

**NUTLEY BOARD OF EDUCATION  
REGULAR MEETING  
OCTOBER 18, 2004**

The Nutley Board of Education held a Regular Meeting on Monday, October 18, 2004 at the Radcliffe School Multi-Purpose Room, 379 Bloomfield Avenue, Nutley, NJ 07110.

President Alamo opened the meeting at 8:05 PM.

**CALL TO  
ORDER**

**MEETING NOTICE**

**MEETING  
NOTICE**

President Alamo stated that in compliance with Chapter 231, Public Law 1975 entitled Open Public Meetings Act, adequate notice of this meeting had been provided as specified in the Act. Proper notice of this Regular Meeting was provided in the annual notice dated May 3, 2004 and legally advertised in the Nutley Sun on May 13, 2004. Said notice was posted at the entrance of the Board of Education offices, mailed to The Nutley Sun, The Star Ledger, The North Jersey Herald & News and The Nutley Journal and mailed to the Nutley Township Clerk.

This is an official meeting.

**FLAG SALUTE**

**FLAG  
SALUTE**

Trustee Olivo led the assembly in the flag salute.

**ROLL CALL**

**ROLL  
CALL**

Present:

Dr. Philip T. Casale  
Mr. Gerard Del Tufo  
Mr. Sal Olivo  
Dr. Gerard M. Parisi  
Mr. Kenneth J. Reilly  
Mr. James Viola  
Mrs. Maria Alamo

Absent:

Mr. John Cafone  
Mr. Alfred R. Restaino, Jr.

Also Present:

Dr. Kathleen C. Serafino, Superintendent of Schools  
Dr. James Vivinetto, Assistant Superintendent  
Mr. Dennis M. Oblack, Business Administrator/Board Secretary

Also Absent:

Miss Shannon Arroyo, Student Representative

**APPROVAL OF MINUTES**

**APPROVE  
MINUTES**

Trustee Parisi moved, Trustee Del Tufo seconded, the following motion:

BE IT RESOLVED that the Board of Education approves the following minutes:

- October 4, 2004 - Conference/Special Meeting
- October 4, 2004 - Closed Executive Session
- September 30, 2004 - Conference/Special Meeting
- September 27, 2004 - Regular Meeting
- September 27, 2004 - Conference Meeting
- September 27, 2004 - Closed Executive Session

The motion was unanimously approved by the Board by roll call vote with the following exception:

1. President Alamo abstained on the September 27, 2004 minutes.

**CORRESPONDENCE**

**CORRESPONDENCE**

Board Secretary Oblack read, and the trustees acknowledged, the following items of correspondence:

A variance notice regarding property at 24 Margaret Avenue being within 200 feet within school property.

A variance notice regarding property at 70 Margaret Avenue being within 200 feet within school property.

A variance notice regarding property at 320 Harrison Street being within 200 feet within school property.

A variance notice regarding property at 195 Lakeside Drive being within 200 feet within school property.

**BOARD SECRETARY'S REPORT**

**BOARD  
SECRETARY'S  
REPORT**

Board Secretary Oblack discussed Resolution 7 entitled "Agreement to Purchase Electric Generation Services through the Alliance for Competitive Energy Services ("ACES") and Resolution 8 "Request for Repeal of Ch. 73, P.L. 2004 (S-1701) listed under the Board Secretary's Resolution.

**SUPERINTENDENT'S REPORT**

**SUPT'S REPORT A**

Dr. Serafino presented the Superintendent's Report dated October 18, 2004, Schedule A, which is appended to the minutes of this meeting.

Dr. Serafino introduced Dr. Vivinetto who gave the following Violence, Vandalism and Substance Abuse Report for the district.

**VIOLENCE  
VANDALISM &  
SUBSTANCE ABUSE**

**REPORT ON SCHOOL VIOLENCE , VANDALISM AND  
SUBSTANCE ABUSE**

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Dr. Vivinetto explained that, as required by the state, this report was officially transmitted electronically on July 7, 2004. Dr. Vivinetto said 27 incidents of the given categories were reported to him. He indicated that there were no incidents of violence, 25 incidents involving vandalism or property damage, no incidents with weapons and 2 incidents of substance abuse (one alcohol and one marijuana). Dr. Vivinetto stated that there continues to be a significant decrease in the categories of violence and weapons incidents. He attributed this decrease to vigilant and proactive student and staff awareness and training programs implemented in the district. These programs along with other programs regarding substance abuse and vandalism are ongoing and focus on the positive safety and health of students, staff and parents in our learning community. Board trustees indicated approval and offered positive comments on the decrease in violence and weapons in the school district. The public was asked if they had any questions or comments on the report.

No dialogue transpired and no comments were made regarding the Dr. Vivnetto's presentation on violence and vandalism.

**COMMITTEE REPORTS**

**COMMITTEE  
REPORTS**

President Alamo explained and presented the Code of Ethics Report that was distributed to the Trustees.

President Alamo spoke about Superintendent Serafino's retirement and her many accomplishments during her 37 years of service at the Nutley Board of Education.

President Alamo personally thanked all those involved throughout the community for their help in passing the referendum for the middle school.

President Alamo left the meeting at 8:30 PM and Vice President Parisi took the chair at that time.

Trustee Viola read a letter from Traffic Safety Coordinator Barry to the NJ Transit regarding the NJ Transit busses traveling at a high speed on Bloomfield Avenue.

Trustee Del Tufo – Facilities Committee

**HEARING OF CITIZENS (Resolutions Only)**

**HEARING OF  
CITIZENS**

NONE

**SUPERINTENDENT'S RESOLUTIONS**

**SUPT'S  
RESOLUTIONS**

Trustee Del Tufo moved, and Trustee Viola seconded, a motion that the Board approve the Superintendent's Resolutions numbers 1 through 11 as listed below.

The Superintendent's Resolutions 1 through 11 were unanimously approved by roll call vote with the following exception:

1. Trustee Olivo abstained on Resolution 6 – Extra Compensation.

**RETIREMENT  
SUPERINTENDENT**

1. **RETIREMENT – Superintendent of Schools**

BE IT RESOLVED that the Board of Education hereby accepts, with regret, the notice of retirement from the Superintendent of Schools, Dr. Kathleen C. Serafino said retirement to occur as of February 1, 2005.

**LEAVE  
TEACHER**

2. **LEAVE OF ABSENCE – Teacher**

BE IT RESOLVED that the Board of Education approves a childrearing leave of absence for Mrs. Marisa Tusche, effective January 14, 2005 for the 2004-05 school year with the provision that she notify the Superintendent of Schools of further teaching intentions no later than April 1, 2005.

**APPOINT B  
TEACHER  
SUBS**

3. **APPOINTMENTS – Teacher Substitutes**

BE IT RESOLVED that the Board of Education approves the appointments of the teacher substitutes listed on the attached Schedule B for the 2004-05 school year.

**APPOINT  
SUBS**

4. **APPOINTMENTS – Substitutes**

BE IT RESOLVED that the Board of Education approves the following substitutes for the 2004-05 school year:

School Aide  
Doretta Ippolito

Secretary/School Aide  
Wilda Robles

Bus Aide  
Terri Wester

**APPOINT  
EXTENDED DAY**

**5. APPOINTMENT- BOE Extended Day Program**

BE IT RESOLVED that the Board of Education approves the appointment of the School Age Extended Day Program employees listed below for the 2004-05 school year at the salary indicated:

Substitute Child Care Instructor (p/t)      Hourly Rate

Natalie Gotto	\$23.00
Sarah Misner	23.00

Child Care Nurse (p/t)

Moira Roberts (R.N.)	\$30.00
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**6. EXTRA COMPENSATION**

**EXTRA  
COMP**

BE IT RESOLVED that the Board of Education approves the following personnel be paid extra compensation in the amounts indicated for services rendered:

**PAYMENT FOR SUMMER HOURS – July and August –  
Child Study Team:**

Mari Konn	\$2,509.65
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**PAYMENT FOR ZERO PERIOD BASIC SKILLS CLASSES –  
September- October, 2004 – HSPA Senior Failures:**

Leann Martin	\$462.00
David Sorensen	220.00

**PAYMENT FOR HEALTH DYNAMICS CLASSES –  
Month of September, 2004**

Rose Cioffi	\$250.00
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**CURRICULUM WORKSHOP – TRIAD –  
September 18, 2004**

Rebecca Olivo	\$103.92
Noelle Orsini	103.92
Lorraine Rubinstein	103.92

**CENTRAL DETENTION COVERAGE –  
September, 2004**

High School

Robin DeLorenzo	\$ 18.77
Sandra Stark-Houck	75.08
Deane Stepanski	75.08
Lisa Vallo	56.31

Franklin School

Joseph Cappello	93.85
Tracy Egan	37.54
Louis Manganiello	56.31
Luann Zullo	93.85

**SATURDAY MORNING SUSPENSIONS –  
September, 2004**

AnneMarie Kowalski	\$ 78.45
Lisa Vallo	78.45

**APPROVAL  
STIPEND**

**7. APPROVAL OF STIPEND – HEAD CUSTODIANS**

BE IT RESOLVED that the Board of Education approves a Fireman stipend of \$550 for the following head custodians in accordance with the 2004-07 Buildings and Grounds Employees Salary Guide:

<u>Name</u>	<u>Eff. Date</u>
Edward Miller	10/1/04
Daniel Russomano	10/1/04

**LONGEVITY  
PAY**

**8. LONGEVITY PAY**

BE IT RESOLVED that the Board of Education approves the following longevity payment:

Lottie Alama	-\$1,450(prorated)Eff. Oct.1,2004(20 yrs.)
Sharon Larcara	-\$2,900(prorated)Eff. Oct.1,2004(20 yrs.)
Patricia Wowkanyyn	-\$3,800(prorated)Eff. Oct.1,2004(25 yrs.)

**OUT-OF- DIST.  
SPECIAL ED  
STUDENTS**

**9. PLACEMENT OF OUT-OF-DISTRICT SPECIAL  
EDUCATION STUDENTS**

BE IT RESOLVED that the Board of Education approves the placement of out-of-district special education students from the following districts in the following classifications for the 2004-05 school year:

<u>District</u>	<u>Students</u>	<u>Classification</u>	<u>School</u>
East Newark	1	MDM	High School LLD Program
Irvington	1	LLD	Franklin School Resource Program
	1	MD	Lincoln School LLD Program
Orange	1	LLD	Franklin School LLD Program

**10. SPECIAL CLASS PLACEMENT – Educationally Disabled Students**

**SPECIAL  
CLASS  
PLACEMENT**

BE IT RESOLVED that the Board of Education authorizes the attendance of a student in out-of-district special education classes for the 2004-05 school year as follows:

<u>School</u>	<u>No. of Students</u>	<u>Classification</u>	<u>Effective Date</u>	<u>Tuition</u>
Montclair State University Demo. Program	1	PS	11/3/04	\$63,000

**11. APPROVAL OF STATEMENT OF ASSURANCE FOR THE 2004-05 MENTORING PLAN**

**APPROVAL OF  
MENTORING  
PLAN C**

WHEREAS, Dr. Kathleen C. Serafino, Superintendent of Schools, has provided assurance that the Township of Nutley School District is in compliance with the mentoring regulations specified in NJAC 6A:9-8,

NOW THEREFORE BE IT RESOLVED that the Nutley Board of Education accepts the Statement of Assurance attached hereto as Schedule C.

**12. Memorial**

**Mrs. Mary Franklin**

**MEMORIAL**

Trustee Reilly moved, and Trustee Del Tufo seconded, the following resolution. Upon being put to a roll call vote the resolution was unanimously approved.

WHEREAS, it is with a sense of deep sorrow and regret that the Nutley Board of Education records the death of Mrs. Mary Franklin on October 12, 2004, and

WHEREAS, Mrs. Franklin was employed in October, 1961 as a teacher in the Nutley Public Schools and had a distinguished educational career until her retirement in June, 1979, and

WHEREAS, Mrs. Franklin won the admiration and respect of her fellow teachers and the friendship of pupils who came under the influence of her understanding and capable teaching.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Education of the Township of Nutley extends deepest sympathy to the members of her family, and

BE IT FURTHER RESOLVED, That this resolution be made a part of the minutes of this meeting and a copy sent to the members of her family.

**APPROVAL  
SCHOOL LEVEL  
OBJECTIVES**

**13. APPROVAL OF SCHOOL-LEVEL OBJECTIVES 2004-05  
SCHOOL YEAR**

Trustee Casale moved, and Trustee Olivo seconded, the following resolution. Upon being put to a roll call vote the resolution was unanimously approved.

BE IT RESOLVED that the Board of Education approves the School-Level Objectives contained in the Quality Assurance Annual Report for the 2004-05 school year pursuant to N.J.S.A. 18A:7A-1 et seq. and N.J.A.C. 6:8-4 et seq.

**BOARD SECRETARY'S RESOLUTIONS**

**BOARD  
SECRETARY'S  
RESOLUTIONS**

Trustee Olivo moved, and Trustee Del Tufo seconded, a motion that the Board approve the Board Secretary's Resolutions numbers 1 through 3 and 5 through 8 excluding Resolution 4 as listed below.

The Board Secretary's Resolutions 1 through 3 and 5 through 8 were unanimously approved by roll call vote.

**1. BILLS AND MANDATORY PAYMENTS**

**BILLS &  
MANDATORY  
PAYMENTS      A**

BE IT RESOLVED that the Board of Education approves the payment of bills and mandatory payments dated October 18, 2004 in the total amount of \$4,148,108.05 (Appendix A).

**2. REQUESTS FOR USE OF SCHOOL BUILDINGS AND  
GROUNDS**

**USE OF  
BUILDINGS  
AND GROUNDS      B**

BE IT RESOLVED that the Board of Education approves the requests for the use of school buildings and grounds (Appendix B), that conform to the rules and regulations set by the Board of Education.



**3. TRANSFER SCHEDULE**

**TRANSFER SCHEDULE C**

BE IT RESOLVED that the Board of Education approves, in compliance with NJAC 6A:23-2.11(c)3ii, and NJSA 18A:22-8-1, the transfers in the 2004-05 budget dated September 30, 2004 in the amount of \$89,574 as appended (Appendix C).

**Resolution 4 was excluded from the consent agenda.**

**EXCLUDED RESOLUTION (D)**

**4. SUBMISSION OF COMPREHENSIVE MAINTENANCE PLAN**

WHEREAS, the Department of Education requires New Jersey School Districts to submit three-year maintenance plans documenting "required" maintenance activities for each of its public school facilities, and

WHEREAS, the required maintenance activities as listed in the attached document for the various school facilities of the Nutley Public Schools are consistent with these requirements, and

WHEREAS, all past and planned activities are reasonable to keep school facilities open and safe for the use or in their original condition and to keep their system warranties valid,

NOW THEREFORE BE IT RESOLVED, that the Nutley Board of Education hereby authorizes the School Business Administrator to submit the attached (Appendix D) Comprehensive Maintenance Plan for the Nutley Public Schools in compliance with Department of Education requirements.

**AMEND PETTY CASH**

**5. AMENDING PETTY CASH FUNDS**

BE IT RESOLVED that the Board of Education approves the amending of the resolution, Petty Cash Funds, approved at the September 27, 2004 Board Meeting to reflect the following change:

Director of Extended Day (Maria Cervasio, Custodian) \$500

**6. ACCEPTANCE OF NOTICE OF FUNDING – CARL D. PERKINS SECONDARY – 2004-05 SCHOOL YEAR**

**ACCEPT PERKINS GRANT FUNDING**

BE IT RESOLVED that the Board of Education accepts notice of funding for Carl D. Perkins Secondary in the amount of \$17,900 for the 2004-05 school year.

**7. AGREEMENT TO PURCHASE ELECTRIC GENERATION SERVICES THROUGH THE ALLIANCE FOR COMPETITIVE ENERGY SERVICES (“ACES”)**

**AGREEMENT COMPETITIVE ENERGY SVCS (ACES)**

WHEREAS the Alliance For Competitive Energy Services (hereinafter referred to as “ACES”), an alliance composed of the New Jersey School Boards Association (hereinafter referred to

as "NJSBA"), the New Jersey Association of School Administrators, and the New Jersey Association of School Business Officials, will from time to time during the Effective Period as defined below solicit bids from electric power suppliers for electric generation services through an energy aggregation program in which NJSBA will act as Lead Agency of the ACES Cooperative Pricing System #E8801-ACESCPS in accordance with the "Public School Contracts Law", N.J.S.A. 18A:18A-1 et seq., and the Electric Discount and Energy Competition Act, N.J.S.A. 48:3-49 et seq. ("EDECA") and the regulations promulgated thereunder; and

WHEREAS the Nutley Board of Education is a Participating Member of the ACES Cooperative Pricing System and is eligible thereby to obtain electric generation services for its own use through one or more contracts to be awarded to electric power suppliers following said bids for electric generation services pursuant to the aggregation program; and

WHEREAS the Lead Agency will from time to time during the Effective Period (from date of adoption through May, 2009, hereinafter referred to as "Effective Period") issue one or more Requests from Bids for electric generation services on behalf of the ACES Cooperative Pricing System pursuant to the Public School Contracts Law and EDECA; and

WHEREAS due to significant volatility and the potential for price increases in the wholesale electric market, Participating Members will preauthorize the Lead Agency to award contracts for Electric Generation Service for no more than two years at a time in each service territory to one or more electric power suppliers that submit bids which are reasonably forecasted to provide estimated savings to the Participating Member based upon its previous electric usage and utility provided Basic Generation Service rates; and

WHEREAS the Lead Agency will only award contracts for said electric generation services to electric power suppliers that submit bids with pricing reasonably estimated to be lower than the utility-provided basic generation service; and

WHEREAS the District agrees to purchase all electric power needed for its own use (exclusive of on-site electric generation sources) during the Effective Period through any electric power supplier(s) awarded a contract, it being understood that the term of any one contract shall not exceed two-years;

WHEREAS the Lead Agency will notify the Department of Community Affairs' Division of Local Government Services by mail prior to the issuance a Request for Bids for electric generation services, with the understanding that if the Division of Local Government Services does not respond within 10 business days, it will be deemed to have approved the issuance of the Request for Bids or the Request for Rebids.

NOW, THEREFORE, BE IT RESOLVED that the District binds itself to the ACES Cooperative Pricing System #E8801-ACESCPS to purchase all electric power needed for its own use (exclusive of on-site electric generation sources) during the Effective Period from the electric power supplier or suppliers

awarded a contract for electric generation services by the Lead Agency; and, be it

FURTHER RESOLVED that the Lead Agency of the ACES Cooperative Pricing System is hereby authorized to execute a master performance agreement that obligates the district to purchase electricity at the terms and conditions stated therein with a third-party supplier or suppliers who have been awarded the contract or contracts by the Lead Agency on behalf of the participating members of the ACES Cooperative Pricing System #E8801-ACESCPS ( or any CPS number to be assigned in the future), provided that no single contract shall have a term exceeding two years, and provided further that all such contracts shall be at prices reasonably forecast and estimated by the Lead Agency to provide savings to the Districts relative to the price charged for basic generation service by the electric public utility that would otherwise provide such service; and , be it

FURTHER RESOLVED that the ACES is authorized to continue to bid to obtain electric generation services at any time during the Effective Period on behalf of the ACES Cooperative Pricing System including, for example, a rebid if energy market conditions do not initially lead to a successful bid, on additional dates to be determined by the Lead Agency; and

FURTHER RESOLVED that this Resolution shall take effect immediately upon passage. The authorization provided to the NJSBA pursuant to the Local Public Contracts Laws (N.J.S.A. 40A:11-11(5), and the Local Public and Public School Contracts Laws Administrative Code (N.J.A.C. 5:34-7.1 et seq.) shall be valid until May, 2009 (the Effective Period) at which time the Cooperative Pricing System will be subject to renewal. Any rescission of this resolution shall not affect any Agreements entered into prior to such rescission.

**REQUEST  
REPEAL  
(S-1701)**

8. **REQUEST FOR REPEAL OF CH. 73, P.L. 2004 (S-1701)**

WHEREAS pursuant to Article 8, Section 4, Paragraph 1 of the New Jersey Constitution, the provision of a thorough and efficient system of education is the responsibility of the State Legislature; and

WHEREAS school expenditures are primarily driven by state and federal mandates and "fixed costs"; and

WHEREAS local property taxes are the major source of revenue for public education in New Jersey; and

WHEREAS the state has failed to fully fund its school aid statutes for three consecutive years, increasing the burden on local property taxpayers; and

WHEREAS S-1701 (Ch. 73, P.L. 2004), signed into law on July 1, 2004, alters school district financial practices and, in fact, could result in property tax increases; and

WHEREAS S-1701 will force local school districts to adopt imprudent practices and will diminish communities' discretion over the financial operations of their schools; and

WHEREAS S-1701 will force school districts to reduce free balance (surplus) in 2004-05 and 2005-06, resulting in temporary property tax decreases that will not be sustainable and which will result in property tax increases in 2006-07; and

WHEREAS this reduction of surplus to perilously low levels could force districts to cut education programs and could increase costs by possibly contributing to the lowering of bond ratings; and

WHEREAS S-1701 will require school districts to decrease their capital reserve accounts, forcing them to defer necessary maintenance and repairs, to cut education programs, or to borrow funds; and

WHEREAS S-1701 reduces the spending growth limit, or cap, on school district operating budgets, infringing on school districts' ability in the future to meet the state's Core Curriculum Content Standards; and

WHEREAS S-1701 imposes unnecessary administrative spending limits on New Jersey school districts, limiting local discretion over the staffing necessary to meet the State and local education goals and penalizing school districts that may be saving taxpayer money in other areas; and

WHEREAS S-1701 will require school districts to obtain the Commissioner of Education's approval before transferring funds between budgetary line items, impeding their ability to make optimal use of funds and moving a simple budgeting decision from the community into state bureaucratic channels; and

WHEREAS S-1701 eliminates the SGLA for early childhood program aid and demonstrably effective program aid, further limiting local school boards' ability to provide necessary education programs and services; and

WHEREAS S-1701 restricts the submission of second ballot finance questions at the Annual School Election, thereby infringing on a community's ability to determine educational program expenditures for its children.

THEREFORE BE IT RESOLVED that the Nutley Board of Education urges the State Legislature to repeal Ch. 73, P.L. 2004 (S-1701) immediately; and

THEREFORE BE IT FURTHER RESOLVED that the Nutley Board of Education urges the State Legislature to fully fund the Comprehensive Educational Improvement and Financing Act and related school aid formulas.

**HEARING OF CITIZENS**

**HEARING OF  
CITIZENS**

Resident Vincent Moscaritola congratulated Superintendent Serafino on her impending retirement and complimented her on her accomplishments during her position as Superintendent of Schools.

Resident Peggy Morano asked about the status of the bids for the trailers at Yantacaw School.

Trustee Casale, Trustee Del Tufo and Board Secretary Oblack responded to her questions and concerns.

Resident Terry Quirk asked about the status of the TB scare throughout the high school.

Vice-President Parisi spoke about the status of the TB testing at the high school.

Resident Quirk also suggested that the Board update its website.

Resident Moscaritola suggested that the proceeds from the Coca Cola machines contribute toward the cost of the trailers.

Board Secretary Oblack responded to Mr. Moscaritola's suggestion.

**OLD BUSINESS**

**OLD BUSINESS**

None

**NEW BUSINESS**

**NEW BUSINESS**

None

**ADJOURNMENT**

**ADJOURN**

There being no further business, the meeting was adjourned at 9:15 PM on a motion by Trustee Del Tufo, seconded by Trustee Viola, and unanimously approved by voice vote.

Respectfully submitted,

Dennis M. Oblack  
Board Secretary