

**NUTLEY BOARD OF EDUCATION
OPEN PUBLIC MEETING
DECEMBER 8, 2008**

The Nutley Board of Education held a Public Meeting on Monday, December 8, 2008 at the Board Conference Room, 315 Franklin Avenue, Nutley, NJ 07110.

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 Open Public Meeting was provided in the notice of December 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.

FLAG SALUTE

**FLAG
SALUTE**

President Casale led the assembly in the flag salute.

ROLL CALL

**ROLL
CALL**

Present: Mrs. Maria Alamo
Mr. James A. Kuchta
Mr. Vincent Moscaritola
Mr. Kenneth Reilly
Mr. Steven Rogers
Mr. Walter Sautter
Ms. Patricia Williams
Dr. Philip T. Casale

Absent: Mr. Angelo Frannicola

Also Present: Mr. Joseph Zarra, Superintendent of Schools
Mrs. Mariana Francioso, Assistant Superintendent of Schools
Mr. Michael DeVita, Business Administrator/Board Secretary
Mr. Tom Cosma & Mr. Mitch Taraschi, Board Construction Attorneys

MOTION TO ADJOURN TO EXECUTIVE SESSION

**EXECUTIVE
SESSION**

At 6:04 PM Trustee Alamo moved, and Trustee Kuchta 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 9:08 PM Trustee Reilly moved, Trustee Rogers seconded, and the Board unanimously approved by voice vote a motion to reconvene the public meeting.

ROLL CALL

**ROLL
CALL**

Present: Mrs. Maria Alamo
Mr. James A. Kuchta
Mr. Vincent Moscaritola
Mr. Kenneth Reilly
Mr. Steve Rogers
Mr. Walter Sautter
Ms. Patricia Williams
Dr. Philip T. Casale

Absent: Mr. Angelo Frannicola

Also Present: Mr. Joseph Zarra, Superintendent of Schools
Mrs. Mariana Francioso, Assistant Superintendent of Schools
Mr. Michael DeVita, Business Administrator/Board Secretary

Mr. Zarra gave an update on the issues at Washington School.

Trustee Reilly asked why the boilers were not in place.

A lengthy Board discussion ensued.

The Board also discussed having a clerk of the works to act as a liaison between the contractors and Business Administrator. They also discussed sending out an RFP for a construction manager.

Mr. Zarra and Mr. DeVita will have a recommendation.

Trustee Moscaritola left the meeting at 9:45 PM.

**HEARING OF
CITIZENS**

HEARING OF CITIZENS (Resolutions Only)

None

RESOLUTIONS

**APPROVAL
CONSTRUCTION
LAW FIRM**

1. APPROVAL – Construction Law Firm

Trustee Reilly moved, Trustee Kuchta seconded, a motion that the Board approves the following resolution. Upon being put to a roll call vote the resolution was unanimously approved.

BE IT RESOLVED that the Nutley Board of Education authorizes the law firm of Connell Foley, LLP, Roseland, NJ to serve as the districts attorney on Docket #08257.00002 – Tri-Tech Environmental Engineering, Inc., etc. vs. Nutley Board of Education.

BE IT FURTHER RESOLVED that the firm will perform these duties at an hourly rate of \$200.00.

**TERMINATE
CONSTRUCTION
MANAGEMENT
CONTRACT**

2. TERMINATION OF CONSTRUCTION MANAGEMENT CONTRACT – TRI-TECH ENGINEERING

Trustee Kuchta moved, Trustee Alamo seconded, a motion that the Board approves the following resolution. Upon being put to a roll call vote the resolution was unanimously approved.

BE IT RESOLVED that the Nutley Board of Education approves the termination of its Construction Management Contract with Tri-Tech Engineering for cause.

ADJOURNMENT

ADJOURN

There being no further business, the meeting was adjourned at 9:52 PM on a motion by Trustee Kuchta seconded by Trustee Reilly and unanimously approved by voice vote.

Respectfully submitted,

Michael DeVita
Board Secretary