

**NUTLEY BOARD OF EDUCATION  
OPEN PUBLIC MEETING  
SEPTEMBER 8, 2014**

The Nutley Board of Education held a Public Meeting on Monday, September 8, 2014 in the JHWMS Choir Room located at 325 Franklin Avenue, Nutley, NJ.

President Kucinski opened the meeting at 6:30 PM.

**FLAG SALUTE**

President Kucinski led the assembly in the flag salute and a moment of silence.

**MEETING NOTICE**

President Kucinski 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 January 6, 2014. Said notice was posted at the entrance of the Board of Education offices, mailed to The Star Ledger, The North Jersey Herald News, The Nutley Journal, The Nutley Sun, Township Clerk advertised in The Nutley Sun on January 16, 2014 and posted on the district website.

This is an official meeting.

**ROLL CALL**

Present: Mr. Daniel A. Carnicella  
Mrs. Lisa Danchak-Martin  
Mr. Salvatore Ferraro  
Mr. Kenneth J. Reilly  
Ms. Deborah J. Russo  
Mr. Fredrick Scalera  
Mr. Thomas J. Sposato  
Mr. Ryan Kline  
Mr. Charles W. Kucinski

Also Present: Mr. Russell M. Lazovick, Superintendent of Schools  
Dr. Gina Villani, Assistant Superintendent of Schools

Absent: Mrs. Karen A. Yeamans, Business Administrator/Board Secretary

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

At 6:32 PM Trustee Scalera moved, Trustee Reilly 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 construction litigation.

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.

## **RECONVENE MEETING**

At 7:46 PM Trustee Russo moved, Trustee Carnicella seconded, and the Board approved by voice to reconvene the meeting.

## **PRESENTATIONS**

### **ADMINISTRATION – Resolution 1**

Trustee Scalera moved, Trustee Sposato seconded, a motion that the Board approve Administration Resolution 1 as follows:

President Kucinski presented a resolution to the governing board of the Third Half Club in celebration of their 75<sup>th</sup> Anniversary.

All board members voiced their appreciation for all the Third Half Club does for the children of Nutley.

The resolution was unanimously approved by a voice vote.

#### **1. NUTLEY THIRD HALF CLUB – 75<sup>th</sup> Anniversary**

BE IT RESOLVED that the Board of Education approves the recognition commemorating the 75<sup>th</sup> Anniversary of the Nutley Third Half Club.

WHEREAS, on September 11, 2014 the Nutley Third Half Club will celebrate 75 years as an organization, and

WHEREAS, the Nutley Board of Education supports the objectives and purposes of this club to bring together socially and fraternally, men and women who are graduates of Nutley High School, parents of students attending Nutley Schools and all sports minded citizens; to provide an incentive for participation in the field of athletics and associated activities.

WHEREAS, the Nutley Third Half Club serve numerous young people of the Nutley, New Jersey School District, and

WHEREAS, the Nutley Board of Education desires to recognize the 75<sup>th</sup> Anniversary of Nutley Third Half Club and its positive influence on our township's young men and women.

NOW, THEREFORE, BE IT RESOLVED, that the Nutley Board of Education on this day of September 11, 2014, hereby congratulate the Nutley Third Half Club on its 75<sup>th</sup> Anniversary Celebration.

Ms. Alegretto of Chartwells gave a power-point presentation on the enhancements to the current cafeteria menu for the schools and stated she was always willing to try new ideas.

**SUPERINTENDENT'S REPORT**

Mr. Lazovick spoke about the successful opening of the schools throughout the district, technology, re-registration, buildings and grounds and kindergarten registration. He thanked the Third Half Club for all they do for the children and mentioned their upcoming dinner.

**HEARING OF CITIZENS (Resolutions Only)**

None

**RESOLUTIONS:**

***ACADEMIC - Resolutions 1-2***

Trustee Danchak-Martin moved and Trustee Russo seconded a motion that the Board approves Academic Resolutions 1-2 as follows:

Upon a roll call vote Academic Resolutions 1-2 were unanimously approved.

**1. APPROVAL OF FIELD TRIPS**

BE IT RESOLVED that the Board of Education approves the field trip list and all expenses as follows:

SCHOOL	TEACHER/PROGRAM	DATE	LOCATION
Nutley High School	Ms. Tarantino	9/11/14	Nutley Municipal Building, Nutley, NJ

**2. APPROVAL OF PROFESSIONAL DEVELOPMENT DAYS/TRAVEL REIMBURSEMENT**

BE IT RESOLVED that the Board of Education approves the travel list and all expenses per as follows:

EMPLOYEE/BOARD MEMBER	PROGRAM NAME	DATE	LOCATION	COST
Leann Martin, Denis Williams, Philip Ahn, Megan Casale,	PARCC Frameworks – PBA and EOY	9/16/14	Fairfield, NJ	\$125.00/each + travel
Leann Martin, Helen Doyle-Marino, Takisha Sanchez, Chris Mickens	PARCC Frameworks – PBA and EOY	9/18/14	Fairfield, NJ	\$125.00/each + travel
Leann Martin, Lorraine Rubinstein, Lorraine Restel	PARCC Frameworks – PBA and EOY	9/19/14	Fairfield, NJ	\$125.00/each + travel

Leann Martin, Jessica Mabel, Robert Harbison, Persis Mehta	PARCC Frameworks – PBA and EOY	9/22/14	Fairfield, NJ	\$125.00/each + travel
Leann Martin, Tracy McCormick, Laurie LaGuardia	PARCC Frameworks – PBA and EOY	9/23/14	Fairfield, NJ	\$125.00/each + travel
Leann Martin, Carla Panicci, Michael Kearney	PARCC Frameworks – PBA and EOY	9/24/14	Fairfield, NJ	\$125.00/each + travel
Leann Martin, Kevin Smyth, Paul Greco Annemarie Carollo	PARCC Frameworks – PBA and EOY	9/25/14	Fairfield, NJ	\$125.00/each + travel
Robyn Powell	Sedge Island Chaperone	9/28/14, 9/29/14	Island Beach State Park, NJ	\$0
Richard Noonan	Sedge Island Chaperone	9/28/14-9/30/14	Island Beach State Park, NJ	\$0
Leann Martin, Sarah Misner	PARCC Frameworks – PBA and EOY	10/2/14	Fairfield, NJ	\$125.00/each + travel
Leann Martin, Deanna Fredricks	PARCC Frameworks – PBA and EOY	10/3/14	Fairfield, NJ	\$125.00/each + travel
Helen Doyle-Marino, Persis Mehta	APA/DLM Workshop	9/19/14	Saddlebrook, NJ	\$0 + travel
Nicole Heid	Special Ed Roundtable	9/19/14	West Orange, NJ	\$0 + travel
James Riley	The Role of Arts Education in NJ Ed Reform	10/1/14	Monroe Township, NJ	\$149.00 + travel
Russell Lazovick, Gina Villani, Karen Yeamans, Philip Nicolette, Daniel Carnicella, Salvatore Ferraro, Ryan Kline, Charles Kucinski, Deborah Russo, Thomas Sposato	NJSBA	10/28/14-10/30/14	Atlantic City, NJ	\$490/pp. Registration, Hotel, Meals + Travel

***FINANCE - Resolutions 1-9***

Trustee Sposato moved and Trustee Russo seconded a motion that the Board approves Finance Resolutions 1-9 as follows:

Mr. Lazovick thanked Mr. & Mrs. Divilio for their generous donation of iPads.

Upon a roll call vote Finance Resolutions 1-9 were unanimously approved.

**1. REQUESTS FOR USE OF SCHOOL BUILDINGS AND GROUNDS**

BE IT RESOLVED that the Board of Education approves the requests for the use of school buildings and grounds, that conform to the rules and regulations set by the Board of Education as follows:

<b>REQUESTS</b>	<b>PURPOSE OF USE</b>	<b>FACILITIES</b>	<b>DATE</b>	<b>TIME</b>	<b>FEES</b>	<b>NO. OF EVENTS</b>
Jeremy Lentz Lentz & Lentz SAT Prep	SAT Test Prep	NHS classrooms	9/8/14-10/27/14	6:30-9:30 pm	Facilities: \$700.00 Custodian: \$1,413.30	7
Dana Guzman Girl Scout Troop #20524	Girl Scout Meetings	Lincoln School Cafeteria	9/16/14-6/16/15	6:30-8:30 pm	Facilities: None Custodian: None	15
Walter Smith Cub Scouts Pack #141	Cub Scouts Recruiting	Yantacaw School Auditorium	9/10/14 9/25/14 10/23/14	6:30-8:30 pm	Facilities: None Custodian: None	3
Walter Smith Cub Scouts Pack #141	Cub Scouts Recruiting	Washington School Auditorium	9/11/14	6:30-8:00 pm	Facilities: None Custodian: None	1
Holly Hergenhan Girl Scout Troop #20283	Girl Scout Meetings	Washington School Classroom	9/11/14-6/11/15	3:30-5:30 pm	Facilities: None Custodian: None	10
Theresa Vinci Nutley Parks & Recreation	Play Rehearsals	JWMS Auditorium	9/14/14-11/14/14	6:00-9:00 pm	Facilities: None Custodian: None	38
Renee Rallatos Girl Scout Troop #20219	Girl Scout Meetings	Spring Garden Cafeteria	9/15/14-6/8/15	6:30-8:00 pm	Facilities: None Custodian: None	17
Francesca Ciotoli Brownie Troop	Brownie Troop Meetings	Radcliffe School Teachers Cafeteria	9/16/14-6/14/15	6:30-8:00 pm	Facilities: None Custodian: None	12
Leilani Carson Girl Scout Troop #20338	Girls Scout Meetings	Lincoln School Teachers Cafeteria	9/16/14-6/5/15	6:30-7:30 pm	Facilities: None Custodian: None	10
Mariaelena Alameda Yantacaw Class of 2015 Committee	Car Wash & Bake Sale	Yantacaw School Blacktop	9/20/14 (rain date 9/27/14)	10:00 am-4:00 pm	Facilities: None Custodian: None	1
Adam Jernick Office of Mayor Petracco	Pathways to Peace	JWMS Front Lawn & restrooms	9/21/14	8:00 am-6:00 pm	Facilities: None Custodian: None	1
James Jasnowitz Atlantic Coast Football League	Men's Flag & Touch Football Games	Yantacaw School Field	9/7/14-12/7/14	9:30 am-1:30 pm	Facilities: None Custodian: None	14
Charles Fanelli	Men's Basketball Games	Lincoln & Radcliffe School Gym	9/115/14-5/18/15	7:00-9:00 pm	Facilities: \$3000.00 Custodian: \$3,780.00	30
Ana Blanco Girl Scouts Heart of NJ	Girl Scout Leaders Meeting	Lincoln School Students Cafeteria	9/22/14-6/1/15	6:45--9:00 pm	Facilities: None Custodian: None	4
Jena Somers Lincoln School PTO	Volunteer Sign-Ups Class Parents	Lincoln School Auditorium	9/25/14	6:30-9:00 pm	Facilities: None Custodian: None	1

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Stephanie Helms Girl Scout Troop #20642	Girl Scout Meetings	Lincoln School Students Cafeteria	10/1/14-6/10/15	6:30-7:30 pm	Facilities: None Custodian: None	8
Heather Soto JWMS PTO	PTO Meetings	JWMS Library	10/22/14 1/20/15 3/24/15	6:30-8:00 pm	Facilities: None Custodian: None	3
Audrey Chaves PT Council	PT Council Meetings	Spring Garden Cafeteria	10/27/14	7:00-9:00 pm	Facilities: None Custodian: None	1
Jena Somers Lincoln School PTO	Tricky Tray Meeting	Lincoln School Cafeteria	10/27/14	6:30-9:00 pm	Facilities: None Custodian: None	1
Theresa Vinci Nutley Parks & Recreation	Basketball Practices	Lincoln, Radcliffe, Washington, JWMS, Spring Garden, Yantacaw Gym	11/3/14-4/30/15	6:30-9:30 pm	Facilities: None Custodian: None	96
Theresa Vinci Nutley Parks & Recreation	Men's Volleyball Practices	Spring Garden Gym	11/3/14-4/30/15 (Wednesdays)	6:30-10:00 pm	Facilities: None Custodian: None	20
Barbara Chiarieri Nutley Chamber of Commerce	Santa's Arrival	Oval & Field House	11/28//14 11/29/14 (rain date)	12:30-3:00 PM 9:30 am-12:00 pm (rain date)	Facilities: None Custodian: None	1
Jena Somers Lincoln School PTO	Holiday Boutique Set-Up	Lincoln School Gym	12/3/14	6:30-9:30 pm	Facilities: None Custodian: None	1
Jena Somers Lincoln School PTO	Field Day	Lincoln School Grounds	4/23/15 (rain date 4/24/15)	8:00 am-4:00 pm	Facilities: None Custodian: None	1
Jena Somers Lincoln School PTO	Color Run	Lincoln School Grounds	4/26/15	7:00 am-4:00 pm	Facilities: None Custodian: None	1
Jena Somers Lincoln School PTO	Junior Olympics	Lincoln School Cafeteria & Grounds	5/21/15 (rain date 5/22/15)	8:00-4:00 pm	Facilities: None Custodian: None	1
Jena Somers Lincoln School PTO	Family Fun Day	Lincoln School Grounds	5/29/15	3:00-9:00 pm	Facilities: None Custodian: None	1
Jena Somers Lincoln School PTO	Scholastic Book Fair	Lincoln School Gym	6/2/15-6/4/15	8:00 am-4:00 pm	Facilities: None Custodian: None	3
Andrea Madonia Dance Techniques	Dance Rehearsal & Performance	NHS Auditorium and classrooms	6/5/15 6/6/15	3:00-8:00 pm 12:00-6:00 pm	Facilities: \$900.00 Custodian: \$472.00	2
Jena Somers Lincoln School PTO	Car Wash	Lincoln School Grounds	6/6/15	8:00 am-4:00 pm	Facilities: None Custodian: None	1
Jena Somers Lincoln School PTO	PTO Dinner	Lincoln School Cafeteria	6/10/15	6:30-7:30 pm	Facilities: None Custodian: None	1

Jena Somers Lincoln School PTO	June Treats	Lincoln School Grounds	6/18/15	8:00 am-4:00 pm	Facilities: None Custodian: None	1
Jena Somers Lincoln School PTO	Donuts for Dads	Lincoln School Cafeteria	6/19/15	7:30 am-10:00 am	Facilities: None Custodian: None	1
<b>Total Use of Property Represented By The Above</b>						282

**2. APPROVAL OF MEMBERSHIP DUES**

BE IT RESOLVED that the Board of Education approves the payment for membership dues for school year 2014-2015 in the amount of \$4,000 for Montclair State University Network for Educational Renewal.

**3. APPROVAL OF PARTIAL PAYMENT TO C&M DOOR CONTROLS**

BE IT RESOLVED that the Board of Education approves partial payment to C&M Door Controls in the amount of \$28,105.75 as per the recommendation of the Board's Architect as follows:

Original Contract Sum	\$ 216,900.00
Less Previous Payments Approve	<u>151,392.00</u>
	65,508.00
Current Payment Application 4	<u>\$ 28,105.75</u> (Acct #30-000-405-450-01-000)
Balance Due	\$ 37,402.25

**4. APPROVAL OF PARTIAL PAYMENT TO SALAZAR & ASSOCIATES, INC.**

BE IT RESOLVED that the Board of Education approves partial payment to Salazar & Associates, Inc. in the amount of \$32,873.04 as per the recommendation of the Board's Architect as follows:

Original Contract Sum:	\$ 72,314.00
Change Order to Date	<u>4,770.00</u>
Contract Sum to Date	77,084.00
Less Previous Payments Approved	<u>3,250.90</u>
	73,834.00
Current Payment Application 2	\$ 28,103.04 (Acct #30-000-405-450-03-000)
Change Order Payment	<u>\$ 4,770.00</u> (Acct #30-000-405-450-03-330)
Balance Due	\$ 40,960.96





**9. APPROVAL AUTHORIZING PARTICIPATION IN SMALL TICKET LEASE PROGRAM**

RESOLUTION AUTHORIZING PARTICIPATION IN THE  
MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION  
(New Jersey State Approved Cooperative Pricing System #65MCESCCPS)

“SMALL TICKET LEASE PROGRAM”  
(Middlesex Regional Educational Services Commission Bid No. 13/14-23)

**Lessee: Nutley Board of Education**

Principal Amount Expected To Be Financed: **\$80,000.00**

WHEREAS, the Lessee named above (the “Lessee”) is a political subdivision of the State of New Jersey (the “State”) and is duly organized and existing pursuant to the Constitution and laws of the State;

WHEREAS, pursuant to applicable law, the Lessee acting through its governing body (the “Governing Body”) is authorized to acquire and lease personal property necessary to the functions or operations of the Lessee;

WHEREAS, the Governing Body hereby finds and determines the execution of one or more lease-purchase agreements (“Equipment Leases”) in the principal amount not exceeding the amount stated above (the “Principal Amount”) for the purpose of acquiring the Equipment described generally below (the “Equipment”) and to be described more specifically in the Equipment Leases is appropriate and necessary to the functions and operations of the Lessee;

Brief Description of Equipment:

one (1) 2015 29-passenger DRW Gas Engine School Bus and one (1) 2015 – 54  
passenger Thomas diesel engine school bus

WHEREAS, **FIRST HOPE BANK, a National Banking Association**, (the “Lessor”) is expected to act as the Lessor under the Equipment Leases;

WHEREAS, the Lessee may pay certain capital expenditures in connection with the Equipment prior to its receipt of proceeds of the Equipment Leases (“Lease Purchase Proceeds”) for such expenditures, and such expenditures are not expected to exceed the Principal Amount; and

WHEREAS, the Lessee hereby declares its official intent to be reimbursed for any capital expenditures made for the Equipment after adoption of this resolution but prior to the issuance of the Equipment Leases from the Lease Purchase Proceeds.

NOW, THEREFORE, Be It Resolved by the Governing Body of the Lessee as follows:

Section 1. The Lessee hereby determines that it has critically evaluated the financing alternatives and that entering into the Equipment Leases and financing the acquisition of the Equipment thereby is in the best interests of the Lessee.

Section 2. The Lessee is hereby authorized to acquire and install the Equipment and is hereby authorized to finance the Equipment by entering into the Equipment Leases. Any action taken by the Lessee in connection therewith is hereby ratified and confirmed.

Section 3. The Business Administrator acting on behalf of the Lessee is hereby authorized to negotiate, enter into, execute, and deliver one or more Equipment Leases in substantially the form set forth in the document presently before the Governing Body, which document is available for public inspection at the office of the Lessee. Each Authorized Representative acting on behalf of the Lessee is hereby authorized to negotiate, enter into, execute, and deliver such other agreement or documents relating to the Equipment Leases (including, but not limited to, escrow agreements) as the Authorized Representative deems necessary and appropriate.

Section 4. By a written instrument signed by any Authorized Representative, said Authorized Representative may designate specifically identified officers or employees of the Lessee to execute and deliver agreements and documents relating to the Equipment Leases on behalf of the Lessee.

Section 5. The aggregate original principal amount of the Equipment Leases shall not exceed the Principal Amount and shall bear interest as set forth in the Equipment Leases and the Equipment Leases shall contain such options to purchase by the Lessee as set forth therein.

Section 6. The Lessee's obligations under the Equipment Leases shall be subject to annual appropriation or renewal by the Governing Body as set forth in each Equipment Leases, and the Lessee's obligations under the Equipment Leases shall not constitute indebtedness of the Lessee under the laws of the State.

Section 7. It is hereby determined that the acquisition of the Equipment is permitted under the laws governing the Lessee and is essential to the efficient operation of the Lessee.

Section 8. The Governing Body of the Lessee anticipates that the Lessee may pay certain capital expenditures in connection with the Equipment following adoption of this resolution but prior to the receipt of the Lease Purchase Proceeds for the Equipment. The Governing Body of the Lessee hereby declares the Lessee's official intent to use the Lease Purchase Proceeds to reimburse itself for such Equipment expenditures. This section of the resolution is adopted by the Governing Body of the Lessee for the purpose of establishing compliance with the requirements of Section 1.150-2 of Treasury Regulations. This section of this resolution does not bind the Lessee to make any expenditure, incur any obligation, or proceed with the acquisition of the Equipment.

Section 9. The Lessee covenants that it will comply with all requirements of the Internal Revenue Code of 1986, as amended, (the "Code") necessary to ensure that the interest portion of rental payments due under the Equipment Leases will be excluded from gross income under Section 103(a) of the Code. [The Lessee reasonably expects it will not issue more than \$10,000,000 of tax-exempt obligations (other than "private activity bonds" that are not "qualified 501(c)(3) bonds") during the calendar year in which each of the Equipment Leases is issued and hereby designates each Equipment Lease as a qualified tax-exempt obligation for purposes of Section 265(b) of the Code.] The Authorized Representative is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest portion of the rental payments due on the Equipment Leases authorized by this resolution as excludable from gross income for federal income tax purposes pursuant to Section 103(a) of the Code.

Section 10. This resolution shall take effect immediately upon its adoption and approval.

**FINANCE – Resolution 10**

Trustee Sposato moved and Trustee Scalera seconded a motion that the Board approves Finance Resolution 10 as follows:

Upon a roll call vote Finance Resolution 10 was unanimously approved.

**10. APPROVAL OF PAYMENT TOWARDS A SETTLEMENT – TRI-TECH LITIGATION**

BE IT RESOLVED that the Board of Education approves the payment of \$465,000 towards a settlement of the Tri-Tech litigation, provided that the documents necessary in the opinion of legal counsel to the Board are executed, filed and exchanged.

**PERSONNEL – Resolution 1**

Trustee Kline moved and Trustee Sposato seconded a motion that the Board approves Personnel Resolution 1.

Upon a roll call vote Personnel Resolution 1 was unanimously approved.

**1. PERSONNEL AGENDA REPORT**

BE IT RESOLVED that the Board of Education approves the Personnel Agenda Report dated August 25, 2014.

**HEARING OF CITIZENS**

None

**OLD BUSINESS**

None

**NEW BUSINESS**

None

**MOTION TO ADJOURN TO EXECUTIVE SESSION**

At 8:17 PM President Kucinski 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 personnel 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.

**RECONVENE MEETING**

At 8:21 PM Trustee Sposato moved, Trustee Danchak-Martin seconded, and the Board approved by voice to reconvene the meeting.

**ROLL CALL**

Present: Mr. Daniel A. Carnicella  
Mrs. Lisa Danchak-Martin  
Mr. Salvatore Ferraro  
Mr. Kenneth J. Reilly  
Ms. Deborah J. Russo  
Mr. Fredrick Scalera  
Mr. Thomas J. Sposato  
Mr. Ryan Kline  
Mr. Charles W. Kucinski

Also Present: Mr. Russell M. Lazovick, Superintendent of Schools  
Dr. Gina Villani, Assistant Superintendent of Schools

Absent: Mrs. Karen A. Yeamans, Business Administrator/Board Secretary

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 8:22PM on a motion by Trustee Reilly, seconded by Trustee Sposato, and unanimously approved by voice vote.

Respectfully submitted,

Russell M. Lazovick  
Acting Board Secretary