

5-7-02

A regular meeting of the Nutley Board of Commissioners was held on the above date.

All present joined in the Pledge of Allegiance to the Flag.

Mayor Scarpelli called the meeting to order at 7:40 PM and directed Municipal Clerk Lucille C. Simonian to call the roll.

PRESENT: Commissioners Tucci, Orechio, Cocchiola and Mayor Scarpelli.
Commissioner Furnari was ABSENT-EXCUSED.

Mrs. Simonian read the following, "Pursuant to the requirements of the Open Public Meetings Act, notice of this meeting was advertised in the Nutley Sun issue of 12-13-01. A copy is posted on the Nutley Town Hall bulletin board and copies sent to the Star Ledger, Herald News and the Nutley Journal. A copy is on file in the Municipal Clerk's office and copies made available to all members of the general public.

MINUTES

Commissioner Orechio moved, seconded by Commissioner Cocchiola that the minutes of the meeting of 4-16-02 be approved with all members present.

YEAS: Commissioners Tucci, Orechio, Cocchiola and Mayor Scarpelli.

CORRESPONDENCE

Mrs. Simonian, "The North Jersey District Water Supply Commission has sent the 8th, 9th and 10th bond resolutions which were adopted on 4-19-02. It will be placed on file in our office for public inspection.

The North Jersey District Water Supply Commission has sent the agenda for their 4-19-02 meeting, and also the minutes from their 3-15-02 meeting."

REPORTS

Commissioner Cocchiola submitted the Health Dept.'s monthly report for April, 2002.

BILLS

Mrs. Simonian read the following departmental summary of bills for the approval of the Board of commissioners as covered by a detailed list posted on the Nutley Town Hall Bulletin Board prior to the meeting and filed at the end of these minutes.

Public Affairs Dept.	\$ 22,453.52
Revenue and Finance Dept.	4,636,183.18
Public Safety Dept.	29,924.75
Public Works Dept.	39,349.75
Parks Dept.	130,383.26
PAYROLL 4-26-02	
Regular	604,401.41
Overtime	8816.21
GRAND TOTAL	\$ 5,471,512.27

The payroll listed in the foregoing schedule includes amounts to be deducted as shown in a detailed list of bills filed at the end of these minutes.

Commissioner Tucci moved, seconded by Commissioner Cocchiola that the bills be paid.

YEAS: Commissioners Tucci Orechio, Cocchiola and Mayor Scarpelli.

ORDINANCES PUBLIC HEARINGS

Mrs. Simonian, "We have two public hearings scheduled this evening, Mr. Mayor, and they both were introduced on 4-2-02 by Commissioner Orechio and I hereby certify that these hearings and ordinances in full have been advertised in the Nutley Sun issue of 4-11-02 and a copy of each was posted on the Township of Nutley Bulletin Board 1st floor, Town Hall and copies made available to all members of the general public. The first one is entitled, "An ordinance to amend Chapter 228, art. 2, sec. 10, entitled Stopping or Standing prohibited during certain hours, to add the location set forth," Public Hearing, Mr. Mayor."

Mayor Scarpelli, "Thank you. Commissioner Orechio—"

Commissioner Orechio, "Yes, Mr. Mayor, this ordinance provides for the prohibition of stopping or standing during certain hours, actually all hours, along Franklin Ave., along Adams Ct., and further over on the north of Franklin Ave., by Vreeland Ave."

The public hearing was opened and closed, as no one came forward.

Commissioner Orechio moved, seconded by Commissioner Cocchiola that the ordinance be adopted.

YEAS: Commissioners Tucci Orechio, Cocchiola and Mayor Scarpelli.

Mrs. Simonian, "The second ordinance is entitled, "An ordinance to amend C. 228, art. 7, sec. 28, entitled bus stops, to add the location set forth," public hearing, Mr. Mayor."

Commissioner Orechio, "Mr. Mayor, this ordinance deletes a bus stop on Franklin Ave., north bound on the east side of Adams Ct., and extending 100 ft. north."

The public hearing was opened and closed, as no one came forward.

Commissioner Orechio moved, seconded by Commissioner Cocchiola that the ordinance be adopted.

YEAS: Commissioners Furnari, Tucci Orechio, Cocchiola and Mayor Scarpelli.

RESOLUTIONS

Commissioner Cocchiola read for Commissioner Furnari and moved, seconded by Commissioner Orechio that resolution 115-02 be adopted.

"WHEREAS 40A:4-20 provides that where contract, commitments or payments are to be made prior to the final adoption of the 2002 budget, emergency appropriations may be lawfully made for the purposes and amounts required in the manner and time therein provided and

WHEREAS the total emergency temporary resolutions adopted in 2002 pursuant to the provisions of Ch. 96, PL 1951, including this resolution total \$6,440,170,

NOW THEREFORE BE IT RESOLVED that emergency temporary appropriations are made for \$80,000 and that said emergency temporary appropriations will be provided for in the 2002 budget as follows: Walkway, clock and other improvements , 2-01-805-259 - \$80,000."

YEAS: Commissioners Tucci, Orechio and Cocchiola and Mayor Scarpelli.

Commissioner Cocchiola read for Commissioner Furnari and moved, seconded by Commissioner Orechio that resolution 116-02 be adopted.

"BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, NJ, that the treasurer is hereby authorized to refund overpayments for the following taxes, 27 Union Ave., \$1245, for 2002."

YEAS: Commissioners Tucci, Orechio and Cocchiola and Mayor Scarpelli.

Commissioner Cocchiola read for Commissioner Furnari and moved, seconded by Commissioner Orechio that resolution 117-02 be adopted.

"BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, NJ, that a refund of \$100 be made payable to Mr. & Mrs. Bianchi, 97 Mapes Ave., Nutley for overpayment of a variance."

YEAS: Commissioners Tucci, Orechio and Cocchiola and Mayor Scarpelli.

Commissioner Cocchiola read for Commissioner Furnari and moved, seconded by Commissioner Tucci that resolution 118-02 be adopted.

"BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, NJ, that the treasurer is authorized to refund overpayment of water charges on account 4 Corsay Rd., \$25.85 and 100 Raymond Ave., \$25.58."

YEAS: Commissioners Tucci, Orechio and Cocchiola and Mayor Scarpelli.

Commissioner Cocchiola read for Commissioner Furnari and moved, seconded by Commissioner Orechio that resolution 119-02 be adopted.

"WHEREAS NJSA 40A:4-19 provides that where debt service is to be paid in 2002 prior to the final adoption of the 2002 budget, temporary appropriations should be made for the amount of such debt service in the manner therein provided and

WHEREAS the date of this resolution is subsequent to 12-20-01,

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, NJ, that the following temporary appropriation be made, interest on bonds, 2-01-816-253 \$7000."

YEAS: Commissioners Tucci, Orechio and Cocchiola and Mayor Scarpelli.

Commissioner Cocchiola read for Commissioner Furnari and moved, seconded by Commissioner Orechio that resolution 120-02 be adopted.

Municipal budget of the Township of Nutley, County of Essex, for fiscal year 2002, and

BE IT RESOLVED that the following statements of revenue and appropriations shall constitute the municipal budget for 2002, and

BE IT RESOLVED that said budget be published in the Nutley Sun, issue of 5-23-02, and

The governing body of the Township of Nutley does hereby approve the following as the budget for 2002.

YEAS: Commissioners Tucci, Orechio and Cocchiola and Mayor Scarpelli.

(Budget is filed at the end of these minutes)

Commissioner Tucci moved, seconded by Commissioner Orechio that resolution 121-02 be adopted.

"WHEREAS Gabriella Costa, receptionist in the Parks Dept. has requested a leave of absence without pay; and

WHEREAS, Ms. Costa a permanent full-time employee under the provisions of Civil Service in the State of NJ, may receive a leave of absence without pay in accordance with the NJ Administrative Code, Title 4A:6-121B;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, NJ, that the privilege of this leave of absence without pay be granted for four months, 5-28-02 through 9-29-02.

YEAS: Commissioners Tucci, Orechio, Cocchiola and Mayor Scarpelli.

Commissioner Orechio moved, seconded by Commissioner Tucci that resolution 122-02 be adopted.

"WHEREAS bids for refurbishing the Squirt Fire Engine were received on 4-10-02 and

WHEREAS Absolute Fire Protection Co. was the lower of the bids with a price of \$82,527,

NOW THEREFORE BE IT RESOLVED by the Board of Comrs of the Township of Nutley, County of Essex, NJ, that a contract for refurbishing the fire engine be awarded to Absolute Fire Protection Co., 2800 Hamilton Blvd., S. Plainfield, NJ, at a cost of \$82,527.

BE IT FURTHER RESOLVED that funds are available in an appropriation of \$75,000 from account 2705 and 2-01-314-211 and have been certified by the Chief Financial Officer and is attached hereto.

YEAS: Commissioners Tucci, Orechio, Cocchiola and Mayor Scarpelli.

Commissioner Orechio moved, seconded by Commissioner Tucci that resolution 123-02 be adopted.

BE IT RESOLVED by the Board of Comrs of the Township of Nutley, County of Essex, NJ, that the following question be submitted to the Essex County Clerk with the request that this question be included on the ballot of the Township of Nutley for the forthcoming Nov. 7, 2002 general election.

Shall the Township of Nutley Firefighters and Nutley Volunteer Emergency and Rescue Squad members be authorized to establish a LENGTH OF SERVICE AWARD PROGRAM (LOSAP) for those volunteers that serve the Township of Nutley pursuant to the following terms and conditions. The program shall provide for annual contributions to a deferred income account for each active volunteer member that meets the eligibility criteria in accordance with a schedule adopted by the Nutley Firefighters and Nutley Volunteer Emergency and Rescue Squad members as adopted by ordinance #2695, which was adopted by the Township of Nutley Mayor and Board of Comrs on 8-7-02. The program shall provide for contributions as credit for no more than 10 years of prior service for each eligible member, the proposed annual minimum contribution of an active volunteer member is \$287.50 and the maximum contribution is \$1150. The estimated cost of the program has been calculated as follows, for regular annual service \$33,750 per year, and for contribution for prior years service \$67,000 for 1 year. YES NO

Explanatory Statement—The Township of Nutley has decided to create a LOSAP for member of the Nutley Firefighters and Nutley Volunteer Emergency and Rescue Squad members that serve the citizens of Nutley. The general requirements for LOSAP are set forth in NJSA 40A:14-183. Each firefighter who performs the minimum amount of service will have an amount between \$287.50 and \$1150 depending on how many years the volunteer has served deposited into a tax deferred income account that will earn interest for the volunteer. Additional details on the program may be found in the ordinance which has been adopted by Nutley and which is available for public inspection, along with a copy of the state enabling law and is available for inspection in the Municipal Clerk's Office, 1 Kennedy Dr., Nutley, NJ.

YEAS: Commissioners Tucci, Orechio, Cocchiola and Mayor Scarpelli.

Mayor Scarpelli moved, seconded by Commissioner Tucci that resolution 124-02 be adopted.

"BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, NJ, that a contract for the resurfacing and milling of Grant Ave., and related work, between Passaic Ave. and Washington Ave., in Nutley including all necessary or incidental work be awarded to D & L Paving, Inc., PO Box 507, Nutley, NJ at a total price of \$77,420.25.

BE IT FURTHER RESOLVED that the Mayor and the Township Clerk are authorized to execute the above change order and attest with the town seal affixed to this resolution.

BE IT FURTHER RESOLVED that the award of this contract will be subject to the approval of the NJDOT Commissioner and

BE IT FURTHER RESOLVED that funds are available from capital ordinance 2703 and have been certified by the Chief Financial Officer, and are attached to this resolution.

YEAS: Commissioners Tucci, Orechio, Cocchiola and Mayor Scarpelli.

Mayor Scarpelli moved, seconded by Commissioner Tucci that resolution 125-02 be adopted.

"WHEREAS applications have been received from St. Mary's Church to hold an On Premise Raffle on 5-30-02 through 6-1-02 and

WHEREAS the applications have been reviewed and approved by the Clerk and the Police Dept.,

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners, Township of Nutley, Essex County, NJ, that the raffle license is approved and the clerk is authorized to issue the licenses to St. Mary's Church."

YEAS: Commissioners Tucci, Orechio, Cocchiola and Mayor Scarpelli.

Mayor Scarpelli moved, seconded by Commissioner Tucci that resolution 126-02 be adopted.

"BE IT RESOLVED by the Board of Commissioners, Township of Nutley, County of Essex, NJ, that the regular meeting scheduled for 6-4-02 has been changed to 6-11-02 due to the Primary Election being held on that date.

YEAS: Commissioners Tucci, Orechio, Cocchiola and Mayor Scarpelli.

Mayor Scarpelli, "I also have a list of bills for the sanitary sewer charges for 2001, to Belleville, Bloomfield, Clifton, Hoffman La Roche, Inc., Regency Condominiums and Residential Furniture Delivery Service." (Bills are filed at the end of these minutes.)

Mayor Scarpelli, "Mrs. Clerk, do you have something else to read?"

Mrs. Simonian, "Yes, Mayor, I have received a letter from Mrs. Greiner, President of the Van Riper House, who asked me to read this in honor of preservation week.

WHEREAS Historic Preservation is an effective tool for managing growth, revitalizing neighborhoods, fostering local pride and maintaining community character while enhancing livability and

WHEREAS Historic Preservation is relevant for communities across the nation, both urban and rural, and for Americans of all ages, all walks of life and all ethnic backgrounds and,

WHEREAS it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as a people and

NOW THEREFORE "Preserving the spirit of place" is the theme for National Historic Preservation Week, 2002, cosponsored by the Van Riper House and the National Trust for Historic Preservation."

Mayor Scarpelli, "Thank you, would anyone like to address this body? Now is the time to come forward and state your name and address, please."

Frank Borgo, 21Dodd St., came forward, "I'm here again about that noise, coming from Terrazza's Restaurant, I have a copy of the noise ordinance, and to me it says 10 o'clock at night, there should be no noise till 7:00 in the morning. Mr. Mayor, Commissioners, and ABC Board, I need help. I've been down here for five years now, coming for the same thing and I need your help. I have a petition here, from the people on Hillside Ave., quite a few of them that are annoyed by this and if the Town Clerk would—I'll try to help you a little bit, and I made a few copies for the Commissioners. Thank you very much.

(Mr. Borgo submitted a petition signed by 22 residents, which appears at the end of these minutes.)

I'm asking for your help. Mr. Jeff Perez, who lives across the street from me at 22 Dodd St., sold his home because of the noise that's coming from there and he bought a new house, for a lot more money in Nutley, and he was brought up in that neighborhood, lived there all his life. I'm just appealing to Mr. Mayor especially and Commissioner Cocchiola—I've had a lot of help from Joe for the Health Dept., he helped me a lot with matters that went on in the neighborhood, garbage and other stuff that went on. He helped me a lot, so I have to give him a little plug here.

I've been coming here for five years and nothing's been done, and the owner—he's broken every rule in the book. I remember the Mayor, we had an affair on Franklin Ave. one night and I walked up to him and I met him, and I said, Mr. Mayor—and he said we'll be over by 10 o'clock, and I said thank you. I appreciated that, but the way it's going on now—this man doesn't care, maybe he's got some pull in town, I don't know, but—please help me, that's all I've got to say. Especially the ABC Board more than anything else. I wouldn't be after the guy if he wasn't doing anything wrong. Thank you very much."

Commissioner Orechio, "Mr. Mayor, I want to confer with the Police chief and come back with a recommendation."

Mayor Scarpelli, "Thank you Commissioner, would anyone else like to address this body?"

Tina Nocera, 66 Union Ave., came forward, "I'd like to address the Commissioner on behalf of the Nutley teenagers. My first experience with teenagers in Nutley was actually when I used them as baby sitters for my own children, having not grown up in this town. I remember that day, I said what do teenagers do in town and this was going back 10 years and I remember the response very clearly, it was we go to the park and we get chased by the cops. I was completely shocked by that response, at that time I was involved in the creative playground and met a lot of terrific people in this town, none finer than Frank Cocchiola and when the playground was completed I said to Commissioner Cocchiola, could you explain to me why the town inundates children from ages 6-12, but we don't really acknowledge them before they're six and completely ignore them after they're 12.

Commissioner Cocchiola and I had a discussion, I assure you, but not having any experience there, I backed off not understanding what teenagers are all about in all honesty. At the time we agreed on starting a toddler activity program, which I did with his help and in fact is going on to this day. 10 years has gone by and not much has changed, although I'm sure you're well intentioned, I'm sure there's some nice programs that are in place, it's not enough. Just to give you an example, at the Franklin Middle School, this year we tried some really innovative and interesting things, one of which was we started at Principal Calichio's request to survey the students, think about what they might want, and it was very interesting.

Anyone who's done any kind of marketing might know, that if you have a 20% compliance to a survey, you've done really well. We surveyed the students and we had a 96% compliance rate. The children in this town—we are very fortunate, they are good kids but we don't give them a lot of good things to do. We give them some, but it's not enough. So what I would like to do is ask the Commissioners to form an advisory board, a teen advisory board, and please understand, this is not just what we can do for our kids, it's what we can do to make these kids part of the community. There are things they can do for us. For example, I know Commissioner Cocchiola has some interesting programs regarding seniors, these students—any parent in this town would love for their children to participate in a well intentioned program.

As far as other things we've done, some interesting things like a teen canteen which was very successful, and the reason I think that some of the attempts over the years have not done well is because you haven't given kids choices. There is no one right answer to any solution, so for example the thing that worked best at the middle school was an event that had several things going on at once, the kids could move about, there was supervision, but it wasn't overly supervised. There was structure, but not overly structured. It worked, the reason I'm asking the town to take it over, rather than the school is that we ask students in private schools that are not allowed to participate in a school activity, because they don't have student ID's. They're not part of that school system.

So what I'd like to suggest is that groups of us get together, from the school system and certainly from the public safety—in fact Commissioner Orechio—at one point we had a sports night, where Mr. Calicchio and I met with the detectives and said, wouldn't it be a great idea if these kids met with the detectives before they were in trouble and they came down and they played basketball with the kids and it was really a positive experience. What I'm looking to do is formalize this, in fact, include students from both the junior high and high schools and any of the private schools on an advisory board, along with Board of Education members and Commissioners.

These are really good kids at this point, but I think Nutley should be very happy that we don't have any notoriety as they do in other towns, and I'd love to keep it that way. Children need attention and if we don't give them the good kind, they'll certainly seek out the bad kind. Thank you very much for your time."

Mayor Scarpelli, "Commissioner, would you like to address that?"

Commissioner Tucci, "If I might, only because I totally agree with what you're saying, and actually, Mrs. Nocera and I have had several conversations surrounding this, and I've attended several meetings at the middle school and the Parks Dept. was very involved with the sports night that was held. I wrote down here one thing you said, you said before six and after twelve years old, there are not a lot of activities for our children and I would be the first one to say we could never have enough activities for our

children or give them enough choices so they could all seek out and enjoy what they like to do.

I'm looking at 25 programs that involve children, both organized and unorganized, beginning at ages 5-12, 13-16, 3-5, the program that you instituted with Commissioner Frank Cocchiola, is also here, but we've also added to that with some toddler tumbling and some other things and as a matter of fact, we also discussed the possibility of soliciting some volunteers to help with the effort you've begun. And done quite well, I might add, and we did get some volunteers from the Parks Dept., I spoke with Commissioner Orechio about having some Public Safety folks and with Chief Scalera, about perhaps assigning some of the firefighters to help us out in this endeavor so these discussions can continue.

As we all know, these programs are only successful with the parents participation, and we need to engage the parents and get them involved. Because, what we're not running is babysitting services, but unstructured, unorganized, and when I say unorganized to the degree that we have organization in football and basketball leagues and baseball leagues, a place for children just to drop in, to play music, to dance, to play chess, to read books or just to talk with their friends is definitely needed, its something that I believed in for a long time, and these discussions in addition to the ones that I've had with you and your group are also going on with several members of the Board of Education."

Mrs. Nocera, "Well, I totally agree with you, and, as far as the teen canteen, which in fact was in the Nutley Sun, was by far the most successful event that we ran and that's exactly what we are talking about. I think that our discussion regarding volunteers, I think we agree and disagree.

I agree that there should be parents involved but what I don't agree with is that in my mind—if there was one problem that seems to go through Nutley—is that you go to the same few people all the time. The problem and challenge with that is that you burn out the same people and then by that same means you exclude everyone else so effectively it becomes an exclusionary community. What I'm suggesting is, I think we agree that you like this program, I think that we have to formalize it, we have to just get it going. I just don't want to see papers sitting on someone's desk and not having some kind of action on it.

So all I'm saying is, I volunteer my time to pull together an advisory group together and say lets get the right heads together and include the kids in this advisory group. I don't think anybody in their right mind would ever say, lets provide rooms for these kids to have unstructured activity. We would be insane to do such a thing.

I'm not suggesting that in any way, shape or form, I'm saying we actually created the teen canteen model and for the Commissioners who are not aware of this what that actually was, was we opened up the middle school and we had an improvisational activity, we had sports, we had a jam session, with kids who brought in their music and this was by far the most successful portion of it, and then we also had a movie going and we had the cafeteria where we had pizza and board games, and chess. The kids liked the choices in that one night. That's all I'm saying. We need to do this, to formalize it, basically we need to stop talking and we should just do it, and I offer my help to get it done."

Commissioner Tucci, "Well, I believe we've taken the necessary first steps. I think that the bigger challenge we have is getting people to actually volunteer and I agree with you that we have routinely gone back to the same folks, which is not what I believe we've done because, quite frankly I don't know that we in the Parks Dept. have ever gone and reached out to the Public Safety Dept. or even to the Public Works Dept. when you talk about volunteering.

So perhaps we need to sit down and develop some type of advertisement to let people know what we're looking for and perhaps get some of their peers, or perhaps some college students or other high school students to help—"

Mrs. Nocera, "I think we can be very creative and we can come up with a solution and its just a matter of someone deciding—if you will—to drive the bus. So I'm just looking for a bus driver."

Commissioner Tucci, "—I think we have a bus driver, I think we just need to steer the bus in the right direction, and I think we all need to turn the bus at the same time, and I think we'll all be fine."

Mrs. Nocera, "—ok, this analogy has really gone far enough, but, thank you."

Commissioner Tucci, "Thank you very much."

Commissioner Orechio, "I just want Mrs. Nocera to know that I've looked into the possibility of creating a P.A.L., but the national charter rules are kind of rigid, and what I've done now is created a P.Y.O., Police Youth Organization. Matter of fact, we have some fundraising trips already established for the summer, to raise some funds so we can get it off the ground."

Mrs. Nocera, "Can I ask you then—it seems like we have difficulty communicating, how do you plan to get the work out to parents that this is a possibility? You mentioned that there would be trips—"

Commissioner Orechio, "I will call you to discuss it."

Mrs. Nocera, "Ok, because the other part of it is, I know Commissioner Cocchiola has some fantastic opportunities for the children to give back to the community, again this is not about our kids getting—because I think we are fortunate we don't have any needy children, but if we keep giving them things we will have greedy children, so we don't want that to happen. So I think I will ask Commissioner Cocchiola to participate as well because there's a lot our children can contribute to this town as well as receive."

Commissioner Orechio, "I didn't mean to cut off Commissioner Tucci—"

Commissioner Cocchiola, "Commissioner Tucci, I would be happy if—maybe we can all be represented—I don't know if you know this, Mrs. Nocera, but the Mayor has a year's worth of activities planed to celebrate the centennial and children can probably participate in many ways. Each one of us could probably come up with other programs to benefit the children, I know that we already have so, if you need anyone of us to do anything, I'm sure that we would be happy to do that."

Mrs. Nocera, "Thank you."

Mayor Scarpelli, "Thank you very much, does anyone else wish to address this body?"

Maria Russo, 251 High St., came forward, "I didn't come here to discuss that program, however, I'm hearing all the information, the two things that I believe in strongly are effective communication and I believe that Mrs. Nocera mentioned that. That seems to be one of the problems, the other thing is space, building space, I think that we should know where this will be held, so we can have chaperones and what not, I'd be more than willing to get involved with this, I did read it on the F.M.S. e-mail, so I'd be more than happy to get involved. I will get in touch with Mrs. Nocera, I worked hand in hand with her, back with the toddler activity program."

I remember setting up for infants to do gymnastics. We had mats, we brought balloons, we had many things when my child was young, working with Frank Cocchiola and Tina and many of the other volunteer parents, and I'm glad to see that the program is still going.

The other thing is money, and that's what I'm here to speak about tonight, I came here to speak to this board. I heard Commissioner Cocchiola say that the budget would be placed in the May issue of the Nutley Sun, I have a question before I continue because, there may not be any need for me to continue with what I have to say today. That is Commissioner Orechio is the \$200 revenue from the School Board for the crossing guard salaries still in your budget?"

Commissioner Orechio, "Yes it is."

Mrs. Russo, "Yes it is—back in 1999 when two of you—I believe—were not seated on this Commissioners Board, I came and addressed this board. I want to give you a few dates, and read a few things and say my peace tonight."

Commissioner Orechio, "If I may interrupt, Mr. Mayor, this really isn't a public hearing on the budget tonight. I think she ought to defer her comments until we have a public hearing on it."

Mayor Scarpelli, "The budget has been introduced and we will have a public hearing on the budget, you can address it then if you care to."

Mrs. Russo, "I don't plan on addressing the budget, I would just like to specifically address my comments to the past comments from 1999, not on this budget of 2002, I have no questions on that. Thank you."

Back in March, 1999, I wrote a statement and presented it to the school board. On May 3, 1999, there were some problems regarding the crossing guards in our schools. I have been doing research for--well in 1994 I was elected to the school board and I believe this came to my dismay--and understanding--in approximately 1997. At that time just to fill in those members who were not here over long years. At that time I found out that the school board had an expense. I questioned one expense, it was \$80,000, and found out that it was a twice a year payment which equaled \$160,000 that was paid for crossing guards. I went on to question board members and at that point there wasn't—I couldn't get a majority of board members to address this issue.

In research, both legally and through other school boards, I found out that this is not a responsibility of School Board of Education's. I further went on in 1999, which is where the letter that I wrote and brought to this board, where I had a consensus of the board, nine members, unanimous. Ready to take the \$200,000 out of the school budget.

I also met individually with one of the Commissioners responsible. It—what had happened when I came here was that it was going to be addressed. Since 1999, my one further year on the school board, the plans were in the works and it was said it needed to be done slowly, you just can't pull this kind of money, and I understood that, I know that when you're dealing with the budget, there's a lot of things involved.

I'd like to just read a couple excerpts of this, and then I just have one question that I'd like to leave this board with tonight. In this letter dated March 1, 1999, I addressed the school board and this board, cause I read the same letter. Back in 1987 the Nutley School Budget was defeated and when it went to the town for review as a standard procedure the board was asked for a truly realistic and honest figure, by which the school budget could be reduced without seriously jeopardizing academic programs and after much consideration a figure of \$150,000 was presented.

Mayor Chenoweth announced that the Commissioners decided that \$300,000 would be more appropriate. That was quoted from the 4-30-87 Nutley Sun. During the debate between the school board and the town, the school board along with abolishing teaching positions, behind the wheel, summer school programs, we also, and we is the Nutley Board of Education assumed the expense for school crossing guards, which up until then had always been part of the town's budget. The Commission said they cut the school budget by \$125,000. With the provision that the board agreed to take on the responsibility of taking on the \$160,000 in crossing guard salaries.

Board President at the time, Frank Hermo tried to persuade the Board of Commissioners not to make this cut in school appropriations. I quote the Nutley Sun, Frank Hermo, "Your job by law is not specifically to cut our budget but just to review it. If you feel we have done a good job with the budget, you don't have to cut it at all," Hermo pleaded.

The board accepted the \$225,000 cut by a vote of 6-1. The no vote, by Dr. Anthony Barotta who said, and I quote, "Because we prepare a budget for an educational system, and now we have compromised into accepting an additional expense, school crossing guards, from a different government body, the town commission, I go on to this letter and say I agree with Dr. Barotta, I still I agree with Dr. Barotta, and I'd like to point out that this year, the school budget only passed by 200 votes. If that budget was defeated, it would have come to you, this Board of Commissioners, with the expense of \$100,000, just to let me clarify, has escalated, and it is now over \$200,000 a year that the school board sends to this governing body, when it could be using it for educational needs. I strongly object to this and I wonder if it had come to a defeat of the budget,

whether that would have been the first thing to go, or would this board have taken away things from our children once again. I ask, before I leave here tonight, I ask for documentation because I have been doing further research that if this debt was because of a budget failure for that one year, where is the documentation that gives our business administrator, our school board, our superintendent the right to continually put this debt for over 12 years in our school budget. I would like to see a piece of paper, some documentation, so that I can then pursue and then find out, if in fact this is legal. It is not legal for the school board to send people to the corner to cross our children. It is only the public safety who can do that.

I will be back here in two weeks and I hope that something can be provided to me. I am here not to ask for anything or to cause any problems other than what is best for this community and especially our children. If we can't find a way to start straightening out money in this town, we are going to have serious problems. There are other areas that I will be addressing in the future where money overlaps between the town and the school board and I find them to be disgraceful. I certainly hope we can clarify this so that \$200,000 can be spent for our children.

If over the past 12 years that was in our school budget, we would have had over \$2,000,000 that could have been spent, and if you go back 10 years ago, you know you could buy a lot more than you can now, towards our facilities and our children's programs. We never put behind the wheel back, yet parents have to pay for classes for their children, now. So we get taxed for dollars here in our town. We have an educational system that we're all proud of, but let's really be proud of it and do the best for our children. I will be back here in two weeks, I will also be at the school board saying exactly what I said here tonight, asking them for documentation. Cause if they're putting a debt in our budget, we should find out why they continue to do it and I know that you need the majority of votes. I don't know if we'll be able to get that. We had it at one time, I don't know what happened in three days. Thank you very much."

Mayor Scarpelli, "Would anyone else like to address this board?"

Sera Shuster, 462 Chestnut St., came forward, "Thank you Maria, for what you just brought up, I was at that meeting when the budget was cut and Nutley was talked into taking the Public safety—the crossing guards. You, Carmen, said that there was legislation pending in Trenton that all towns should be paying the crossing guards out of the Board of Education. That's not so, because I called all the towns and they laughed when I asked them. Nutley is the only one that's paying the crossing guards out of the Board of Education money. That board had Charlie Piro on it, Charlie Kucinski, Frank Hermo, and I could go on and on and tell you, because I was right there in the front row. Joan Rubino and I got special permission from Harry Chenoweth to attend this meeting and at that time I said, do not take it, but they took it anyway.

Behind the wheel driving was cancelled, the budget has gone through since, and it was never reinstated, and I don't think it's fair to the children of Nutley to have to pay out of their money, and behind the wheel driving, not only for the Nutley kids, but everyone in the parochial school, or who went to another private school. It was the Nutley Board of Education to provide behind the wheel driving for their children, even though they didn't attend Nutley schools. That's it, that's a loss, any why wasn't it reinstated? I don't know, to punish the children, punish the parents and there are lots of things that have been cut.

Instead, they gave us the buses. We have the buses making a lot of money, people have died, but they're still there. At this point, I don't care if the buses never move. I don't care, because the damage has been done. It's not on my conscience, it's on this board, and the Board of Education, because if this board didn't want the buses there, you oversee the entire town, and you are the fathers, and if you didn't want them there, they wouldn't be there. That's all I have to say, but my conscience is clear. Thank you, Mayor."

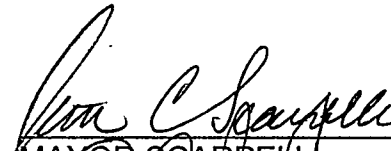
Mayor Scarpelli, "Would anyone else like to address this board? Seeing no one, is there a motion to adjourn?"

Commissioner Orechio moved, seconded by Commissioner Tucci that the meeting be adjourned at 8:35 PM.

YEAS: Commissioners Furnari, Tucci, Orechio, Cocchiola and Mayor Scarpelli.

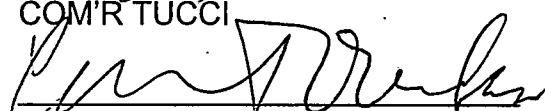
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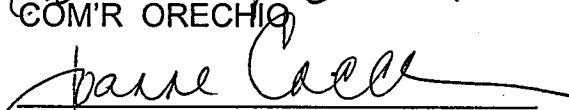

Township Clerk


MAYOR SCARPELLI


COM'R FURNARI


COM'R TUCCI


COM'R ORECHIO


COM'R COCCHIOLA

BP 5-17-02