

**NUTLEY BOARD OF EDUCATION
SPECIAL PUBLIC MEETING
MAY 1, 2008**

The Nutley Board of Education held a Special Public Meeting on Thursday, May 1, 2008 at the JHWMS Library located at 325 Franklin Avenue, Nutley, NJ.

President Casale opened the meeting at 6:00 PM.

**CALL TO
ORDER**

MEETING NOTICE

**MEETING
NOTICE**

President Casale 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 Special Public Meeting was posted on April 29, 2008. 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 Williams led the assembly in the flag salute.

ROLL CALL

**ROLL
CALL**

Present:

Mr. Angelo Frannicola
Mr. James A. Kuchta
Mr. Kenneth Reilly
Mr. Walter Sautter
Mr. James Viola
Ms. Patricia Williams
Dr. Philip T. Casale

Absent:

Mrs. Maria Alamo
Mr. Vincent Moscaritola

Also Present:

Mr. Joseph Zarra, Superintendent of Schools
Mrs. Mariana Francioso, Assistant Superintendent of Schools
Mr. Michael DeVita, Acting Board Secretary

Also Absent:

Mr. Robert A. Green, Jr., Business Administrator/Board Secretary

MOTION TO ADJOURN TO EXECUTIVE SESSION

**EXECUTIVE
SESSION**

At 6:02 PM Trustee Reilly moved and Trustee Frannicola 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 to discuss the following:

Pending Legal Claim

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 approved by voice vote.

RECONVENE MEETING

RECONVENE

At 7:11 PM Trustee Kuchta moved, Trustee Williams seconded, and the Board unanimously approved by voice vote a motion to reconvene the public meeting.

The meeting reconvened in the JHWMS Library located at 325 Franklin Avenue, Nutley, NJ.

ROLL CALL

**ROLL
CALL**

Present:

Mr. Angelo Frannicola
Mr. James A. Kuchta
Mr. Kenneth Reilly
Mr. Walter Sautter
Mr. James Viola
Ms. Patricia Williams
Dr. Philip T. Casale

Absent:

Mrs. Maria Alamo
Mr. Vincent Moscaritola

Also Present:

Mr. Joseph Zarra, Superintendent of Schools
Mrs. Mariana Francioso, Assistant Superintendent of Schools
Mr. Michael DeVita, Acting Board Secretary

Also Absent:

Mr. Robert A. Green, Jr., Business Administrator/Board Secretary

Mr. Zarra asked for the Board's support to close school on Friday, May 23, 2008 and Tuesday, May 27, 2008 since the district did not use any of their four snow days.

He also requested to close school on Monday, June 23, 2008 and Tuesday, June 24, 2008 in place of the final two unused snow days and end school on Friday, June 20, 2008.

The Board unanimously supported Mr. Zarra's proposal.

Mr. Zarra also received a request for the high school to move the time of graduation to 10:00 AM. He will discuss this with Mr. Catrambone.

RESOLUTIONS:

**RETIREMENT
TEACHER**

1. **RETIREMENT – Teacher**

Trustee Williams moved, and Trustee Kutcha 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 acceptance of the retirement of Miss Margaret A. Dougherty, elementary teacher, effective July 1, 2008.

**RESIGNATION
TEACHER**

2. **RESIGNATION – Teacher**

Trustee Frannicola moved, and Trustee Viola 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 acceptance of the resignation of Mr. Crispulo Isiminger, high school physics teacher, effective July 1, 2008.

**SCHOOL
CLOSING**

3. **CLOSING OF SCHOOLS**

Trustee Viola moved, and Trustee Kuchta 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 last day of school for the 2007-2008 school year be changed from Tuesday, June 24 to Friday, June 20, 2008. The high school graduation will be conducted on Tuesday, June 24, 2008.

**RECOMMENDATION
2008/2009 BUDGET**

4. RECOMMENDATION FOR 2008/2009 BUDGET

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

WHEREAS the current Board of Education Trustees are concerned about the long term impact on academic programs that would be caused by implementing short term solutions to reduce the failed 2008/2009 budget; and

WHEREAS the current Board recognizes the need for long term planning and is committed to executing such planning; and

WHEREAS the Board of Education is committed to improving the cost structure of its operations, in particular, by working with the Commissioners on services common to both the Township and the District,

THEREFORE, BE IT RESOLVED that the Trustees of the Nutley Board of Education strongly recommend to the Commissioners that they do not make any reductions to the 2008/2009 Budget.

Trustee Reilly made a motion, and Trustee Frannicola seconded, to amend Resolution 5 – Settlement Agreement and add the last paragraph.

Upon being put to a roll call vote the resolution was unanimously approved.

**SETTLEMENT
AGREEMENT TRI-TECH**

5. SETTLEMENT AGREEMENT

Trustee Frannicola moved, and Trustee Kuchta seconded, the following resolution. Upon being put to a roll call vote the resolution was approved with the following exceptions:

1. Trustee Viola voted "No".
2. Trustee Kuchta voted "Yes" based on the opinion of the district's legal counsel.

BE IT RESOLVED that the Nutley Board of Education authorize the Board Attorney to negotiate a settlement agreement between the Nutley Board of Education and Tri-Tech Environmental Engineering, Inc. settling the pending arbitration filed by Tri-Tech Environmental Engineering, Inc., pursuant to the terms discussed in Closed Executive Session, and

BE IT FURTHER RESOLVED that the Nutley Board of Education approve said settlement agreement subject to review of the closing documents evidencing said settlement agreement by the Board Attorney and authorize the Assistant Business Administrator/Acting Board Secretary to issue the appropriate payment pursuant to the settlement agreement.

BE IT YET FURTHER RESOLVED that the approval of the settlement is expressly conditioned upon the opinion of bond counsel that the settlement obligation can be funded from the 2006 Referendum.

Mr. Zarra asked for the Board's approval on the following out-of-state field trips:

Spring Garden School
Third Grade
NYC
May 2, 2008

Spring Garden School
Fifth Grade
West Point
May 23, 2008

Yantacaw School
First Grade
Outrageous Pets
Chestnut Ridge, NY
June 12, 2008

Permission was granted for the trips by a voice vote.

ADJOURNMENT

ADJOURN

There being no further business, the meeting was adjourned at 7:27 PM on a motion by Trustee Frannicola, seconded by Trustee Reilly, and unanimously approved by voice vote.

Respectfully submitted,

Michael DeVita
Acting Board Secretary