Scarpelli?

20 COMMISSIONER SCARPELLI: Aye.

21 MADAM CLERK: Commissioner Petracco?

22 COMMISSIONER PETRACCO: Aye.

23 MADAM CLERK: Commissioner Evans?

24 COMMISSIONER EVANS: Aye.

25 MADAM CLERK: Commissioner Tucci?

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2 COMMISSIONER TUCCI: Aye.

3 MADAM CLERK: Mayor Cocchiola?

4 MAYOR COCCHIOLA: Aye.

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

7 MAYOR COCCHIOLA: Mr. Petracco?

8 COMMISSIONER PETRACCO: "Whereas,
9 sealed bids for furnishing and delivering
10 one Tactical Truck were publicly opened
11 and read on November 18, 2008; and

12 "Whereas, Sirchie Acquisition
13 Company LLC d/b/a Sirchie Finger Print
14 Laboratories was the lowest responsible
15 bidder; and

16 "Whereas, the funds are available in
17 an appropriation entitled Capital
18 Ordinance 3063C 'Purchase of Emergency
19 Service Unit-Tactical Vehicle' in the
20 amount of \$70,000.00 and in Capital
21 Ordinance 3029L 'Purchase of Police
22 Tactical Equipment' in the amount of
23 \$7,491.00 and have been certified by the
24 Chief Financial Officer, said
25 certification being attached to this

1 Township of Nutley Public Meeting 1/20/09
2 resolution;

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

12 I move the resolution.

13 COMMISSIONER SCARPELLI: Second.

14 MADAM CLERK: Commissioner
15 Scarpelli?

16 COMMISSIONER SCARPELLI: Aye.

17 MADAM CLERK: Commissioner Petracco?

18 COMMISSIONER PETRACCO: Aye.

19 MADAM CLERK: Commissioner Evans?

20 COMMISSIONER EVANS: Aye.

21 MADAM CLERK: Commissioner Tucci?

22 COMMISSIONER TUCCI: No.

23 MADAM CLERK: Mayor Cocchiola?

24 MAYOR COCCHIOLA: Aye, yes.

25 COMMISSIONER PETRACCO: Okay. My

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2 second resolution is for Captain Thomas
3 Strumolo. Captain Thomas Strumolo is
4 retiring from our police department after
5 thirty-five years of service.

6 Unfortunately, he couldn't make it here
7 tonight. We are having some promotions
8 at the Public Safety building on February
9 2nd, so if anybody would like to attend
10 to honor Thomas Strumolo.

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

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

17 "Whereas, Officer Thomas Strumolo
18 served as a Detective from October 22,
19 1987 through May 23, 1988; and

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

23 "Whereas Officer Thomas Strumolo
24 continually excelled, attaining the rank
25 of Sergeant on May 28, 1960, Lieutenant

1 Township of Nutley Public Meeting 1/20/09
2 on August 23, 1999, and Captain on March
3 9, 2004; and

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

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

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

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

24 "Be it further resolved that the
25 gratitude of this community be hereby

1 Township of Nutley Public Meeting 1/20/09
2 extended to Captain Thomas Strumolo for
3 his thirty-five years of distinguished
4 service with the Nutley Police
5 Department."

6 I move the resolution.

7 COMMISSIONER SCARPELLI: Second.

8 MADAM CLERK: Commissioner
9 Scarpelli?

10 COMMISSIONER SCARPELLI: Aye.

11 MADAM CLERK: Commissioner Petracco?

12 COMMISSIONER PETRACCO: Aye.

13 MADAM CLERK: Commissioner Evans?

14 COMMISSIONER EVANS: Aye.

15 MADAM CLERK: Commissioner Tucci?

16 COMMISSIONER TUCCI: Aye.

17 MADAM CLERK: Mayor Cocchiola?

18 MAYOR COCCHIOLA: Aye.

19 COMMISSIONER PETRACCO: That's all I
20 have.

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

23 COMMISSIONER EVANS: "Whereas, the
24 Township of Nutley, pursuant to N.J.S.A.
25 40A:11-12a and N.J.A.C. 5:34-7.29(c), may

1 Township of Nutley Public Meeting 1/20/09
2 by resolution and without advertising for
3 bids, purchase any goods or services
4 under the State of New Jersey Cooperative
5 Purchasing Program for any State
6 contracts entered into on behalf of the
7 State by the Division of Purchase and
8 Property in the Department of the
9 Treasury; and

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

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

21 "Now, therefore, be it resolved,
22 that the Township of Nutley authorizes
23 the purchasing agent to purchase certain
24 goods or services from those approved New
25 Jersey state contract vendors on the

1 Township of Nutley Public Meeting 1/20/09
2 attached list, pursuant to all conditions
3 of the individual State contracts; and
4 "Be it further resolved, that the
5 governing body of the Township of Nutley
6 pursuant to N.J.A.C. 5:30-5.1(b), the
7 certification of available funds, shall
8 either certify the full maximum amount
9 against the budget at the time of the
10 contract is awarded, or no contract
11 amount shall be chargeable or certified
12 until such time as the goods or services
13 are ordered or otherwise called for prior
14 to placing the order, and a certification
15 of availability of funds is made by the
16 Chief Finance Officer; and

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

22 The vendors include Auto Zone, Dell,
23 Gateway, Hewlett Packard, National Fuel
24 Oil, National Terminal, Absolute,
25 Approved Fire, Breathe Safe, Cain & Sons,

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2 Gen-el, Guardline, Stateline, Total Fire
3 Group, Turn Out, Maco Office Supplies,
4 Quality Communications, Motorola,
5 Triangle Communications, Bradley Tire,
6 C&C Tire, Custom Bandage, Goodyear, Inter
7 City Tire, and Kirk's Orange Tire.

8 So move.

9 COMMISSIONER TUCCI: Second.

10 MADAM CLERK: Commissioner
11 Scarpelli?

12 COMMISSIONER SCARPELLI: Aye.

13 MADAM CLERK: Commissioner Petracco?

14 COMMISSIONER PETRACCO: Aye.

15 MADAM CLERK: Commissioner Evans?

16 COMMISSIONER EVANS: Aye.

17 MADAM CLERK: Commissioner Tucci?

18 COMMISSIONER TUCCI: Aye.

19 MADAM CLERK: Mayor Cocchiola?

20 MAYOR COCCHIOLA: Aye.

21 COMMISSIONER EVANS: "Whereas, the
22 Township of Nutley wishes to purchase
23 three 2009 Ford Crown Victoria police
24 cars from an authorized vendor under the
25 State of New Jersey Cooperative

1 Township of Nutley Public Meeting 1/20/09

2 Purchasing Program; and

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

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

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

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

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

25 "Whereas, N.J.A.C. 5:34-7.29

1 Township of Nutley Public Meeting 1/20/09
2 requires that purchases made under the
3 State's Cooperative Purchasing Program
4 which individually or cumulatively exceed
5 the statutory limit of \$21,000 be
6 authorized by resolution,

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

13 So moved.

14 COMMISSIONER TUCCI: Second.

15 MADAM CLERK: Commissioner
16 Scarpelli?

17 COMMISSIONER SCARPELLI: Aye.

18 MADAM CLERK: Commissioner Petracco?

19 COMMISSIONER PETRACCO: Aye.

20 MADAM CLERK: Commissioner Evans?

21 COMMISSIONER EVANS: Aye.

22 MADAM CLERK: Commissioner Tucci?

23 COMMISSIONER TUCCI: Aye.

24 MADAM CLERK: Mayor Cocchiola?

25 MAYOR COCCHIOLA: Aye.

1 Township of Nutley Public Meeting 1/20/09

2 COMMISSIONER EVANS: "Be it resolved
3 by the Board of Commissioners of the
4 Township of Nutley, County of Essex, New
5 Jersey, that the Township Treasurer is
6 hereby authorized to refund overpayment
7 of water charges on the following
8 accounts:

9 Block 9100, Lot 7, \$97.15;

10 Block 1601, Lot 22, \$39.59,
11 for a total of \$136.73."

12 So moved.

13 COMMISSIONER TUCCI: Second.

14 MADAM CLERK: Commissioner
15 Scarpelli?

16 COMMISSIONER SCARPELLI: Aye.

17 MADAM CLERK: Commissioner Petracco?

18 COMMISSIONER PETRACCO: Aye.

19 MADAM CLERK: Commissioner Evans?

20 COMMISSIONER EVANS: Aye.

21 MADAM CLERK: Commissioner Tucci?

22 COMMISSIONER TUCCI: Aye.

23 MADAM CLERK: Mayor Cocchiola?

24 MAYOR COCCHIOLA: Aye.

25 COMMISSIONER EVANS: "Whereas the

1 Township of Nutley Public Meeting 1/20/09

2 Township of Nutley, pursuant to N.J.S.A
3 40A:11-11 may, by resolution and without
4 advertising for bids, purchase any goods
5 or services under an approved County
6 Cooperative Purchasing Program.

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

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

19 "Now therefore, be it resolved, that
20 the Township of Nutley authorizes the
21 purchasing agent to purchase certain
22 goods and services from those approved
23 Morris County co-op vendors on the
24 attached list, pursuant to all conditions
25 of the individual county contracts; and

1 Township of Nutley Public Meeting 1/20/09

2 "Be it further resolved that the
3 governing body of the Township of Nutley,
4 pursuant to N.J.A.C. 5:30.5(b), the
5 certification of available funds, shall
6 either certify the full maximum amount
7 against the budget at the time the
8 contract is awarded or no contract shall
9 be chargeable or certified until such
10 time as the goods or services are ordered
11 or otherwise called for prior to placing
12 the order, and a certification of
13 available funds is made by the Chief
14 Financial Officer; and

15 "Be it further resolved that the
16 duration of the contracts between the
17 Township of Nutley and the referenced
18 Morris County Cooperative Purchasing
19 Program Vendors shall be from January 1,
20 2009 through December 31, 2009.

21 "David Weber Oil Co., CMF Business
22 Supplies, WB Mason Co., Inc., Metuchen
23 Center, Inc., Passon's Sports, R&R
24 Sporting Goods, Riddell, Triple Crown
25 Sports, Metuchen Center, Inc., R&R

1 Township of Nutley Public Meeting 1/20/09
2 Sporting Goods, Riddell, Triple Crown
3 Sports, CMF Business Supplies, Paterson
4 Papers, and WB Mason Co., Inc."

5 So move.

6 COMMISSIONER TUCCI: Second.

7 MADAM CLERK: Commissioner
8 Scarpelli?

9 COMMISSIONER SCARPELLI: Aye.

10 MADAM CLERK: Commissioner Petracco?

11 COMMISSIONER PETRACCO: Aye.

12 MADAM CLERK: Commissioner Evans?

13 COMMISSIONER EVANS: Aye.

14 MADAM CLERK: Commissioner Tucci?

15 COMMISSIONER TUCCI: Aye.

16 MADAM CLERK: Mayor Cocchiola?

17 MAYOR COCCHIOLA: Aye.

18 COMMISSIONER EVANS: Thank you,
19 Mayor.

20 MAYOR COCCHIOLA: Thank you.
21 Commissioner Tucci?

22 COMMISSIONER TUCCI: Yes.

23 "Be it resolved that the Board of
24 Commissioners of the Township of Nutley
25 in the County of Essex, New Jersey, that

1 Township of Nutley Public Meeting 1/20/09
2 the Township Clerk is hereby authorized
3 to advertise for sealed bids for
4 recreation uniforms and recreation
5 equipment. Bids to be received on
6 Wednesday, February 11, 2009 in the
7 Commission Chambers, Township Hall at
8 3:00 p.m. at which time they will be
9 publicly opened and then read."

10 I move the resolution.

11 COMMISSIONER EVANS: Second.

12 MADAM CLERK: Commissioner
13 Scarpelli?

14 COMMISSIONER SCARPELLI: Aye.

15 MADAM CLERK: Commissioner Petracco?

16 COMMISSIONER PETRACCO: Aye.

17 MADAM CLERK: Commissioner Evans?

18 COMMISSIONER EVANS: Aye.

19 MADAM CLERK: Commissioner Tucci?

20 COMMISSIONER TUCCI: Aye.

21 MADAM CLERK: Mayor Cocchiola?

22 MAYOR COCCHIOLA: Aye.

23 COMMISSIONER EVANS: "Whereas the
24 Governing Body of the Township of Nutley,
25 Department of Parks and Public Property

1 Township of Nutley Public Meeting 1/20/09
2 desires to further the public interest by
3 obtaining a grant from the State of New
4 Jersey in the amount of approximately
5 \$3,000.00; and

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

9 "Whereas the Governing Body of the
10 Township of Nutley authorizes Mauro
11 Tucci, Director of Parks and Public
12 Property to (a) make an application for
13 such a grant, (b) if awarded, to execute
14 a grant agreement with the State of New
15 Jersey for a grant in the amount of not
16 less than \$3,000.00 and not more than
17 \$3,000.00, and (c) to execute any
18 amendments thereto which do not increase
19 the Grantee's obligation; and

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

25 "Whereas 100 percent of the match

1 Township of Nutley Public Meeting 1/20/09

2 will be made up of in-kind services;

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

8 I move the resolution.

9 COMMISSIONER EVANS: Second.

10 MADAM CLERK: Commissioner
11 Scarpelli?

12 COMMISSIONER SCARPELLI: Aye.

13 MADAM CLERK: Commissioner Petracco?

14 COMMISSIONER PETRACCO: Aye.

15 MADAM CLERK: Commissioner Evans?

16 COMMISSIONER EVANS: Aye.

17 MADAM CLERK: Commissioner Tucci?

18 COMMISSIONER TUCCI: Aye.

19 MADAM CLERK: Mayor Cocchiola?

20 MAYOR COCCHIOLA: Aye.

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

23 MAYOR COCCHIOLA: Thank you.

24 "Be it resolved by the Board of
25 Commissioners of the Township of Nutley

1 Township of Nutley Public Meeting 1/20/09

2 in the County of Essex as follows:

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

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

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

14 "Therefore, be it resolved by the
15 Board of Commissioners of the Township of
16 Nutley to determine the contract is from
17 January 1, 2009 through December 31,
18 2009. The amount to be paid by voucher
19 will be \$55.00 per hour, per clinic
20 session, and that would be one clinic
21 session per month, and a Certified Nurse
22 Midwife will present malpractice and
23 liability insurance;

24 "Be it further resolved that the
25 contract is awarded without competitive

1 Township of Nutley Public Meeting 1/20/09
2 bidding as a professional service in
3 accordance with the Local Public
4 Contracts Law as it is a service
5 performed by persons authorized by law to
6 practice a recognized profession;

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

14 I move the resolution.

15 COMMISSIONER SCARPELLI: Second.

16 MADAM CLERK: Commissioner
17 Scarpelli?

18 COMMISSIONER SCARPELLI: Aye.

19 MADAM CLERK: Commissioner Petracco?

20 COMMISSIONER PETRACCO: Aye.

21 MADAM CLERK: Commissioner Evans?

22 COMMISSIONER EVANS: Aye.

23 MADAM CLERK: Commissioner Tucci?

24 COMMISSIONER TUCCI: Aye.

25 MADAM CLERK: Mayor Cocchiola?

1 Township of Nutley Public Meeting 1/20/09

2 MAYOR COCCHIOLA: Aye.

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

6 "Nutley Irish American Alliance,
7 Inc., License No. 10-09 for an "Off-
8 Premise 50/50 Cash Raffle on March 7,
9 2009;

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

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

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

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

22 I move the resolution.

23 COMMISSIONER EVANS: Second.

24 MADAM CLERK: Commissioner
25 Scarpelli?

1 Township of Nutley Public Meeting 1/20/09

2 COMMISSIONER SCARPELLI: Aye.

3 MADAM CLERK: Commissioner Petracco?

4 COMMISSIONER PETRACCO: Aye.

5 MADAM CLERK: Commissioner Evans?

6 COMMISSIONER EVANS: Aye.

7 MADAM CLERK: Commissioner Tucci?

8 COMMISSIONER TUCCI: Aye.

9 MADAM CLERK: Mayor Cocchiola?

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

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

24 All remarks to the board and its
25 individual members must be addressed to

1 Township of Nutley Public Meeting 1/20/09
2 the Mayor. The Mayor may defer citizen
3 comments to the appropriate member of the
4 board. Dialogue between citizens and
5 others addressing the board shall be
6 allowed unless the mayor or presiding
7 officer or the majority of the membership
8 of the board shall determine that the
9 interest of decorum and/or the
10 expeditious conduct of municipal business
11 are being adversely affected by such
12 dialogue.

13 Good evening, Mrs. Quirk.

14 MS. QUIRK: Hi. Teri Quirk, 45
15 Hampton Place, President, Spokesperson of
16 Nutley Parent Advocacy Network. I come
17 bearing good news. Recently, actually
18 about a month or two ago, we were having
19 an NPN meeting with our parents, and one
20 of our parents suggested that -- we were
21 talking about workshops and what could we
22 do for the community, because we had one
23 last year and we wanted to provide
24 another one for the community. And one
25 of our parents said that why don't we

1 Township of Nutley Public Meeting 1/20/09

2 have something that's really different
3 and that could just support all of our
4 parents, and that would be a parent fair.
5 So it would just be on any issue that
6 really affects our children and us, as
7 parents, and we all know how difficult
8 that job is.

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

25 And we're going to provide

1 Township of Nutley Public Meeting 1/20/09
2 workshops. And we have some speakers
3 that are coming in. Tina Nocera will be
4 doing her -- and she's got a great
5 workshop -- Kids Don't Come With Manuals.
6 We have Cary Green (ph.) who is an expert
7 on ADHD. We have the Essex County
8 Prosecutor's Office. I think they're
9 going to be providing us a workshop on
10 cyber-bullying and gang awareness. We
11 also have the 15 Minute Child Break which
12 I believe is --

13 MAYOR COCCHIOLA: Thursday, yes.

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

22 This is really open for parents of
23 all ages -- with children of all ages and
24 parents of all ages. If you're confused,
25 come. So it's for babies up to teens.

1 Township of Nutley Public Meeting 1/20/09

2 And it's going to be a good time to see
3 everyone, you know, just to feel that
4 support from everyone. And this is
5 actually an invitation that all of you
6 are getting right now just to see if
7 you'd like to come, and we'd certainly
8 love to have you. Thank you.

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

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

16 MAYOR COCCHIOLA: Good evening, Mr.
17 Molkenthin.

18 MR. MOLKENTHIN: Several months ago
19 we discussed marking all the town
20 vehicles. I noticed that the majority of
21 the vehicles are properly marked.
22 However, I ask that we still have some
23 that are on the road that are not
24 completely marked or are incorrectly
25 marked, that we re-evaluate the fleet

1 Township of Nutley Public Meeting 1/20/09
2 again and go over it and make sure
3 they're all taken care of. I appreciate
4 that.

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

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

24 So my suggestion is that you put a
25 freeze on hiring, and essentially, a

1 Township of Nutley Public Meeting 1/20/09

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

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

22 We need a motion to move into
23 executive session.

24 MR. SPEAKER: Move it.

25 MR. SPEAKER: Second.

1 Township of Nutley Public Meeting 1/20/09

2 MADAM CLERK: "Whereas the Board of
3 Commissioners of Township of Nutley in
4 the County of Essex in the State of New
5 Jersey desires to proceed to closed
6 executive session; and

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

12 MR. SPEAKER: The pending litigation
13 and contract negotiations.

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

16 MR. SPEAKER: Contract negotiations.

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

19 "Be it further resolved that the
20 time when such discussions may be
21 disclosed to the public shall be when
22 such disclosure may be made without
23 adversely affecting the Township's
24 pending and/or anticipated legal,
25 personal, contractual matters and other

1 Township of Nutley Public Meeting 1/20/09
2 matters.

3 MADAM CLERK: All in favor, Aye.

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

7 (End of audio)
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C E R T I F I C A T I O N

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.

A handwritten signature in cursive script that reads "Sharone Shapiro". The signature is written in dark ink and is positioned above a horizontal dashed line.

Sharona Shapiro