

**NUTLEY BOARD OF EDUCATION
REGULAR MEETING
NOVEMBER 20, 2006**

The Nutley Board of Education held a Regular Meeting on Monday, December 18, 2006 at the Nutley High School Auditorium, 300 Franklin Avenue, Nutley, NJ 07110.

President Olivo opened the meeting at 8:00 PM.

**CALL TO
ORDER**

MEETING NOTICE

**MEETING
NOTICE**

President Olivo stated that in compliance with Chapter 231, Public Law 1975 entitled Open Public Meetings Act, adequate notice of this meeting was legally advertised in the Nutley Sun on September 28, 2006. 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 Reilly led the assembly in the flag salute.

ROLL CALL

**ROLL
CALL**

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

Absent: Mr. Vincent Moscaritola

Also Present: Mr. Joseph Zarra, Superintendent of Schools
Mrs. Mariana Francioso, Assistant Superintendent of Schools
Mr. Robert A. Green, Jr., Business Administrator/Board Secretary
Mr. Aaron DaSilva, Student Representative

APPROVAL OF MINUTES

**APPROVE
MINUTES**

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

October 16, 2006 – Regular Meeting
October 16, 2006 – Closed Executive Session

Trustee Parisi moved, Trustee Alamo seconded, and the Board unanimously approved by voice vote a motion to approve the minutes as listed.

CORRESPONDENCE

CORRESPONDENCE

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

A copy of a letter sent from the Nutley Parent Advocacy Network to Mr. Spezio, Building Inspector at the Nutley Township Building Department.

SPECIAL ORDER OF BUSINESS

**SPECIAL ORDER
OF BUSINESS**

A

Superintendent Zarra welcomed everyone in attendance and announced that awards would be presented tonight to students for their outstanding achievements throughout the district.

Mr. Catrambone, Mr. Vitkovsky, Mr. Cundari, Ms. Romaglia and Ms. De Rosa presented the awards to the students.

Mr. Piro presented awards of recognition to all contributors to the Oval Project.

**RECESS
EXECUTIVE SESSION**

MOTION TO RECESS TO EXECUTIVE SESSION

At 8:49 PM Trustee Parisi moved, and Trustee Del Tufo seconded, the following resolution:

WHEREAS, the Board of Education will be discussing matters exempt from public discussion pursuant to N.J.S.A. 10:4-12,

NOW, THEREFORE, BE IT RESOLVED that the Board of Education recess to closed executive session at this time in the conference room to discuss personnel, litigation, negotiations, and student matters.

BE IT FURTHER RESOLVED that the results of the discussions will be made public by inclusion on the agenda of a subsequent meeting of the Board of Education or when the reasons for discussing such matters in closed session no longer exist.

The motion was unanimously approved by voice vote.

RECONVENE MEETING

At 9:14 PM Trust Del Tufo moved, Trustee Reilly seconded, and the Board unanimously approved by voice vote a motion to reconvene the open public meeting.

RECONVENE

SUPERINTENDENT'S REPORT

Superintendent Zarra presented the Superintendent's Report dated November 20, 2006, Schedule A, which is appended to the minutes of this meeting, and briefly summarized its contents.

SUPT'S REPORT A

BOARD SECRETARY'S REPORT

Board Secretary Green presented the Board Secretary's Report dated November 20, 2006 and spoke about the following items:

- District Wide Ceiling Report Available
- FMS Air Quality Report Available
- Next meeting should have resolution to approve the Yantacaw Ceiling Report

**BOARD
SECRETARY'S
REPORT**

COMMITTEE REPORTS

- Aaron DeSilva - Student Representative Report
- Trustee Alamo - Academic Committee
- Trustee Del Tufo - Facilities Committee
- Trustee Williams - Dress Code Policy
- Trustee Viola - Gang Awareness & Referendum Newsletter
- President Olivo - Washington Parking Improvement Plan

**COMMITTEE
REPORTS**

HEARING OF CITIZENS (Resolutions Only)

Time was allowed for comments and questions from the public on proposed resolutions.

Resident Terry Quirk, Representative for the Nutley Parent Advocacy Network, asked for clarification on Superintendent's Resolutions Nos. 4, 5 and 18.

**HEARING OF
CITIZENS**

SUPERINTENDENT'S RESOLUTIONS

SUPT'S RESOLUTIONS

Trustee Viola moved, Trustee Parisi seconded, a motion that the Board approves the Superintendent's Resolutions numbers 1 through 21 as listed below.

Resolutions 1 through 21 were unanimously approved by roll call vote.

RESIGN ATHLETICS

1. RESIGNATION – Athletics

BE IT RESOLVED that the Board of Education approves the resignation of Mr. John Schwarz, as Assistant Cross Country Coach effective November, 2006.

RESIGN TEACHER

2. RESIGNATION – Teacher

BE IT RESOLVED that the Board of Education approves the acceptance of the resignation of Mrs. Jacqueline Maddi, Special Education teacher, effective January 1, 2007.

RESIGN PERM UNASSIGNED SUB

3. RESIGNATION – Permanent Unassigned Substitute

BE IT RESOLVED that the Board of Education approves the resignation of Mr. Vincent Escalona, as Permanent Unassigned Substitute, effective October 27, 2006.

RESCIND PERM UNASSIGNED SUB

4. RESCIND APPOINTMENT – Permanent Unassigned Substitute

BE IT RESOLVED that the Board of Education rescind the appointment of Mrs. Marie Sanders as permanent unassigned substitute approved at the July 24, 2006 Board Meeting.

RESCIND PERM UNASSIGNED SUB

5. RESCIND APPOINTMENTS – Part-time Aides

BE IT RESOLVED that the Board of Education rescind the appointments of the following personnel:

Maria Ferinde – Resolution–Reappointments Part-time School Aides-Schedule E-approved at the August 28, 2006 Board Meeting.

Mary Ann Minichini - Resolution-Appointments-Part-time School Aides-approved at the September 11, 2006 Special Board Meeting.

**AMEND LEAVE &
APPOINT OF B&G
EMPLOYEE**

**6. AMENDING RESOLUTION – Leave of Absence
B&G Employee & Appointment of B&G Employee**

BE IT RESOLVED that the Board of Education approves the amending of the resolution, approved at the March 27, 2006 Board Meeting for Kwabena Opong to reflect a change in the return date to November 27, 2006.

BE IT FURTHER RESOLVED that the Board of Education appoints Kwabena Opong as Custodian, at the annual salary of \$49,000 (prorated), Group 2 – Step 14, effective November 27, 2006 with longevity \$1,700 (prorated), night stipend \$3,700 (prorated) and \$500 black seal (prorated) in accordance with the 2006-07 salary guide.

**LEAVE
TEACHER**

7. LEAVE OF ABSENCE – Teacher

BE IT RESOLVED that the Board of Education approves a childrearing leave of absence for Mrs. Michelle Shahinian effective December 8, 2006 through February 2, 2007, with a return date of February 5, 2007.

**LEAVE
TEACHER**

8. LEAVE OF ABSENCE – Teacher

BE IT RESOLVED that the Board of Education approves a childrearing leave of absence for Mrs. Kimberly Algieri effective December 1, 2006 through April 6, 2007, with a return date of April 9, 2007.

**LEAVE
TEACHER**

9. LEAVE OF ABSENCE – Teacher

BE IT RESOLVED that the Board of Education approves a childrearing leave of absence for Mrs. Heather McGovern effective January 16, 2007 through June 30, 2007, with a return date of September 1, 2007.

**LEAVE
P.T. AIDE**

10. LEAVE OF ABSENCE – Part-time Aide

BE IT RESOLVED that the Board of Education approves a medical leave of absence without pay for Mrs. Lisa Liaci from October 20, 2006 through December 29, 2006, with a return date of January 2, 2007.

**APPOINT
PROF. STAFF**

11. APPOINTMENT – Professional Staff

BE IT RESOLVED that the Board of Education approves the appointment of Mrs. Marie Sanders as teacher for the 2006-07 school year, effective November 21, 2006 at the annual salary of \$43,950, B.A. Step 8, in accordance with the 2006-07 Teachers' Salary Guide.

**APPOINT
INSTRUCT. AIDES**

12. APPOINTMENTS – Instructional Aides

BE IT RESOLVED that the Board of Education approves the appointment of the instructional aides listed below, effective November 21, 2006, for the 2006-07 school year, at the classification and step as indicated in accordance with the 2006-07 Secretarial Guide:

<u>Name</u>	<u>Step</u>	<u>Salary</u>
Maria Ferinde	7	\$17,000
Mary Ann Minichini	7	17,000

**APPOINT BOE
EXTENDED DAY**

13. APPOINTMENT – BOE Extended Day Program

BE IT RESOLVED that the Board of Education approves the appointment of Ms. Lynn Johnson as a part-time substitute Child Care Instructor for the 2006-07 school year at the hourly rate of \$25.00.

**APPOINT
TEACHER SUBS B**

14. 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 2006-07 school year.

**APPOINT
ATHLETICS C**

15. APPOINTMENTS – Athletics

BE IT RESOLVED that the Board of Education approves the Winter athletic appointments listed on the attached Schedule C for the 2006-07 school year on the salary guide at the classification and step as indicated in accordance with the 2006-07 Coaches Salary Guide.

**APPOINT
VOL. COACH**

16. APPOINTMENTS – Volunteer Coach

BE IT RESOLVED that the Board of Education approves the appointments for the personnel listed below for Volunteer Ice Hockey Coach for the 2006-07 school year:

Michael Falco
George Perdon

**APPOINT
SUBS**

17. APPOINTMENTS – Substitutes

BE IT RESOLVED that the Board of Education approves the following substitutes for the 2006-07 school year:

School Aides

Angela Gil
Nora Maciel
Kim Saporito

**APPOINT RESIDENCY
OFFICERS**

18. APPOINTMENTS – Residency Officers

BE IT RESOLVED that the Board of Education approves the hiring of Kenneth Neri and Nicholas Uglierolo to do residency investigations at a cost of \$35.00/hr. not to exceed a total of \$2,800.

**EXTRA
COMP**

19. EXTRA COMPENSATION

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 HEALTH DYNAMICS CLASSES –
Month of October, 2006**

Rose Cioffi \$250.00

**PAYMENT FOR SUMMER HOURS – Speech Therapy
Sessions – July and August, 2006**

Donna Zarra \$550.00

**PAYMENT FOR SAT REVIEW CLASSES – October 2, 5,
12, 16, 19, 23, 26, 30 and November 2, 2006**

Jenifer Hecht	\$935.28
Leann Martin	935.28
Cheryl Rossillo	623.52

**PAYMENT FOR G.A.T.E. COMMITTEE –
October 25, 2006**

Mary Balitsos	\$ 51.96
Grayce Berk	51.96
Rachel Daly	51.96
Tracy Egan	51.96
Nancy Falco	51.96
Jolinda Griwert	51.96

**PAYMENT FOR CUSTODIAL SAFETY MEETING –
October 18, 2006**

Steven Farese	\$ 30.00
Allan Heinis	30.00
Lawrence T. Koster	30.00
Christopher Weinstein	30.00

**PAYMENT FOR D.A.R.E. CONFLICT RESOLUTION
and SCHOOL SAFETY PROGRAM – for the 2006-07
School Year (Title V Funding)**

Natale Ferrara	\$3,000.00
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**PAYMENT FOR THE NEW TITLE I TESTING PROGRAM –
for the 2006-07 School Year (Title I Funding)**

Diane Giangeruso	\$1,000.00
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**CENTRAL DETENTION COVERAGE –
Month of October, 2006**

High School

Susanne Baker	\$ 18.77
Vincent Escalona	18.77
Lori Ferrara	112.62
Denise Mazza	37.54
Michael Russomanno	56.31
Joseph Simko	37.54
Lisa Vallo	187.70

Franklin School

Jennifer Ambrose	\$ 56.31
Joseph Cappello	75.08
Tracy Egan	56.31
Louis Manganiello	93.85
Nicholas Norcia	37.54
Luann Zullo	75.08

**SATURDAY MORNING SUSPENSIONS –
Month of October, 2006**

High School

Joseph Affinito	\$405.36
Lori Ferrara	313.80
Marcellino Marra NHS(FMS)	235.35
Eric Puzio	78.45
Lisa Vallo	78.45

Franklin School

Joseph Cappello	78.45
Lawrence Tuorto	78.45

SPECIAL CLASS PLACEMENT D

20. SPECIAL CLASS PLACEMENT – Educationally Disabled Students

BE IT RESOLVED that the Board of Education hereby authorizes the Superintendent of Schools to assign classified handicapped children to education programs according to how they can best achieve success in learning in accordance with the rules and regulations pursuant to Title 18A, Chapter 46, NJ Statutes, and Title 6, Chapter 28, NJ Administrative Code, and

BE IT FURTHER RESOLVED that the Board of Education authorizes the attendance of Nutley students at the special education classes for the 2006-07 school year as per the attached Schedule D.

SPECIAL CLASS PLACEMENT

21. SPECIAL CLASS PLACEMENT – Educationally Disabled Students

BE IT RESOLVED that the Board of Education authorizes the attendance of students in out-of-district special education classes for the 2006-07 school year as follows:

<u>School</u>	<u>No. of Students</u>	<u>Classification</u>	<u>Effective Date</u>	<u>Tuition</u>
No.Hudson Acad. No.Bergen, NJ	1	ADHD	10/24/06	\$26,413.50
Chapel Hill Acad. Lincoln Park, NJ	1	MDM	11/2/06	\$35,500.00

Chapel Hill Acad. 1 SLD 11/16/06 \$33,500.00
Lincoln Park, NJ

**RESIGN
TEACHER**

22. RESIGNATION – Teacher

BE IT RESOLVED that the Board of Education approves the acceptance of the resignation of Ms. Claudia Orellana, High School Spanish Teacher, effective November 30, 2006.

**BOARD
SECRETARY'S
RESOLUTIONS**

BOARD SECRETARY'S RESOLUTIONS

Trustee Williams moved, Trustee Alamo seconded, a motion that the Board approves the Board Secretary's Resolutions numbers 1 through 14 as listed below.

Resolutions 1 through 14 were unanimously approved by roll call vote.

**SECY. & TREAS. A
REPORTS B**

1. SECRETARY & TREASURER'S REPORT

BE IT RESOLVED that the Board of Education approves the acknowledgement and acceptance of the reports of the Board Secretary (Appendix A) and Treasurer of School Monies (Appendix B) for the period of October 31, 2006.

**CERTIFICATION
MAJOR ACCOUNT
FUND STATUS**

2. CERTIFICATION OF MAJOR ACCOUNT FUND STATUS

BE IT RESOLVED that pursuant to NJAC 6A:23-2.11(c) 4, the Nutley Board of Education certifies that as of October 31, 2006, after review of the Secretary's monthly financial report (Appropriations section) and upon consultation with the appropriate district officials, to the best of its knowledge no major account or fund has been over-expended in violation of NJAC 6A:23-2.11(b) and that sufficient funds are available to meet the district's financial obligations for the remainder of the fiscal year. (Major funds are General Fund, Capital Projects and Debt Service.)

3. BILLS AND MANDATORY PAYMENTS

**BILLS &
MANDATORY C**

BE IT RESOLVED that the Board of Education approves the payment of bills and mandatory payments dated November 21, 2006 in the total amount of \$7,196,950.42 (Appendix C).

4. REQUESTS FOR USE OF SCHOOL BUILDINGS AND GROUNDS

USE OF BUILDINGS AND GROUNDS D

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

5. TRANSFER SCHEDULE

TRANSFER SCHEDULE E

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 2006-07 budget dated October 31, 2006 in the amount of \$22,117.24 as appended (Appendix E).

**SECTION 125
CONVERSION PLAN**

6. SECTION 125 PREMIUM CONVERSION PLAN

BE IT RESOLVED that the Nutley Board of Education (the "Board") makes a Section 125 Premium Conversion Plan benefit available to its employees and pays a portion of those premiums as set forth in the Plan effective January 1, 2007. The Board wishes to adopt such Plan as it complies with the International Revenue code to enable its employees to elect to pay for their share of the group insurance premiums on a pre-tax salary reduction basis. The plan, as presented to this meeting, is hereby approved and adopted and the proper officers of the Board are hereby authorized and directed to execute and deliver to the administrator of the Plan one or more counterparts of the Plan.

BE IT ALSO RESOLVED that the Plan Administrator shall be instructed to take such actions that are deemed necessary and proper in order to implement the Plan, and to set up adequate accounting and administrative procedures to provide benefits under the plan.

BE IT FURTHER RESOLVED that the proper officers of the Board shall act as soon as possible to notify the employees of the Board of the adoption of the flexible Benefit Plan by delivering to each employee a copy of the Summary Description of the Plan in the form of the Summary Plan Description presented to the meeting, which form is hereby approved.

**SCHOOL-TO-CAREER
PROGRAM**

**7. SCHOOL-TO-CAREER TRANSITION PROGRAM
AT NUTLEY HIGH SCHOOL - 2006-07 SCHOOL YEAR**

BE IT RESOLVED that the Board of Education approves a voluntary partnership with the following job sites to provide daily transition activities for Nutley High School students for the 2006-07 school year:

Clara Maass Medical Center, Belleville
Township of Nutley Administrative Offices
CVS, Harrison Street, Nutley
Ho-Ho-Kus Rets Institute, Nutley
Capalbo's Gift Baskets, Cortland Street, Belleville
Nutley Board of Education: Elementary & High School Settings

**APPROVE PARTIAL PAY
TRU-VAL ELECTRIC CORP.**

**8. APPROVAL OF PARTIAL PAYMENT TO TRU-VAL
ELECTRIC CORP.**

BE IT RESOLVED that the Board of Education approves partial payment in the amount of \$138,573.96 to Tru-Val Electric Corp. for the Franklin Middle School Additions and Alterations Project as per the recommendation of the Board's architect and construction manager.

**APPROVE PARTIAL PAY
A. PFLUGH, INC.**

9. APPROVAL OF PARTIAL PAYMENT TO A. PFLUGH, INC.

BE IT RESOLVED that the Board of Education approves partial payment in the amount of \$260,321.58 to A. Pflugh, Inc. for the Franklin Middle School Additions and Alterations Project as per the recommendation of the Board's architect and construction manager.

**APPROVE PARTIAL PAY
CHANREE CONSTRUCTION CO.**

**10. APPROVAL OF PARTIAL PAYMENT TO CHANREE
CONSTRUCTION CO.**

BE IT RESOLVED that the Board of Education approves partial payment in the amount of \$651,063.00 to Chanree Construction Co. for the Franklin Middle School Additions and Alterations Project as per the recommendation of the Board's architect and construction manager.

**APPROVE PARTIAL PAY
SPARTA STEEL CORP.**

**11. APPROVAL OF PARTIAL PAYMENT TO SPARTA
STEEL CORP.**

BE IT RESOLVED that the Board of Education approves partial payment in the amount of \$56,514.27 to Sparta Steel Corp. for the Franklin Middle School Additions and Alterations Project as per the recommendation of the Board's architect and construction manager.

**APPROVE PARTIAL PAY
BILL LEARY**

**12. APPROVAL OF PARTIAL PAYMENT TO BILL LEARY
AIR CONDITIONING & HEATING**

BE IT RESOLVED that the Board of Education approves partial payment in the amount of \$119,600.17 to Bill Leary Air Conditioning & Heating for the Franklin Middle School Additions and Alterations Project as per the recommendation of the Board's architect and construction manager.

**APPROVE QAAR REPORT
2005-06**

**13. APPROVAL OF THE QAAR REPORT FOR
SCHOOL YEAR 2005-06**

BE IT RESOLVED that the Board of Education approves the district's Quality Assurance Annual Report (QAAR) for the 2005-06 school year including school objectives as publicly presented at the October 9, 2006 work session.

**APPROVE INTERLOCAL
SERVICES AGREEMENT**

14. APPROVAL OF INTERLOCAL SERVICES AGREEMENT

WHEREAS, the Township of Nutley and the Board of Education have collaborated together in an effort to develop projects that will improve access and maintenance on public roads that access school facilities; and

WHEREAS, the Township of Nutley Engineering Department has provided plans specifically designed to address and improve the unique traffic flow/safety issues and maintenance at certain public schools; and

WHEREAS, the Township has submitted plans to the State of New Jersey Department of Transportation for Safe Routes to Schools Grants and will continue to do so in the future; and

WHEREAS, the Township and the Board of Education recognize the value of interlocal cooperation as a way of reducing duplication and overlap of services and as a means of efficient and economical utilization of resources;

NOW, THEREFORE, BE IT RESOLVED, BY the Board of Commissioners of the Township of Nutley in the County of Essex, State of New Jersey as follows:

The Mayor and the Board of Commissioners will enter into an Interlocal Services Agreement to enumerate the duties, roll and responsibilities of the parties in the grant submission process for the aforementioned grants.

**SUPPORT FOR
S-1443/A-1607**

15. SUPPORT FOR S-1443/A-1607

BE IT RESOLVED that the Nutley Board of Education supports S-1443/A-1607 that would provide up to 24 hours of paid family-leave time during any 12-month period for a parent or guardian of a child with special needs in a public school. Special needs are defined broadly under the bills and include not only children with disabilities, but children who have "specific academic needs or disciplinary concerns, including but not limited to behavior problems, social problems, problems with tardiness or lateness, or health-related concerns." This paid leave would be for the purpose of allowing a parent or guardian to attend any school-related conference, meeting,

event or function which is requested or required by the school administration, teacher, or professional staff member. Both public and private employers with 50 or more employees would fall under the provisions of these bills.

This legislation would allow parents or guardians of a child with special needs to be involved in their child's progress in school, as well as develop a better working relationship with his or her teachers and other school staff. The importance of communication between parents and teachers, relative to the progress of their children, especially children with special needs cannot be underestimated. This is a benefit that can't be counted in dollars; it can be the key to your child's success, not only in school but in all future endeavors.

Trustee Alamo asked that the Board Secretary send a certified copy of the above resolution to the State Assemblyman and State Senator.

**ACCEPT PRELIMINARY
ELIGIBLE COSTS**

**16. ACCEPTANCE OF PRELIMINARY ELIGIBLE COSTS AND
ELECTION TO RECEIVE STATE FUNDING AS A GRANT
- Nutley High School, Lincoln Elementary School,
Radcliffe Elementary School, Spring Garden Elementary
Washington Elementary School and Yantacaw Elementary
School**

WHEREAS the Nutley Board of Education ("Board") has submitted an application for a school facilities project pursuant to Section 5 of the Educational Facilities Construction and Financing Act, P.L. 2000, c.72 ("EFCFA" or "Act") and the New Jersey Department of Education ("Department") implementing regulations at N.J.A.C. 6A:26-1 et seq.

WHEREAS the district has received from the Department a letter approving said application and determining preliminary eligible costs ("PEC") for the project.

NOW, THEREFORE, BE IT RESOLVED, That the Board acknowledges the Department's determination that the project does not include any spaces inconsistent with the facilities efficiency standards or the applicable programmatic model in the district's approved Long Range Facilities Plan.

BE IT FURTHER RESOLVED, That the district elects to construct the project itself.

BE IT FURTHER RESOLVED, That the district elects to receive its State funding support in the form of debt service.

BE IT FURTHER RESOLVED, That the Board hereby accepts the PEC determined by the Department as final eligible costs and will not appeal this determination.

BE IT FURTHER RESOLVED, That the Superintendent is authorized to notify the Department of these elections.

**PROVIDE A SPECIAL
SCHOOL DISTRICT
ELECTION DEC. 12, 2006**

**17. RESOLUTION PROVIDING FOR A SPECIAL SCHOOL
DISTRICT ELECTION TO BE HELD ON DECEMBER 12,
2006 FOR CONSIDERATION OF A SCHOOL BOND
PROPOSAL**

BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE TOWNSHIP OF NUTLEY IN THE COUNTY OF ESSEX, NEW JERSEY (not less than a majority of the full membership of the Board concurring) AS FOLLOWS:

1. It is hereby determined that a bond proposal will be submitted for voter approval at the special election to be scheduled for December 12, 2006 between the hours of 2:30 p. m. and 9:00 p.m. as permitted and required by law. The form of the proposal will read substantially as follows with such adjustments as provided by bond counsel in accordance with guidelines that may be issued by the Department of Education:

PROPOSAL

The Board of Education of the Township of Nutley in the County of Essex, New Jersey is authorized: (a) to undertake various renovations and improvements to the Nutley High School, Lincoln Elementary School, Radcliffe Elementary School, Washington Elementary School, and Yantacaw Elementary School; (b) to undertake the construction of an addition and renovations to the Spring Garden School; (c) to acquire the necessary furnishings and equipment and undertake any associated site work; (d) to appropriate \$38,500,000, funded in part by a grant from the State of New Jersey in the amount of \$15,142,217; and (e) to issue bonds in the principal amount of \$23,357,783; and (f) to transfer the local share between the school facilities projects.

The final eligible cost of the projects approved by the Commissioner of Education is \$37,855,542, consisting of \$8,740,000 for Nutley High School, \$5,530,000 for Lincoln Elementary School, \$3,400,000 for Radcliffe Elementary School, \$7,055,542 for Spring Garden Elementary School, \$7,600,000 for Washington Elementary School, and \$5,530,000 for Yantacaw Elementary School. None of the projects include any school facility construction elements in addition to the facilities efficiency standards developed by the Commissioner of Education or not otherwise eligible for State support pursuant to N.J.S.A. 18A:7G-5(g).

Bonds also are authorized for these improvements for an additional amount not to exceed \$15,142,217, or the amount of the State grant, for a total bond authorization of \$38,500,000, in order to permit the School District to finance the entire cost of the improvements, if any portion of the State grant is not available. In the event that the School District is required to issue bonds to finance any portion of the improvements not financed with a grant, the School District will be entitled to receive debt service aid from the State of New Jersey that will

equal 40% of the annual debt service due on the final eligible costs of the improvements.

2. The Board of Education hereby authorizes the Business Administrator/Board Secretary to amend the above-mentioned proposal in accordance with any subsequent amendments received from the New Jersey Department of Education.

3. The Board of Education hereby approves and adopts the proposal provided pursuant to Section 1 and, subject to the approval of the legal voters of the school district, hereby determines to carry out the project described therein (the "Project").

4. The Board of Education hereby acknowledges and confirms that in accordance with N.J.S.A. 18A:24-16 and 18A:24-17 a supplemental debt statement has been prepared by the chief financial officer of the Township of Nutley, being the only municipality that comprises the school district, giving effect to the proposed authorization of bonds of the school district in the maximum amount of bonds authorized in the proposal. The supplemental debt statement has been filed in the office of the Clerk of the Township of Nutley and in the office of the Business Administrator/Board Secretary of this Board of Education prior to the final adoption of the proposal and will be filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs prior to the date of the special election.

5. The Business Administrator/Board Secretary is hereby authorized and directed to send a certified copy of the proposal to the County Clerk as required by N.J.S.A. 19:60-2 and to request the County Clerk to conduct the special election.

6. The Board has acknowledged receipt of the Preliminary Eligible Costs (PEC) letter from the Department of Education with respect to the Project. The Board has elected to receive a grant under Section 15 of the *Educational Facilities Construction and Financing Act*, P.L. 2000, c. 72, effective July 18, 2000 (the "Act") and to construct the Project itself. The Board has also determined to accept the Project's PEC amount as determined by the Department of Education and not to appeal such determination. The Business Administrator/Board Secretary is hereby authorized, if necessary, to notify the Department of Education of the District's determination with respect to the eligible costs, the construction of the Project, and the receipt of grant funds as facilities aid pursuant to Section 15 of the Act. In the event that grant funds are not available, or not available on a timely basis, the Board will elect to receive debt service aid under the Act, and the Business Administrator/Board Secretary shall notify the Department of Education of such election.

7. The Board authorizes the President or the Business Administrator to execute and to deliver the Act's Section 15 Grant Agreements for the Project.

8. The Board delegates the authority for the supervision of the Project to the Business Administrator/Board Secretary pursuant to the New Jersey Schools Construction Corporation's Grant Agreement guidelines.

9. The educational plans and the schematic plans for the construction of the Project have heretofore been approved by this Board of Education, and such approval is hereby reconfirmed.

10. The Board President, the Superintendent of Schools, the Business Administrator/Board Secretary, the Project Architect, Bond Counsel and other appropriate representatives of the Board (the "Board Representatives") have heretofore been authorized, and such authorization is hereby reconfirmed, to submit the educational plans and the schematic plans for the Project, together with such other information as may be required, to the State Department of Education for approval and to make application to the Commissioner of Education for approval of the educational plans, the schematic plans and the Project and, if necessary, any required amendment to the long-range facilities plan, in accordance with the requirements of the Act and N.J.A.C. 6A:26-3.2.

11. The Board Representatives have heretofore further been authorized and directed to submit the schematic plans and any other required information to the Planning Board for review and comment, and such authorization and direction is hereby reconfirmed.

12. DCM Architecture, the architect for the Project, has heretofore been authorized and delegated the responsibility to prepare the plans and specifications for the Project in consultation with and under the supervision of the Business Administrator/Board Secretary, who has heretofore been delegated the responsibility to work with the architect for this purpose on behalf of the Board, and such authorizations and delegations are hereby reconfirmed and ratified, all in accordance with the requirements of N.J.S.A. 18A:18A-16.

13. The Board representatives are hereby authorized to take all steps necessary to implement this resolution. The Business Administrator/Board Secretary is further authorized and directed to request the County Clerk, the County Board of Elections, the County Superintendent of Elections, and the Clerk of the Township of Nutley as applicable to conduct the special election, and the Business Administrator/Board Secretary is authorized to act on behalf of the Board to make such determinations required of the Board for the conduct of the election.

HEARING OF CITIZENS

HEARING OF CITIZENS

Resident Greg Palma expressed his displeasure with the name change for the Franklin Middle School. He asked the Board to rescind the name change and handed the Board President 500 names opposing this name change.

Resident Terry Quirk, Representative for the Nutley Parent Advocacy Network, asked for a definition of Debt Service. She also expressed her support for Business Administrator's Resolution 15. She also asked for the committee reports be posted on the website, if the Executive Session Agenda was available and inquired about payment and the contract with the Project Manager of the Franklin Middle School.

Resident Greg Palma again expressed his displeasure for the name change of the Franklin Middle School.

OLD BUSINESS

None

NEW BUSINESS

President Olivo announced the November 27, 2006 Special Meeting in the Nutley High School Auditorium at 7:30 PM.

ADJOURNMENT

There being no further business, the meeting was adjourned at 10:04 PM on a motion by Trustee Parisi, seconded by Trustee Williams, and unanimously approved by voice vote.

Respectfully submitted,

Robert A. Green, Jr.
Board Secretary

OLD BUSINESS

NEW BUSINESS

ADJOURN