NUTLEY BOARD OF EDUCATION OPEN PUBLIC MEETING MAY 12, 2008

The Nutley Board of Education held a Public Meeting on Monday, May 12, 2008 at the Board Conference Room, 315 Franklin Avenue, Nutley, NJ 07110.

President Casale opened the meeting at 7:30 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 Open Public Meeting was provided in the notice of May 5, 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.

ROLL CALL CALL

Present:

Mrs. Maria Alamo Mr. Angelo Frannicola Mr. James A. Kuchta Mr. Vincent Moscaritola Mr. Kenneth Reilly Mr. Walter Sautter Mr. James Viola Ms. Patricia Williams Dr. Philip T. Casale

Also Present: Mr. Joseph Zarra, Superintendent of Schools

Mrs. Mariana Francioso, Assistant Superintendent of Schools

Mr. Michael DeVita, Acting Board Secretary

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

MOTION TO ADJOURN TO EXECUTIVE SESSION

EXECUTIVE SESSION

At 7:35 PM Trustee Kuchta moved and Trustee Williams 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:

Legal Issues

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 8:00 PM Trustee Reilly moved, Trustee Frannicola 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.

FLAG SALUTE

FLAG SALUTE

ROLL

CALL

Trustee Williams led the assembly in the flag salute.

Present:

ROLL CALL

Mrs. Maria Alamo Mr. Angelo Frannicola Mr. James A. Kuchta Mr. Vincent Moscaritola Mr. Kenneth Reilly Mr. Walter Sautter Mr. James Viola Ms. Patricia Williams Dr. Philip T. Casale

Also Present: Mr. Joseph Zarra, Superintendent of Schools

Mrs. Mariana Francioso, Assistant Superintendent of Schools

Mr. Michael DeVita, Acting Board Secretary

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

HEARING OF CITIZENS (Resolutions Only)

None

SUPERINTENDENT'S REPORT

Mr. Zarra spoke about the items on the attached list.

RESOLUTIONS

RESOLUTIONS:

Trustee Reilly made a motion, and Trustee Moscaritola seconded, that the Board table Resolution #34 – Award of Contract – HVAC – Nutley High School Auditorium until the May 28, 2008 Public Meeting. The resolution was approved with a voice vote.

Trustee Moscaritola made a motion, and Trustee Alamo seconded, that the Board revise Resolution # 3 – Adoption of Meetings to read the 8:00 PM Public Meeting will take place in the JHWMS Auditorium. The resolution was approved with a voice vote.

Trustee Frannicola moved, and Trustee Kuchta seconded, a motion that the Board approve the Resolutions numbers 1 through 33 as listed below. Upon being put to a roll call vote the resolutions were unanimously adopted.

RESIGNATION TEACHER

1. RESIGNATION – Teacher

BE IT RESOLVED that the Board of Education approves the acceptance of the resignation, following her leave of absence, of Mrs. Megan O'Hagan, high school science teacher, effective May 16, 2008.

RESIGNATION B&G EMPLOYEE

2. **RESIGNATION – Buildings & Grounds**

BE IT RESOLVED that the Board of Education approves the acceptance of the resignation of Mr. Gerard Vecchio, buildings & grounds employee, effective May 30, 2008.

3. ADOPTION OF SCHEDULE OF MEETINGS

ADOPT SCHEDULE OF MEETINGS

BE IT RESOLVED that the regular monthly meetings of the Board of Education of the Township of Nutley be held on the fourth Monday of each month, except as noted otherwise, and

BE IT FURTHER RESOLVED that, in accordance with the requirements of the Open Public Meetings Act of 1975, the annual Schedule of Meetings be adopted as appended to these meeting minutes (Schedule A).

4. **DESIGNATION OF OFFICIAL NEWSPAPERS**

DESIGNATE NEWSPAPERS

BE IT RESOLVED that the Board of Education designates The Nutley Sun and the North Jersey Herald and News as the official newspapers for meeting notices and hereby directs the Board Secretary to also send meeting notices to the Nutley Journal and the Star Ledger.

CURRICULUM APPROVAL

5. CURRICULUM APPROVAL

BE IT RESOLVED that the curriculum as described in the district selected course guides, courses of study, curriculum guides and program material, listed on the attached Schedule B, be adopted for use in Grades K-12 of the Public Schools of Nutley for the 2008-09 school year.

APPOINTMENT AUDITOR

6. APPOINTMENT OF AUDITOR - 2008-09 School Year

WHEREAS, there exists a need for an annual audit of school accounts, and

WHEREAS, the firm of Lerch, Vinci and Higgins of Fairlawn, NJ is licensed as Public School Accountants and is fully capable of providing this service, and

WHEREAS, Lerch, Vinci and Higgins satisfactorily conducted the school audit in 2007, and will be performing the school audit for the 2007-08 school year, and

WHEREAS, the Public School Contracts Law (N.J.S.A. 18A:18A-5) provides for the award of contracts for this type of professional service without competitive bidding, and

WHEREAS, funds are available for this purpose,

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Township of Nutley as follows:

- 1. The firm of Lerch Vinci and Higgins of Fairlawn, NJ is hereby appointed auditors for the accounts of the Board of Education for the 2008-09 school year at a fee of \$33,000.
- 2. This contract is awarded without competitive bidding as a professional service under the provisions of the Public School Contracts law.

7. APPOINTMENT OF BOARD ATTORNEY - 2008-09 School Year

APPOINT BOARD ATTORNEY

WHEREAS, there exists from time to time a need for legal services for the Board of Education, and

WHEREAS, funds are available for this purpose, and

WHEREAS, the Public School Contracts Law (NJSA 18A:18A-5) provides for the award of contracts for this type of professional service without competitive bidding, and

WHEREAS, the firm of Gaccione, Pomaco & Malanga of Belleville, NJ is well qualified and capable of providing these services,

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Township of Nutley that the firm of Gaccione, Pomaco & Malanga of Belleville, NJ is hereby appointed Board attorney for the 2008-09 school year at an hourly rate of \$175.00.

BROKER OF RECORD

8. APPOINTMENT OF BROKER OF RECORD - 2008-09 School Year

BE IT RESOLVED that the Board of Education approves Mr. Joseph Maurillo of IMAC Insurance Management & Consulting, as broker of record for the health, dental and prescription insurance for the 2008-09 school year.

9. APPOINTMENT OF ENGINEER

APPOINT ENGINEER

APPOINT

WHEREAS, there exists a need for professional engineering services in connection with the district's energy management program, and

WHEREAS, the firm of Energy for America, Inc., Springfield, NJ is qualified and capable of performing these services, and

WHEREAS, Energy for America, Inc. has submitted a proposal acceptable to the Board of Education for these services, and

WHEREAS, N.J.S.A. 18A:18A-5 provides for the award of contracts for this type of professional service without competitive bidding,

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Township of Nutley that the firm of Energy for America, Inc., Springfield, NJ is hereby appointed as the engineering firm for the Nutley Board of Education for energy management services for the 2008-09 school year at a monthly cost of \$4,455.00.

10. APPOINTMENT - Custodian of Records

APPOINT - CUSTODIAN OF RECORDS

BE IT RESOLVED that in accordance with the New Jersey Open Public Records Act, the Board of Education designates its Business Administrator/Board Secretary as the person to be responsible as the Custodian of Government Records, for the 2008-09 school year.

11. APPOINTMENT - Affirmative Action Officer

APPOINT - AFFIRMATIVE ACTION OFFICER

BE IT RESOLVED, pursuant to Policy No. 102 (2260), that the Board of Education approves the appointment of Mr. Phillip Siculietano as Affirmative Action Officer for the Nutley School District, at a stipend of \$500.00, for the 2008-09 school year.

APPOINT – SECTION 504 COORDINATOR

12. APPOINTMENT - Section 504 Coordinator

BE IT RESOLVED, pursuant to Policy No. 104 (1510), that the Board of Education approves the appointment of Mrs. Mariana Francioso as Section 504 Coordinator for the Nutley School District for the 2008-09 school year.

APPOINT – SECTION 504 COORDINATOR

13. APPOINTMENT -Section 504 Coordinator

BE IT RESOLVED, Pursuant to Policy No. 104 (1510), that the Board of Education approves the appointment of Mr. George Ackerman as Section 504 Coordinator for the high school, at a stipend of \$3,245, for the 2008-09 school year.

APPOINT - ASBESTOS PROGRAM MANAGER

14. <u>APPOINTMENT – Asbestos Program Manager</u>

WHEREAS, the Asbestos Hazard Emergency Response Act of 1986 (AHERA) required the Board of Education to designate a person as Asbestos Program Manager who would be responsible to ensure that the requirements of the AHERA rules and regulations were properly implemented, and

NOW, THEREFORE, BE IT RESOLVED that the Board of Education appoints Philip Nicolette as the Asbestos Program Manager for the 2008-09 school year.

APPOINT – RIGHT TO KNOW OFFICER

15. APPOINTMENT - Right to Know Officer

BE IT RESOLVED that the Board of Education appoints Philip Nicolette as the Right to Know Officer for the 2008-09 school year.

APPROVE- DESIGNEE PHILIP NICOLETTE

16. <u>APPROVAL OF DESIGNEE – Philip Nicolette</u>

BE IT RESOLVED that the Board of Education approves Philip Nicolette for the 2008-09 school year as designee for the following:

Safety & Health Air Quality Integrated Pest Management

APPOINT – SPELL JIF DELEGATES

17. APPOINTMENTS – SCHOOL POOL FOR EXCESS LIABILITY LIMITS JOINT INSURANCE FUND (SPELL JIF)

BE IT RESOLVED that the Board of Education appoints Michael DeVita as the Delegate for the School Pool or Excess Liability Limits Joint Insurance Fund (SPELL JIF).

APPOINT - SEJIF COMMISSIONERS

18. APPOINTMENTS – SUBURBAN ESSEX JOINT INSURANCE FUND

BE IT RESOLVED that the Board of Education appoints Michael DeVita as the Fund Commissioner for the Suburban Essex Joint Insurance Fund (SEJIF).

APPROVAL MILLENNIUM STRATEGIES

19. APPROVAL - MILLENNIUM STRATEGIES, LLC

BE IT RESOLVED that the Board of Education approves the services of Millennium Strategies, LLC for grant procurement and governmental relations services from July 1, 2008 through June 30, 2009 at \$4,000 per month.

DEPOSITORY OF FUNDS

20. DEPOSITORY OF HIGH SCHOOL & JHWMS ACCOUNTS – TD Bank North

BE IT RESOLVED that TD Bank North be designated as the official depository for the following school accounts for the 2008-09 school year, and

BE IT FURTHER RESOLVED that the following individuals be authorized to sign checks drawn on these accounts:

Nutley High School Account

Gregory Catrambone or Anne Starace

and

Jacqueline Camelia

JHWMS Account

John Calicchio

and

Catherine Felici

DEPOSITORY OF FUNDS

21. <u>DEPOSITORY OF SCHOOL FUNDS – Student Savings - Commerce Bank</u>

BE IT RESOLVED that Commerce Bank be designated as the official depository for the 2008-09 school year for individual student savings accounts to which deposits are made through the elementary schools.

DEPOSITORY OF FUNDS

22. DEPOSITORY OF SCHOOL FUNDS - Student Savings - Commerce Bank

BE IT RESOLVED that the Commerce Bank be designated as the official depository for the following accounts of the Nutley Board of Education for the 2008-09 school year, and

BE IT FURTHER RESOLVED that the following officers of the various accounts be authorized to sign checks drawn on the accounts effective May 13, 2008

Board of Education General Account, Referendum Account and Capital Reserve Account

Primary Signatory

Alternate Signatory

Philip Casale, President or Vincent Moscaritola, Vice President

Michael DeVita, Board Secretary or Jean Unglaub, Manager of Accounts

and

David Wilson, Treasurer of School Monies

Board of Education Cafeteria Account

Michael DeVita, Board Secretary and Jean Unglaub, Manager of Accounts

Board of Education Salary Account

Michael DeVita, Board Secretary or Jean Unglaub, Manager of Accounts

and

David Wilson, Treasurer of School Monies

Extended Day Account

Michael DeVita, Board Secretary and Jean Unglaub, Manager of Accounts

Extended Day Care Funds

Maria Cervasio, Extended Day Care Director or Rosemary Griesbach

and

Michael DeVita, Board Secretary or Jean Unglaub, Manager of Accounts

Board of Education, N.J. Unemployment Insurance Trust Fund Account

Michael DeVita, Board Secretary

and

Jean Unglaub, Manager of Accounts

Board of Education Agency Account

Primary Signatory
Michael DeVita
and
Jean Unglaub

Board of Education Raider Account

Primary Signatory
Joseph Piro

or

Alternate Signatory
Greg Catrambone

Linda Jernick

and

Nutley High School Athletic Account

Two of the following signatures required:

Joseph Piro Gregory Catrambone Linda Jernick

Guidance Pay-Pal Account

Gregory Catrambone or Anne Starace

and

Jacqueline Camelia

Board of Education Referendum Account

Authorized to wire funds

Michael DeVita

School Accounts:

<u>Lincoln School</u> Lorraine Restel

and

Donna Bolcato

Radcliffe School Michael Kearney

and

Beverly Cullari

<u>Spring Garden School</u> Rosemary Clerico

and

Sophie Caprio

Washington School Douglas T. Jones

and

Geralynn Dwyer

Yantacaw School Principal

and

Angela Gariano

BE IT FURTHER RESOLVED that the Commerce Bank be authorized to accept facsimile signatures of the check signing machine.

DEPOSITORY OF FUNDS

23. <u>DEPOSITORIES OF SCHOOL FUNDS - Unemployment Fund</u>

BE IT RESOLVED that the Board of Education authorizes the Business Administrator/Board Secretary to invest idle funds of the Unemployment Fund at any of the following institutions: Boiling Springs Savings Bank; Commerce Bank; TD Bank North; Spencer Savings Bank; Capital One; and Washington Mutual.

24. INVESTMENT OF FUNDS

INVESTMENT OF FUNDS

BE IT RESOLVED that the Secretary/Business Administrator, with the approval of the Superintendent of Schools, be authorized to invest surplus funds of the Board of Education and funds which will be available for a determinate period of time in U.S. Government and Agency

Securities, Business Savings Accounts of our designated depository, and Certificates of Deposit of our local banks, and in any other securities designated by law.

25. APPROVAL OF ADOPTION OF POLICIES

APPROVE POLICY MANUAL

BE IT RESOLVED that the Board of Education approves the adoption for the ensuing year all Bylaws and Policies, Rules and Regulations currently in force.

> TUITION RATES 2008-2009

26. **ESTABLISH TUITION RATES FOR THE 2007-08 SCHOOL YEAR**

BE IT RESOLVED that the Nutley Board of Education approves the tuition rates for out-of-district students attending Nutley schools for the 2008-09 school year be established as follows:

Grade

Kindergarten	\$ 8,720
1-5	11,019
6-8	11,144
9-12	11,306
Learning and/or	
Lang. Disabled	24,134
Preschool Disabled	18,071
Autism	39,068

APPROVE SPORTS CAMPS

27. APPROVAL OF NUTLEY RAIDER ALL-STAR SPORTS CAMPS

BE IT RESOLVED that the Board of Education approves the sponsoring, through the Nutley High School Athletic Department, summer sports camps for Nutley students ranging from 5th grade to 8th grade.

APPROVE BC/BS BENEFITS

28. APPROVAL OF AWARD OF A CONTRACT TO HORIZON BLUE CROSS BLUE SHIELD OF NEW JERSEY

BE IT RESOLVED that the Nutley Board of Education accepts the recommendation of its insurance broker, IMAC Insurance Agency, and approves the award of a contract to Horizon Blue Cross Blue Shield of New Jersey (Horizon BCBSNJ) to provide health and prescription drug insurance benefits to district employees at the rates shown in (Schedule C) for the period of June 1, 2008 to May 31, 2009.

AUTHORIZE STATE CONTRACT VENDORS D

29. RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT VENDORS FOR CONTRACTING UNITS

WHEREAS, the Nutley Board of Education, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on

behalf of the State by the Division and Property in the Department of the Treasury; and

WHEREAS, the Nutley Board of Education has the need on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS, the Nutley Board of Education intends to enter into contracts with the attached Referenced State Contract Vendors (Schedule D) through this resolution and properly executed contracts, which shall be subject to all conditions applicable to the current State contracts;

NOW, THEREFORE, BE IT RESOLVED, that the Nutley Board of Education authorizes the Purchasing Agent to purchase certain goods or services from those approved New Jersey State Contract Vendors on the attached list, pursuant to all conditions of the individual State contracts; and

BE IT FURTHER RESOLVED, that the governing body of the Nutley Board of Education pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

BE IT FURTHER RESOLVED, that the duration of the contracts between the Nutley Board of Education and the Referenced State Contract Vendors shall be from July 1, 2008 to June 30, 2009.

30. APPROVAL OF TRAVEL LIST

BE IT RESOLVED that the Board of Education approves the travel list and all expenses per (Schedule E).

LEASE OF BOARD PROPERTY

APPROVE

Ε

31. <u>LEASE OF BOARD PROPERTY ON OVERLOOK TERRACE</u>

BE IT RESOLVED that the Board of Education leases property owned by it, known as Lot Number 14, Block 212 on the tax maps of the Township of Nutley, to John Janiec and Mrs. Anne Janiec, his wife, for a term beginning May 1, 2008 and terminating April 30, 2009, at a term rental of One Dollar (\$1.00) in accordance with all requirements specified in the lease.

BE IT FURTHER RESOLVED that the Board of Education hereby authorizes its officers to execute said lease.

LEASE OF BOARD PROPERTY

32. LEASE OF BOARD PROPERTY ON ROMANO STREET

BE IT RESOLVED that the Board of Education leases property owned by it, known as Lot Numbers 45 and 46, Block 18 on the tax maps of the Township of Nutley, to Nicholas Del Mauro, for a term beginning May 1, 2008 and terminating April 30, 2009, at a term rental of One Dollar (\$1.00) in accordance with all requirements specified in the lease.

BE IT FURTHER RESOLVED that the Board of Education hereby authorizes its officers to execute said lease.

LEASE OF BOARD PROPERTY

33. <u>LEASE OF BOARD PROPERTY ON ROMANO STREET</u>

BE IT RESOLVED that the Board of Education leases property owned by it, known as Lot Numbers 78 and 79, Block 18 on the tax maps of the Township of Nutley, to Angelo Rotonda, for a term beginning May 1, 2008 and terminating April 30, 2009, at a term rental of One Dollar (\$1.00) in accordance with all requirements specified in the lease.

BE IT FURTHER RESOLVED that the Board of Education hereby authorizes its officers to execute said lease.

The following resolution was tabled until May 28, 2008 Public Meeting:

AWARD OF CONTRACT HVAC - NHS

34. AWARD OF CONTRACT -HVAC- Nutley High School Auditorium

WHEREAS, bids for HVAC – Nutley High School Auditorium were advertised on April 2, 2008, and

WHEREAS, sealed bids were publicly opened and read aloud on Thursday, April 24, 2008 at 3:30 p.m. in the Board Conference Room, and

WHEREAS, bids for HVAC – Nutley High School Auditorium are as follows:

Contractor	Address	Base Bid
ACP Contracting	25 Just Road Fairfield NJ 07004 973.575.1777 973.575.2774 Fax	\$88,800.00
C. Dougherty & Co	7 Washington Ave. Paterson NJ 07503 973.742.8100 973.742.6862 Fax	\$89,814.00
Aero Plumbing & Heating	423 Mountain Lake Road Great Meadows NJ 07838 908.637.8886 908.241.4179 Fax	\$106,600.00
Envirocon LLC	490 Schooleys Mountain Rd Hackettstown NJ 07840 908.813.1600 908.813.0460 Fax	\$118,735.00

TEO Technologies	1141 Greenwood Lake Turnp ke Suite B4 Ringwood NJ 07456 973.728.6166 973.728.6189 fax	\$119,600.00
Norman Sheet Metal	254 Little Falls Rd Fairfield NJ 07004 973.237.9000 973.237.9122 Fax	\$130,185.00
Bill Leary HVAC	6 Green St. Metuchen NJ 08840 732.494.9200 732.906.9848 Fax	\$135,460.00
Reiner Group	11-07 Riber Rd Fair Lawn NJ 07410 201.794.3700 201.794.3795Fax	\$139,000.00
TM Brennan Contractors	3505 Route 94 Hamburg NJ 07419 973.209.2545 973.209.1018 Fax	\$171,920.00

WHEREAS, the base bid of ACP Contracting meets all specifications, and is therefore the lowest responsible bidder, and

WHEREAS the architect and engineer recommended that the Board accept the bid of ACP Contracting, Fairfield, NJ.

NOW, THEREFORE, BE IT RESOLVED that the Nutley Board of Education accepts the recommendation of the Board's architect and engineer and approves the award of the contract for HVAC – Nutley High School Auditorium to ACP Contracting, Fairfield, NJ.

Trustee Alamo stated the Board could not have its retirement dinner anymore because of the new accountability regulations. She suggested that the Board look into having one with the EAN.

Mrs. Francioso introduced Nancy Kehayes who gave a presentation on the Technical Education Curriculum – Grades 7-12 and the Art Curriculum – Grades 7-12.

Mrs. Kehayes suggested changing the department name from Business & Creative Arts to Career & Technical Education. A resolution will be needed for the change and will be looked into.

Trustee Sautter suggested making certain course requirements in the high school to better prepare students for the future.

Mr. Zarra thanked Mrs. Kehayes, who is retiring in June, for her years of service with the district.

HEARING OF CITIZENS:

Resident Rusignuolo spoke about the lack of response from the Business Administrator/Board Secretary on issues he presented to him. He offered to help the Board if he can.

Trustee Viola said he was trying to find alternate ways to pay for the flag poles in the budget that were removed. He is forming a committee to try to raise money. He will report back to the Board.

It was decided that High School Graduation would remain at 6:00 PM on June 24, 2008.

Trustee Sautter asked if a sign on the Oval could be fixed.

Trustee Alamo asked if the Board Attorney could come to the next Board meeting to discuss the Tri-Tech Settlement. Since the Board already approved the settlement, it was suggested that they call the attorney directly to discuss.

President Casale stated that the Athletic Committee will consist of:

Trustee Frannicola, Chairperson Trustee Sautter Trustee Williams Trustee Moscaritola Alternate: Trustee Reilly

ADJOURNMENT ADJOURN

There being no further business, the meeting was adjourned at 8:43 PM on a motion by Trustee Kuchta, seconded by Trustee Sautter, and unanimously approved by voice vote.

Respectfully submitted,

Michael DeVita Acting Board Secretary