

**NUTLEY BOARD OF EDUCATION  
OPEN PUBLIC MEETING  
AUGUST 24, 2009**

The Nutley Board of Education held a Public Meeting on Monday, August 24, 2009 at the Board Conference Room, 315 Franklin Avenue, Nutley, NJ 07110.

President Casale opened the meeting at 5:43 PM.

**CALL TO  
ORDER**

**FLAG SALUTE**

**FLAG  
SALUTE**

President Casale led the assembly in the flag salute.

**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 August 20, 2009. 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**

**ROLL  
CALL**

Present: Mr. Vincent Moscaritola  
Mr. Steven Rogers  
Mrs. Deborah J. Russo  
Mr. Walter Sautter  
Mr. Thomas J. Sposato  
Dr. Philip T. Casale

Absent: Mr. Angelo Frannicola (arrived 6:16 PM)  
Mr. James Kuchta  
Mr. Kenneth Reilly

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

Also Absent: Mrs. Mariana Francioso, Assistant Superintendent of Schools

The Board discussed the new Middle East Honors course.

Mr. O'Dell, Social Studies Coordinator, explained the new course and answered questions from the Board.

A Board discussion ensued.

Trustee Moscaritola made a motion to table Resolution 18 – Approval of New Course and Resolution 19 - Textbook Approval, Trustee Rogers seconded, and the motion was approved by the Board by roll call vote with the following exception:

1. Trustees Sautter “Abstained.”

### **MOTION TO ADJOURN TO EXECUTIVE SESSION**

### **EXECUTIVE SESSION**

At 6:40 PM Trustee Sposato moved and Trustee Moscaritola 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:

Construction Legal Issues  
Contractual 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 7:10 PM Trustee Frannicola moved, Trustee Russo seconded, and the Board unanimously approved by voice vote a motion to reconvene the public meeting.

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

### **FLAG SALUTE**

### **FLAG SALUTE**

President Casale led the assembly in the flag salute.

**ROLL CALL**

**ROLL  
CALL**

Present:

Mr. Angelo Frannicola  
Mr. Vincent Moscaritola  
Mr. Steven Rogers  
Mrs. Deborah J. Russo  
Mr. Walter Sautter  
Mr. Thomas J. Sposato  
Dr. Philip T. Casale

Absent:

Mr. James Kuchta  
Mr. Kenneth Reilly

Also Present:

Mr. Joseph Zarra, Superintendent of Schools  
Mr. Michael DeVita, Business Administrator/Board Secretary

Also Absent:

Mrs. Mariana Francioso, Assistant Superintendent of Schools

**MOTION TO ADJOURN TO EXECUTIVE SESSION**

**EXECUTIVE  
SESSION**

At 7:14 PM Trustee Frannicola moved and Trustee Sposato 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:

Construction Legal Issues  
Contractual 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 8:12 PM Trustee Frannicola moved, Trustee Sautter seconded, and the Board unanimously approved by voice vote a motion to reconvene the public meeting.

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

**ROLL CALL**

**ROLL  
CALL**

Present:

Mr. Angelo Frannicola  
Mr. Vincent Moscaritola  
Mr. Steven Rogers  
Mrs. Deborah J. Russo  
Mr. Walter Sautter  
Mr. Thomas J. Sposato  
Dr. Philip T. Casale

Absent:

Mr. James Kuchta  
Mr. Kenneth Reilly

Also Present:

Mr. Joseph Zarra, Superintendent of Schools  
Mr. Michael DeVita, Business Administrator/Board Secretary

Also Absent:

Mrs. Mariana Francioso, Assistant Superintendent of Schools

**APPROVAL OF MINUTES**

**APPROVE  
OF MINUTES**

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

August 11, 2009 – Open Public Meeting  
August 11, 2009 – Closed Executive Session  
August 3, 2009 – Special Public Meeting  
August 3, 2009 – Closed Executive Session  
July 27, 2009 – Open Public Meeting  
July 27, 2009 – Closed Executive Session

Trustee Frannicola moved, Trustee Russo seconded, and the Board minutes were unanimously approved with a roll call vote.

**CORRESPONDENCE**

**CORRESPONDENCE**

None.

**SUPERINTENDENT'S REPORT**

**SUPT'S REPORT A**

Mr. Zarra presented the Superintendent's Report dated August 24, 2009, Schedule A, which is appended to the minutes of this meeting, and briefly summarized its contents as well as other activities going on in the district.

**BOARD SECRETARY'S REPORT**

**BOARD  
SECRETARY'S  
REPORT**

Mr. DeVita spoke about the status and progress of the construction going on throughout the district. He also spoke about the district's food service company.

**COMMITTEE REPORTS**

**COMMITTEE  
REPORTS**

None

**HEARING OF CITIZENS (Resolutions Only)**

Resident Victoria Flynn asked about the rejected bid, questioned the wording of the resolution awarded for professional services and wanted to know who suggested hiring Associated Technology, Inc.

A Board discussion ensued.

***SUPERINTENDENT'S RESOLUTIONS***

**SUPT'S  
RESOLUTIONS**

Trustee Russo moved, and Trustee Moscaritola seconded, a motion that the Board approves Superintendent's Resolutions numbers 1 through 17 and 20 to 21 as listed below.

The Superintendent's Resolutions 1 through 17 and 20 to 21 were approved with the following exceptions:

1. Trustee Frannicola abstained on Resolution 8 – Appointments Teacher Substitutes and Resolution 10 – Appointments – BOE Extended Day program.
2. Trustee Russo abstained on Resolution 8 – Appointments Teacher Substitutes.

**RESIGNATION  
ATHLETICS**

1. **RESIGNATION – Athletics**

BE IT RESOLVED that the Board of Education approves the acceptance of the resignation of Ms. Daria LaConte as assistant volleyball coach effective August 18, 2009.

2. **AMENDING RESOLUTION – Professional Staff**

**AMEND  
PROF. STAFF**

BE IT RESOLVED that the Board of Education approves the amending of the resolution Reappointments – Professional Staff, (Schedule F) approved at the June 22, 2009 Board Meeting to reflect a change in part-time status for Mrs. Jenifer Wilson to full-time. (Replacing Patrick Gabriele)

**LEAVE  
OF ABSENCE  
TEACHER**

**3. AMENDING RESOLUTION – Leave of Absence-Teacher**

BE IT RESOLVED that the Board of Education approves the amending of the resolution Leave of Absence – Teacher approved at the January 26, 2009 Board Meeting, to reflect a change in return date for Mrs. Heather McGovern to October 1, 2009.

**AMEND  
INSTRUCTIONAL  
AIDES**

**4. AMENDING RESOLUTION – Instructional Aides**

BE IT RESOLVED that the Board of Education approves the amending of the resolution, Reappointments-Instructional Aides, approved at the June 22, 2009 Board Meeting to reflect the following change:

Reinstate the following Instructional Aides:  
Nicole Simone  
Alyssa Zuzzio

**AMEND  
REAPPOINT  
NON-TENURED  
TEACHERS**

**5. AMENDING RESOLUTION – Reappointments – Non-Tenured Teachers**

BE IT RESOLVED that the Board of Education approves the amending of the resolution Reappointments – Non-Tenured Teachers, approved at the June 22, 2009 Board Meeting to reflect a change to reinstate Amanda Rasczyk. (Replacing Marietta O'Brien)

**LEAVE  
OF ABSENCE  
TEACHER**

**6. LEAVE OF ABSENCE – Teacher**

BE IT RESOLVED that the Board of Education approves a leave of absence in accordance with the New Jersey Family Leave Act for Ms. Abigail Bergen, effective September 1, 2009 through November 20, 2009.

BE IT FURTHER RESOLVED that the Board of Education approves a childrearing leave of absence for Ms. Bergen effective November 23 through December 31 with a return date of January 1, 2010.

**APPOINT  
PROF.  
STAFF**

**7. APPOINTMENTS – Professional Staff**

BE IT RESOLVED that the Board of Education approves the appointments of the personnel listed below for the 2009-10 school year at the salary of the 2008-09 Teachers' Salary Guide as indicated. Upon conclusion of salary negotiations the salary will be adjusted in accordance with the 2009-10 Teachers' Salary Guide:

<u>Name</u>	<u>Degree</u>	<u>Step</u>	<u>Salary</u>
Cindy Bravaco	B.A. (Replacing Arlene Orenstein)	7	\$45,000
Eva Casazza	M.A. (Replacing Amanda Rasczyk)	6	\$23,500 (p/t)
Judith Cresci	M.A. (Replacing Melissa O'Carroll)	11	\$54,000
Angela Irene	B.A.+15 (ESL)	6	\$22,500 (p/t)
Sharon Keseling	B.A. (Replacing Robin Greengrove)	15	\$58,900
Stacey Matarazzo	B.A.+30 (New Position)	11	\$53,000
Lori Robinson	B.A. (Replacing Megan O'Hagan)	7	\$45,000

**APPOINT B  
TEACHER  
SUBS**

**8. 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 2009-10 school year.

**APPOINT SECRETARIAL C  
CLERICAL/AIDES  
SUBS**

**9. APPOINTMENTS – Secretarial/Clerical/Aide Substitutes**

BE IT RESOLVED that the Board of Education approves the appointments of the Secretarial/Clerical/Aide Substitutes listed on the attached Schedule C for the 2009-10 school year.

**APPOINT BOE D  
EXTENDED DAY  
PROGRAM**

**10. APPOINTMENTS – BOE Extended Day Program**

BE IT RESOLVED that the Board of Education approves the appointments of the School Age Extended Day Program employees for the 2009-10 school year listed on the attached Schedule D at the salaries indicated.

**APPOINT  
ATHLETICS (FALL)**

**11. APPOINTMENTS – Athletics (Fall)**

BE IT RESOLVED that the Board of Education approves the Fall athletic appointments listed below for the 2009-10 school year in accordance with the 2008-09 Coaches Salary Guide. Upon conclusion of negotiations the salary will be adjusted in accordance with the 2009-10 Coaches Salary Guide:

<u>Sport</u>	<u>Name</u>	<u>Step</u>	<u>Salary</u>
<u>FOOTBALL</u> Assistant Coach	Richard Noonan	4	\$5,950
<u>SOCCER</u> Assistant Coach	Frank DiPiano	3	4,970

**APPOINT  
VOLUNTEER  
COACH**

**12. APPOINTMENT – Volunteer Coach**

BE IT RESOLVED that the Board of Education approves the appointment for the personnel listed below for the 2009-10 school year:

<u>Name</u>	<u>Sport (Volunteer)</u>
Robert Hovan	Football

**APPOINT  
SUMMER  
EMPLOYMENT**

**13. APPOINTMENT – Summer Employment**

BE IT RESOLVED that the Board of Education approves the following personnel be permitted to work during the summer as Residency Officer:

Natale Ferrara \$45.00 per hour

**APPROVE  
O.T. CONTRACT**

**14. APPROVE CONTRACT OCCUPATIONAL THERAPY SERVICES**

BE IT RESOLVED that the Board of Education approves a contract with Kristen Redner for the purpose of providing occupational therapy services for the 2009-2010 school year September 1, 2009 to June 30, 2010 at a salary of \$66,535 without benefits.

**APPROVE  
O.T. SERVICES**

**15. APPROVE CONTRACT OCCUPATIONAL THERAPY SERVICES**

BE IT RESOLVED that the Board of Education approves a contract with Cindy Palley for the purpose of providing occupational therapy services for the 2009-10 school year at a rate of \$449.97 per day in a total amount not to exceed \$29,248.00.

**EXTRA  
COMP**

**16. 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 SUMMER HOURS – Guidance-  
JHW Middle School– June 29 and 30, 2009**

James Cummings	\$976.68
Joyce Wood	947.68

**PAYMENT FOR SUMMER HOURS – Technology-  
Department – July and August, 2009**

Christina Osieja	\$3,708.60
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**CHANGE-IN-TRAINING  
LEVELS**

**17. CHANGE-IN-TRAINING LEVELS**

BE IT RESOLVED that the personnel listed on the attached Schedule E be advanced to the proper level of the salary guide in accordance with Board of Education regulations, said teachers having completed the necessary college courses to qualify for such advancement, to be effective September 1, 2009. Upon conclusion of salary negotiations the classification and step will be adjusted in accordance with the 2009-10 Teachers' Salary Guide.

**APPROVE NEW  
COURSE  
TABLED**

**18. APPROVAL OF NEW COURSE**

BE IT RESOLVED that the Board of Education approves the following course presented at the June 8, 2009 Board meeting:

The Modern Middle East

**TEXTBOOK  
APPROVAL  
TABLED**

**19. TEXTBOOK APPROVAL**

BE IT RESOLVED that the Board of Education approves the use of the following textbooks:

The Modern Middle East: A History  
Publisher, Oxford University Press, 2008  
New York

Atlas of the Middle East (2<sup>nd</sup> Edition)  
Publisher, National Geographic Society, 2008  
Washington, D.C.

**LONGEVITY  
PAY**

**20. LONGEVITY PAY**

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

Michael Lombardozzi -\$683(prorated) Eff.Sept.1, 2009 (10 yrs.)  
Katherine Mulligan -\$3,800(prorated)Eff. Sept.1,2009(25 yrs.)

**EXTENDED SCHOOL  
YEAR PROGRAM  
SUMMER 2009**

**21. EXTENDED SCHOOL YEAR PROGRAM –  
SUMMER – 2009**

BE IT RESOLVED that the Board of Education approves the Extended School Year Program, listed below for the Summer of 2009:

Emotionally Disturbed student  
Strang School (Ranch Hope Inc.)  
Alloway, New Jersey  
July 6 – August 21, 2009  
Tuition \$7,344.05  
(DYFS placement)

**REAPPOINT  
P.T. SCHOOL  
AIDES**

**22. REAPPOINTMENTS – Part-time School Aides**

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

BE IT RESOLVED that the Board of Education approves the reappointment Of the part-time aides, listed below for the 2009/2010 school year:

<b><u>NAME</u></b>	<b><u>STEP</u></b>
Ballester, Carol	2
Boyle, Jean	2
Cappetta, Rosanne	2
DeFrank, Patricia	2
DeStefano, Elizabeth	2
Drago, Carolyn	2
Falconcino, Marta	2
Fenwick, Janet	2
Generelli, Marianne	2
Giuriceo, Tracy	2
Juhrden, Dianna	2
Krupka, Joann	2
Linfante, Phyllis	2
Marks, Mary Ann	2
Marsella, Gail	2
Mayer, Diana	2
Morris, Deborah	2
Pavlisko, Deborah	2
Puccio, Joann	2
Quattropani, Marie	2
Rafanello, Linda	2
Ritacco, Linda	2
Rizzi, Elizabeth	2
Rizzo, Vincenza	2
SanGiovanni, Beverly	2
Schoeber, Josephine	2
Souza, Maria	2
Sparaco, Elizabeth	2
Spera, Kathleen	2
Tricarico, James	2
Vespoli, Ann	2
Vicchiariello, Bridget	2
Zaccheo, Joan	2

**APPOINT  
PERM. UNASSIGNED  
SUBS**

**23. APPOINTMENTS – Permanent Unassigned Substitutes**

Trustee Rogers moved, and Trustee Sautter seconded, the following resolution. Upon being put to a roll call vote the resolution was approved with the following exception:

1. Trustee Sposato voted “No”.

BE IT RESOLVED that the Board of Education approves the appointments of the following permanent unassigned substitutes for the 2009/2010 school year:

Suzanne Baker  
Richard Bolcato  
Jessica Buel  
Joseph Cimo  
Frank DiPiano  
David Luzzi  
Denise Mazza  
Darleen Puzzo  
Diana Rambaldi  
Amy Reszka  
Michael Russomanno  
Lisa Vallo

BE IT FURTHER RESOLVED that these candidates met the district's requirements for the permanent unassigned substitute position which is the possession of a County Substitute Certificate.

**PAYMENT FOR  
C.I.E. COORDINATOR  
SUMMER HOURS**

**24. PAYMENT FOR C.I.E. COORDINATOR/SUMMER HOURS**

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

BE IT RESOLVED that the Board of Education approves payment to Mr. William Farkas as C.I.E. Coordinator and twenty (20) days summer work in the amount of \$9,000.

**BOARD  
SECRETARY'S  
RESOLUTIONS**

**BOARD SECRETARY'S RESOLUTIONS**

Trustee Moscaritola moved, Trustee Rogers seconded, a motion that the Board tables Resolution 17 – Approval of Metropolitan Engineering Associates, Inc. Upon a roll call vote the motion was unanimously approved.

Trustee Frannicola moved, Trustee Sposato seconded, a motion that the Board approves the Board Secretary's Resolutions numbers 1 through 16 and 18 through 23 as listed below.

Upon a roll call vote Resolutions numbers 1 through 16 and 18 through 23 were approved with the following exceptions:

- 1) Trustee Rogers voted "No" on the following check numbers on the bill list: 080545, 080546, 080557, 080558, 080659, 080660, 080688, 080699, 080700, 080802 and 080803.

**1. SECRETARY & TREASURER'S REPORT**

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

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 ending June 30, 2009.

**2. CERTIFICATION OF MAJOR ACCOUNT FUND STATUS**

**CERTIFICATION  
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 June 30 2009, 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 August 24, 2009 in the total amount of \$ 4,129,921.56 (Appendix C).

- |  |   |                 |
|--|---|-----------------|
| <p>4. <b><u>REQUESTS FOR USE OF SCHOOL BUILDINGS AND GROUNDS</u></b></p> <p>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.</p>  | <p><b>USE OF BUILDINGS<br/>AND GROUNDS</b></p>          | <p><b>D</b></p> |
| <p>5. <b><u>APPROVAL OF TRAVEL LIST</u></b></p> <p>BE IT RESOLVED that the Board of Education approves the travel list and all expenses per (Appendix E).</p>  | <p><b>APPROVAL<br/>TRAVEL LIST</b></p>                  | <p><b>E</b></p> |
| <p>6. <b><u>APPROVAL OF FIELD TRIPS</u></b></p> <p>BE IT RESOLVED that the Board of Education approves the field trip list and all expenses per (Appendix F).</p>  | <p><b>APPROVAL<br/>FIELD TRIPS</b></p>                  | <p><b>F</b></p> |
| <p>7. <b><u>TRANSFER SCHEDULE</u></b></p> <p>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 2009-10 budget dated July 31, 2009 in the amount of \$46,374.79 as appended (Appendix G).</p>  | <p><b>TRANSFER<br/>SCHEDULE</b></p>                     | <p><b>G</b></p> |
| <p>8. <b><u>ADOPTION OF POLICY (Second Reading)</u></b></p> <p>BE IT RESOLVED that the Board of Education adopts the following policies (second reading) on file in the Business Office (Schedule H):</p> <ul style="list-style-type: none"><li>• 0142.1 - Nepotism - Policy (Revised)</li><li>• 1220 - Employment of Chief School Administrator - Policy (Revised)</li><li>• 1620 - Administrative Employment Contracts - Policy (Revised)</li><li>• 2428.1 - Standards Based Instructional Priorities - Policy (New)</li><li>• 2460 - Special Education - Policy &amp; Regulation (Revised)</li><li>• R 2460.1 - Special Education - Location, Identification, and Referral - Regulation (Revised)</li><li>• R 2460.8 - Special Education - Free and Appropriate Public Education - Regulation (Revised)</li></ul> | <p><b>ADOPT POLICIES<br/>2<sup>ND</sup> READING</b></p> |                 |

- R 2460.9 - Special Education - Transition From Early Intervention Programs to Preschool Programs - Regulation (Revised)
- R 2460.16 - Special Education - Instructional Material To Blind Or Print-Disabled Pupils - Regulation (New)
- 5320 - Immunization - Policy & Regulation (Revised)
- 5331 - Management of Life-Threatening Allergies in Schools - Policy & Regulation (New)
- 6423 - Expenditures For Non-Employee Activities, Meals and Refreshments - Policy (Revised)
- 6470 - Payment of Claims - Policy (Revised)
- 6471 - School District Travel - Policy & Regulation (New)
- 6510 - Payroll Authorization - Policy (Revised)
- 6830 - Audit and Comprehensive Annual Financial Report - Policy (Revised)
- 6832 - Conditions of Receiving State Aid - Policy (New)
- 7410.01 - Facilities Maintenance, Repair Scheduling and Accounting - Regulation (Revised)
- 9120 - Public Relations Program – Policy (Revised)
- 5843 – Extended Day Program – Policy (Revised)
- 9140 – School Board Volunteers In Service to Nutley Schools Committee (Replace)

**JOINT  
TRANSPORTATION**

**9. JOINT TRANSPORTATION AGREEMENT**

BE IT RESOLVED, that the Nutley Board of Education approves the following Joint Transportation Agreement with the Bloomfield Board of Education to provide transportation for Special Education students from Bloomfield to the following schools, effective September 1, 2009 through June 30, 2010.

Subject to approval of the County Superintendent of Schools.

RT#	# OF STUDENTS	SCHOOL	COST PER DIEM
07	2	Stepping Stone School Livingston, NJ	\$ 100.00

09	16	Essex County Vocational West Caldwell am & pm routes	\$ 160.00
15	1	Children's Institute	\$ 77.50

An additional charge of \$10 per diem will be added for each additional student on an established route.

**JOINT  
TRANSPORTATION**

**10. JOINT TRANSPORTATION AGREEMENT**

BE IT RESOLVED, that the Nutley Board of Education approves the following Joint Transportation Agreement with the Belleville Board of Education to provide transportation for Special Education students from Belleville to the following schools, effective September 1, 2009 through June 30, 2010. Subject to approval of the County Superintendent of Schools.

RT#	# OF STUDENTS	SCHOOL	COST PER DIEM
12	1	ECLC Chatham	\$ 75.00

An additional charge of \$10 per diem will be added for each additional student on an established route.

**TRANSPORTATION  
CONTRACT**

**11. TRANSPORTATION CONTRACT**

BE IT RESOLVED, that the Nutley Board of Education approves a transportation contract Par #1 with a parent to provide transportation for one Special Education student from Nutley to Horizon School, Livingston, NJ effective September 1, 2009 through June 30, 2010 at a cost of \$42.00 per day.

Subject to approval of the County Superintendent of Schools.

**APPROVE  
CHANGE ORDER**

**12. APPROVAL OF CHANGE ORDER – WINDOW &  
DOOR REPLACEMENTS – WASHINGTON SCHOOL**

BE IT RESOLVED that the Board of Education approves Change Order No. 1, on file in the Business Office, for the Window and Door Replacements at Washington School to Levy Construction Company as follows:

Change Order No. 1           \$ 2,460.00

**APPROVE  
CHANGE ORDERS**

**13. APPROVAL OF CHANGE ORDERS – EXTERIOR FAÇADE  
REPAIRS AT LINCOLN ELEMENTARY SCHOOL**

BE IT RESOLVED that the Board of Education approves the following change orders, on file in the Business Office, for the Exterior Façade Repairs at Lincoln Elementary School to Circle-A Construction as follows:

Change Order No. 1	\$ 7,078.61
Change Order No. 2	\$ 4,019.40

**APPROVE  
CHANGE ORDER**

**14. APPROVAL OF CHANGE ORDER – EXTERIOR FAÇADE  
REPAIRS AT YANTACAW ELEMENTARY SCHOOL**

BE IT RESOLVED that the Board of Education approves Change Order No. 1, on file in the Business Office, for the Exterior Façade Repairs at Yantacaw Elementary to Hilt Construction Co. as follows:

Change Order No. 1	\$ 5,440.85
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**REJECT  
BID**

**15. REJECT BID – BIDS FOR ASBESTOS, ABATEMENT,  
BOILERS & INCINERATOR DEMOLITION & DISMANTLEMENT &  
DISPOSAL FOR WASHINGTON AND LINCOLN ELEMENTARY  
SCHOOLS**

WHEREAS, bids for asbestos, abatement, boilers and incinerator demolition and dismantlement and disposal for Washington and Lincoln Elementary Schools were advertised on July 17, 2009 and

WHEREAS, sealed bids were publicly opened and read aloud on July 30, 2009 at 11:00 AM in the office of the Secretary/Business Administrator, and

WHEREAS, the following bids were received in the following amounts:

Abatetectech, Inc. Lumberton, NJ	Base Bid	\$180,000
	Alternate 1	5,600
	Alternate 2	5,600
	Total	\$191,200

Controlled Environmental Systems Spring House, PA	Base Bid	\$154,000
	Alternate 1	11,376
	Alternate 2	11,376
	Total	\$176,752

Netrix, Inc. Paterson, NJ	Base Bid	\$117,000
	Alternate 1	7,700
	Alternate 2	9,700
	Total	\$134,400

Smac Corp. Paterson, NJ	Base Bid	\$ 75,000
	Alternate 1	33,000
	Alternate 2	45,000
	Total	\$153,000

Two Brothers Contracting, Inc. Clifton, NJ	Base Bid	\$133,300
	Alternate 1	7,400
	Alternate 2	7,400
	Total	\$148,100

and,

WHEREAS the lowest bid substantially exceeds the cost estimates for the goods or services,

NOW THEREFORE BE IT RESOLVED that the Board of Education rejects the bids received according to 18A:18A-22 which states that a board of education may reject all bids if the lowest bid substantially exceeds the cost estimates for the goods or services.

**APPROVE  
TO ADOPT  
403 (B) PLAN**

**16. APPROVAL TO ADOPT A 403(B) PLAN**

The Board of Directors of the Nutley Board of Education, designated as a public education institution desires to make available to all employees a voluntary salary reduction 403(b) plan into which employees may electively defer compensation to be deposited into Fixed and Variable Annuities qualified under Section 403(b)(1) of the Internal Revenue Code and Custodial accounts offering regulated investment company stock under Section 403(b)(7) of the Internal Revenue Code.

THEREFORE, BE IT RESOLVED that the Board adopts a 403(b) program under which each participating employee retains all rights to the individual 403(b) account (or accounts), and under which each employee exercises the right of selection of any of the products or investment options made available by the Employer.

The Board makes no investment recommendations and bears no responsibilities for the employees' selection of any annuity product or custodial account, and makes no representation to employees about the advisability, appropriateness or tax consequences of any 403(b) account which contributions are made.

It is the intention of the Board that the 403(b) Plan will conform to applicable federal and state statutory requirements, and that employees salary reduction contributions and any employer contributions to the program will be within eligible limits as set out in IRS regulations.

The Board authorizes the Business Administrator/Board Secretary to act on its behalf with respect to the Plan, and formulation of rules and procedures for the enrollment of employee in the 403(b) accounts, and the development of procedures for the administration of the Plan.

The Plan document is on file in the Board Office.

**TABLED**

**17. APPROVAL OF METROPOLITAN ENGINEERING ASSOCIATES, INC.**

BE IT RESOLVED that the Board of Education approves having Metropolitan Engineering Associates, Inc. perform forensic studies and provide litigation and claim support, assistance, and expert witness services in conjunction with and at the direction of Board legal counsel at the following hourly rates:

<u>Title</u>	<u>Hourly Rate</u>
Principals	\$ 200
Scheduling Consultant	200
J. Sullivan, P.E.	195
Associates	175-190
Graphics Staff	160
Professional Engineer	150
Mechanical Engineer	150
Register Architect	150
Cadd Operator	90
Drafter for Mech Designer	80
CAD Drafting	80
Technical Reproduction	80
Graphics Technician	70
Support Staff	40
Digital Photographs	35 (one time fee)
Reimbursable Expenses:	Cost for outside Sub-consultant \$40/mile for travel

**APPROVE  
IDEA-B SERVICES  
FOR NONPUBLIC SCHOOL**

**18. APPROVAL OF CONTRACT – ESSEX REGIONAL  
EDUCATIONAL SERVICES COMMISSION – IDEA-B  
SERVICES FOR NONPUBLIC SCHOOL – 2009-2010  
School Year**

BE IT RESOLVED that the Board of Education approves the contract, on file in the Business Office, between the Essex Regional Educational Services Commission and the Nutley Board of Education for IDEA-B services for nonpublic schools for the school year 2009-2010.

**CAFETERIA PRICES  
2009-2010**

**19. CAFETERIA PRICES - 2009-10 School Year**

BE IT RESOLVED that the Board of Education approves the cafeteria prices for the 2009-10 school year as per Appendix I.

**THERAPEUTIC  
SCHOOL FOOD SVC  
AGREEMENT**

**20. THERAPEUTIC SCHOOL FOOD SERVICE AGREEMENT -  
2009-10 School Year**

BE IT RESOLVED that the Board of Education approves the Food Service Agreement with the Therapeutic School at Community Health Care Network, Inc., Belleville, NJ for the 2009-10 school year.

**CHILD DEVELOP  
CENTER FOOD SVC  
AGREEMENT**

**21. CHILD DEVELOPMENT CENTER FOOD SERVICE  
AGREEMENT - 2009-10 School Year**

BE IT RESOLVED that the Board of Education approves the Food Service Agreement with the Child Development Center, Bloomfield, NJ for the 2009-10 school year.

**APPROVE PARTIAL  
PAYMENT HILT CONST.**

**22. APPROVAL OF PARTIAL PAYMENT TO HILT  
CONSTRUCTION CO.**

BE IT RESOLVED that the Board of Education approves partial payment in the amount of \$93,590.00 to Hilt Construction Co. for the Exterior Façade Repairs at Spring Garden Elementary School as per the recommendation of the Board's Engineer and Construction Manager.

**APPROVE PARTIAL  
PAYMENT CIRCLE-A  
CONSTRUCTION CO.**

**23. APPROVAL OF PARTIAL PAYMENT TO CIRCLE-A  
CONSTRUCTION CO. INC.**

BE IT RESOLVED that the Board of Education approves partial payment in the amount of \$158,893.28 to Circle-A Construction Co. Inc. for the Exterior Façade Repairs at Lincoln Elementary School as per the recommendation of the Board's Engineer and Construction Manager.

**ACCEPT BUS LEASE/  
PURCHASE**

**24. ACCEPTANCE OF BUS LEASE/PURCHASE AGREEMENT**

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

WHEREAS the Nutley Board of Education has determined that a true and very real need exists for the acquisition of a 24 passenger and a 54 passenger bus.

WHEREAS the Nutley Board of Education has taken the necessary steps, including any legal bidding requirements, under applicable law to arrange for the acquisition of such Equipment.

WHEREAS a bid for the 24 passenger bus was awarded to Arcola Sales & Service, Carlstadt, NJ, at the cost of \$45,972.00 on June 22, 2009, and

WHEREAS a bid for the 54 passenger bus was awarded to H. A. DeHart & Son, Thorofare, NJ, at the cost of \$75,895.00, on June 22, 2009.

BE IT RESOLVED, by the Nutley Board of Education that a Lease Purchase Agreement is in the best interest of the Nutley Board of Education for the acquisition of such Equipment, and the Nutley Board of Education designates and confirms the School Business Administrator/Board Secretary, Michael DeVita to execute and deliver, the Lease Purchase Agreement.

BE IT FURTHER RESOLVED the Nutley Board of Education approves to enter into a Lease Purchase Agreement with TD Equipment Finance, Inc. with annual payments beginning September 1, 2009.

**APPROVE PARTIAL  
PAYMENT GPC. INC.**

**25. APPROVAL OF PARTIAL PAYMENT TO GPC, INC.**

Trustee Sposato moved, and Trustee Moscaritola seconded, the following resolution. Upon being put to a roll call vote the resolution was approved.

BE IT RESOLVED that the Board of Education approves partial payment in the amount of \$88,239.20 to GPC, Inc. for the Spring Garden School Project as per the recommendation of the Board's Engineer and Construction Manager.

**ACCEPT PROPSAL  
ASSOCIATED TECH.**

**26. ACCEPTANCE OF PROPOSAL – Associated Technology, Inc.**

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

BE IT RESOLVED that the Board of Education accepts the proposal from Associated Technology, Inc. to perform design services for the Washington and Lincoln Elementary Schools HVAC systems at a cost of \$75,000.

BE IT FURTHER RESOLVED that any additional services, if required, will be billed at the following hourly rates:

- Principal \$200
- Project Manager \$115
- Senior Engineer \$110
- Staff Engineer \$100
- Designer \$80
- CAD \$65

**HEARING OF CITIZENS**

**HEARING OF  
CITIZENS**

Resident Mike Russo questioned the benefits for the cafeteria workers.

Resident Terry Quirk, representative for the Nutley Parent Advocacy Network (NPAN), spoke about a packet from NPAN that was sent to the Board and the status of the sensitive material enclosed. She stated that NPAN was looking for closure.

Resident Robert Rusignuolo read a prepared statement regarding daily accountability for attendance and the response to questions previously asked.

**MOTION TO ADJOURN TO EXECUTIVE SESSION**

**EXECUTIVE  
SESSION**

At 9:25 PM Trustee Rogers moved and Trustee Sautter 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:

**Personnel Matter**

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 9:35 PM Trustee Rogers moved, Trustee Moscaritola seconded, and the Board unanimously approved by voice vote a motion to reconvene the public meeting.

Resident Terry Quirk, representative for the Nutley Parent Advocacy Network (NPAN), spoke about her idea of using NJ Hometown to get facts straight with the public.

Resident Victoria Flynn asked about the status of the Spring Garden Project and also about a vaccination requirement for the swine flu.

**OLD BUSINESS**

**OLD BUSINESS**

None

**NEW BUSINESS**

**NEW BUSINESS**

Trustee Frannicola suggested that the Board adopt a resolution at the next scheduled meeting to recognize 70 years of the Third-Half Club.

Trustee Russo said it was not fair for the public to wait for the open meeting to start.

A Board discussion ensued.

Trustee Sautter made a motion, Trustee Frannicola seconded, that the Open Board Meetings start at 8:00 PM instead of 7:00 PM. Upon being put to a roll call vote the motion was unanimously approved.

Trustee Russo spoke about the services that NJSBA provides to the district.

Trustee Rogers stated that he felt \$25,000 is too much for their services.

**ADJOURNMENT**

**ADJOURN**

There being no further business, the meeting was adjourned at 10:25 pm on a motion by Trustee Moscaritola seconded by Trustee Rogers, and unanimously approved by voice vote.

Respectfully submitted,

Michael DeVita  
Board Secretary