

Board of Education  
Nutley, New Jersey

April 28, 1997

The Special Meeting of the Board of Education of the Township of Nutley, New Jersey was held in the Board Room, 375 Bloomfield Avenue, on Monday, April 28, 1997 at 7:30 p.m. with Mr. John C. Sincaglia, Temporary Chairman, presiding.

ANNOUNCEMENT OF MEETING:

Mr. Sincaglia read the following:

"According to the provisions of the 'Open Public Meetings Act' (Chapter 231, P.L. 1975), proper notice of this meeting of the Board was provided on April 1, 1997. Said Notice was:

1. Posted at the entrance of the Board Office.
2. Mailed to The Nutley Sun, the Star Ledger, the North Jersey Herald & News and the Nutley Journal.
3. Mailed to the Nutley Township Clerk.

"The purpose of this meeting is for the Board of Education to reorganize pursuant to NJSA 18A:10-3.

"Formal action will be taken."

FLAG SALUTE:

The meeting was opened with Mr. Sincaglia leading the Board members and citizens in the Pledge of Allegiance to the American flag.

STATEMENT OF RESULTS OF ANNUAL SCHOOL ELECTION:

Mr. Sincaglia read the following:

"The Annual Election of the legal voters of the School District of the Township of Nutley, in the County of Essex, New Jersey, was held on Tuesday, April 15, 1997 between the hours of 2:30 and 9:00 p.m. and as much longer as was necessary to permit all the legal voters then present at the polling places to vote.

"Voting was conducted at Ward 1 - Districts 1-7, Ward 2 - Districts 1-6 and Ward 3 - Districts 1-7 all in the School District.

"Voting was conducted for the election of three members to the Board of Education for a period of three years and for authorizing the raising of \$28,633,379 in district taxes to support the proposed 1997/1998 General Fund Budget.

"The results of the election were as follows:

Candidates for 3-year terms

Rory W. Moore	972 votes
Joseph C. Pelaia	1,843 votes
Charles W. Kucinski, Jr.	1,534 votes
Virginia A. Fazzi	1,564 votes
Alfred R. Restaino, Jr.	1,852 votes
Maria Russo	1,926 votes
Sera Shuster	1 vote

"The candidates elected were:

Joseph C. Pelaia, Alfred R. Restaino, Jr. and Maria Russo for three-year terms.

"The votes for the General Fund portion of the budget were as follows:

Yes	1,986 votes
No	1,357 votes

"The question of the tax levy was approved.

"A copy of this report will be entered in the official minutes of the Board of Education."

ADMINISTRATION OF OATH TO NEW BOARD MEMBERS:

Mr. Sincaglia administered the Oath of Office to Mr. Joseph C. Pelaia, Mr. Alfred R. Restaino, Jr. and Mrs. Maria Russo.

CALL OF ROLL:

The members present at roll call were: Mrs. Michele Fleitell, Mr. Vincent Moscaritola, Mr. Franklin J. Patterson, Mr. Joseph C. Pelaia, Mr. Alfred R. Restaino, Jr., Mr. Robert J. Rusignuolo, Mrs. Maria Russo, Mr. Robert Schweikert, Jr. and Mr. Louis F. Williams. Approximately 40 citizens were present.

ELECTION OF PRESIDENT:

Mr. Sincaglia declared nominations open for the office of President.

Mr. Pelaia placed the name of Robert J. Rusignuolo in nomination for President.

Mr. Robert Schweikert, Jr. offered his own name in nomination for President, reading the following statement:

"I have been sitting at this table for two years now, and during this time I feel the atmosphere between the public and the Board has been getting worse. This is something which scares me very much; it is not healthy for the district or good for the children. This should not be the case; we as a Board should welcome people to our meetings. Just look at the set-up of this table; our backs are to the audience, our bosses, the citizens of Nutley. We should all be working together; the Board, parents, teachers, administration and taxpayers. Our goal is the same; do what is best for our children. I feel these problems start at the top. We are at a time where a change is needed.

"Please bear with me as I read this prepared statement:

'From the beginning there have been two distinct schools of political thought in this country -- one professes to believe that a representative is elected by the people because of superior ability and that as soon as he takes office he may act solely as his own judgment dictates.

'The other school believes that under our system an elected representative is bound to carry out the wishes of his constituents whenever it is clear what a majority of them want.

'Thirteen months ago I was elected as a candidate of the forgotten taxpayer.

'Is there any doubt that a majority of the taxpayers are not satisfied with the board as it has been operating? Of the nine members constituting this board, five may be said to have been elected to bring a new deal and action by this board more nearly in line with what the majority of the voters want.

'We believe that this board should now be organized to meet the views of the voters of the town. Let us get into step with our fellow citizens for the good of our schools. If we do not start to do it now, a finished job will be done for us by the voters in the next election.'

"This is not my statement, it is of past board member, Mr. Lewellyn Pratt, who wrote it in 1934. What scares me most is that these practices have not changed in 63 years. This is why I am placing my name in nomination for President of this board. I know what I lack in experience, I could make up in integrity. Thank you."

Mr. Sincaglia then declared nominations closed and asked for a vote on the nominees for President. The votes were as follows:

For Robert J. Rusignuolo

Mrs. Fleitell  
Mr. Moscaritola  
Mr. Patterson  
Mr. Pelaia  
Mr. Restaino  
Mr. Rusignuolo  
Mr. Williams

For Robert Schweikert, Jr.

Mrs. Russo  
Mr. Schweikert

Mr. Rusignuolo was declared elected as President.

### ELECTION OF VICE-PRESIDENT:

Mrs. Fleitell placed the name of Maria Russo in nomination for Vice-President.

Mr. Williams placed the name of Joseph C. Pelaia in nomination for Vice-President, reading the following statement:

"I would like to place the name of Mr. Joseph Pelaia in nomination for Vice-President of the Nutley Board of Education for this new term.

"In his 3 years on the Board Mr. Pelaia has been most active and involved in Board related activities.

"He has served as Vice-President this past year as well as chairing various Board committees.

"He has represented our Board at the Essex County School Boards and will shortly assume the presidency of that organization. He has also involved himself at the state level in items of interest to the Board.

"In my opinion Mr. Pelaia has served this community in a committed, dedicated and conscientious manner.

"This Board will be faced with significant decisions in the coming year which will require thoughtful and methodical leadership.

"I feel that Mr. Pelaia can bring that thoughtful and methodical bearing to these decisions and I sincerely believe he should continue as Vice-President of this Board for the coming year."

Mr. Sincaglia declared nominations closed and asked for a vote on the nominees for Vice-President. The votes were as follows:

#### For Mrs. Russo

Mrs. Fleitell  
Mrs. Russo  
Mr. Schweikert

#### For Mr. Pelaia

Mr. Moscaritola  
Mr. Patterson  
Mr. Pelaia  
Mr. Restaino  
Mr. Rusignuolo  
Mr. Williams

Mr. Pelaia was declared elected as Vice-President.

Mr. Rusignuolo assumed the Chair and welcomed the newest Board member, Mr. Restaino. Mr. Rusignuolo expressed his appreciation for the Board members' support, vote of confidence and the opportunity to serve again as the President of the Board of Education.

Mr. Rusignuolo noted that during the past year the Board continued the good work of past Boards with high academic achievement, clean, well-maintained buildings and a positive atmosphere for development and growth of the students. He noted that the district continues to provide an excellent education at low cost, with the lowest budget increase in years.

Mr. Rusignuolo thanked his colleagues for the hours they give attending meetings and thanked the administration, teachers and staff for their continued hard work and dedication to the youngsters. He noted that we have a wonderful school system and can be very proud of it. Mr. Rusignuolo also indicated that the Board's course of action this year will be guided by the high standards and expectations which have guided the district in the past.

HEARING OF CITIZENS (Resolutions Only):

None

ADOPTION OF SCHEDULE OF MEETINGS:

Mrs. Fleitell presented and moved the adoption of the following resolution, seconded by Mr. Moscaritola:

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 following schedule of meetings be adopted. (Schedule A)

Mrs. Russo asked why the June Board meeting would take place on June 30. Mr. Sincaglia explained that it is the end of the fiscal year and we try to schedule the meeting as late in the month as possible since this allows us to have less things to roll over into the next year.

Mrs. Russo suggested that the designation "Conference Meeting" be changed to "Workshop" which could encourage the public to attend the meetings. Mr. Rusignuolo thanked Mrs. Russo for her suggestion, adding that perhaps the Board could better explain what Conference Meetings are since that is a standard name for that type of meeting.

Mrs. Russo then made a motion to change the name "Conference Meeting" to "Workshop," seconded by Mr. Schweikert. Mr. Moscaritola then made a motion to table the resolution, seconded by Mr. Pelaia. Mr. Sincaglia noted that the Board has a legal obligation to adopt a schedule of meetings. It was then agreed by all to bring the matter up at a later date.

On a roll call vote the resolution was unanimously adopted.

### ADOPTION OF POLICIES:

Mrs. Fleitell presented and moved the adoption of the following resolution, seconded by Mr. Moscaritola:

BE IT RESOLVED, That the Board of Education of the Township of Nutley hereby adopts for the ensuing year all Bylaws and Policies, Rules and Regulations currently in force.

Mrs. Russo noted that she had brought up the subject of policies and policy review often over the past few months and wished to add an addendum to the acceptance of the resolution with provisions to aggressively review, revise and update policies which is specifically called for in a Board policy.

Mr. Rusignuolo indicated that the question is whether that is necessary since past Boards have periodically reviewed all of the policies and we are moving in the direction of doing that during the current year. Mr. Williams remarked that it is time for a policy review. Mr. Rusignuolo added that the Policy Committee would be discussing this shortly.

Mrs. Fleitell noted that in the policies it is written that they should be reviewed and updated regularly. Mrs. Russo stated that Board Policy #101, for example, states that it should be reviewed every five years. She also added that specific policies need aggressive review.

Dr. Votto indicated that with regard to Mrs. Russo's reference to a five-year update, the 1990 date on many policies and regulations was as a result of preparation for monitoring. Dr. Votto commented that the Policy Committee should look at the entire framework of policies.

Mr. Patterson questioned if the wording should be that policies will be reviewed during the next term of office. Mrs. Russo stated that she would like provisions added for aggressive review.

Mr. Sincaglia informed the Board that the purpose of tonight's meeting is ministerial so that the Board can function as a Board and the adoption of policies is essential for the district to move along, adding that the addendum could be done under Other Business. Mrs. Russo then withdrew her suggested addendum.

Upon being put to a roll call vote the resolution was adopted with Mrs. Fleitell, Mr. Moscaritola, Mr. Patterson, Mr. Pelaia, Mr. Restaino, Mrs. Russo, Mr. Williams and Mr. Rusignuolo voting aye and Mr. Schweikert voting nay.

### DESIGNATION OF OFFICIAL NEWSPAPER:

Mr. Moscaritola presented and moved the adoption of the following resolution, seconded by Mr. Restaino. On a roll call vote the resolution was unanimously adopted:

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

DEPOSITORY OF ELEMENTARY SCHOOL SAVINGS ACCOUNTS:

Mr. Moscaritola presented and moved the adoption of the following resolution, seconded by Mr. Restaino. On a roll call vote the resolution was unanimously adopted:

BE IT RESOLVED, That Valley National Bank be designated as the official depository for the 1997/1998 school year for individual student savings accounts to which deposits are made through the elementary schools.

DEPOSITORY OF SCHOOL FUNDS - Valley National Bank:

Mr. Patterson presented and moved the adoption of the following resolution, seconded by Mrs. Russo. On a roll call vote the resolution was unanimously adopted:

BE IT RESOLVED, That Valley National Bank be designated the official depository for the following accounts of the Nutley Board of Education for the 1997/1998 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 April 28, 1997:

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

John C. Sincaglia or  
Jean Unglaub

School Accounts

Nutley High School

Mario Cocchiola or  
Joseph Zarra

Franklin School

James Vivinetto or  
Edward Fraser

Lincoln School

Dorothy Mutch

Spring Garden School

Lucy Anello

Washington School

Rosemarie DiGeronimo

Yantacaw School

John Calicchio

Radcliffe School

Kathleen Serafino

April 28, 1997

DEPOSITORY OF SCHOOL FUNDS - First Union Bank:

Mr. Patterson presented and moved the adoption of the following resolution, seconded by Mrs. Russo. On a roll call vote the resolution was unanimously adopted:

BE IT RESOLVED, That the First Union Bank be designated as the official depository for the following accounts of the Nutley Board of Education for the 1997/1998 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 April 28, 1997:

Board of Education General AccountPrimary SignatoryAlternate Signatory

Robert J. Rusignuolo, President

or Joseph C. Pelaia, Vice-President

John C. Sincaglia, Secretary

or Jean Unglaub, Manager of Accounts

David Wilson, Treasurer of  
School Moneys

Board of Education Salary Account

John C. Sincaglia, Secretary

or Jean Unglaub, Manager of Accounts

David Wilson, Treasurer of  
School Moneys

Board of Education Cafeteria Account

John C. Sincaglia

or Jean Unglaub

BE IT FURTHER RESOLVED, That the First Union Bank be authorized to accept facsimile signatures of the check signing machine.

INVESTMENT OF FUNDS:

Mr. Pelaia presented and moved the adoption of the following resolution, seconded by Mr. Moscaritola. On a roll call vote the resolution was unanimously adopted:

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 and Repurchase Agreements of our local banks, and in any other securities designated by law.



**APPOINTMENT OF ATTORNEY AND NEGOTIATOR/CONSULTANT:**

Mr. Patterson presented and moved the adoption of the following resolution, seconded by Mr. Williams. Upon being put to a roll call vote the resolution was adopted with Mrs. Fleitell, Mr. Moscaritola, Mr. Patterson, Mr. Restaino, Mrs. Russo, Mr. Schweikert, Mr. Williams and Mr. Rusignuolo voting aye and Mr. Pelaia abstaining:

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

WHEREAS, funds are available for this purpose, and

WHEREAS, the Public School Contracts Law (Ch. 114, Laws of 1977) 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 as follows:

1. The firm of Sills Cummis Zuckerman Radin Tischman Epstein & Gross, P.A. of Newark, NJ is hereby appointed Board attorney and negotiator/consultant for the 1997/1998 school year.
2. This contract is awarded without competitive bidding as a professional service under the provisions of the Public School Contracts Law.

**APPOINTMENT OF AUDITOR:**

Mr. Restaino presented and moved the adoption of the following resolution, seconded by Mr. Pelaia. On a roll call vote the resolution was unanimously adopted:

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

WHEREAS, funds are available for this purpose, and

WHEREAS, the Public School Contracts Law (Ch. 114, Laws of 1977) 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 as follows:

1. The firm of Deloitte & Touche LLP of Morristown, NJ is hereby appointed auditors for the accounts of the Board of Education for the 1997/1998 school year.

2. This contract is awarded without competitive bidding as a professional service under the provisions of the Public School Contracts Law.

APPOINTMENT OF TREASURER OF SCHOOL MONEYS:

Mr. Restaino presented and moved the adoption of the following resolution, seconded by Mr. Pelaia. On a roll call vote the resolution was unanimously adopted:

BE IT RESOLVED, That Mr. David Wilson be appointed Treasurer of School Moneys for the 1997/1998 school year.

LEASE OF BOARD PROPERTY ON OVERLOOK TERRACE:

Mrs. Russo presented and moved the adoption of the following resolution, seconded by Mrs. Fleitell. On a roll call vote the resolution was unanimously adopted:

BE IT RESOLVED, That the Board of Education leases 20 feet of property owned by it, known as Lot Number 14, Block 212 (Overlook Terrace, rear entrance of Spring Garden School playground), on the tax maps of the Township of Nutley, to John Janiec and Mrs. Anne Janiec, his wife, for a term beginning May 1, 1997 and terminating April 30, 1998, 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 - 21 Romano Street:

Mr. Schweikert presented and moved the adoption of the following resolution, seconded by Mrs. Russo. On a roll call vote the resolution was unanimously adopted:

BE IT RESOLVED by the Board of Education that it hereby leases to Nicholas DelMauro, owner of the property known as 21 Romano Street, Nutley, New Jersey, a strip of land 20 feet in width running along the westerly line of the premises of said lessee for the full width thereof, which said premises are listed as Block 18, Lots 45 and 46 in the tax assessor's books of the Township of Nutley, and

BE IT FURTHER RESOLVED, That said lease be written for a term commencing May 1, 1997 and terminating April 30, 1998, at a term rental of One Dollar (\$1.00), and

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

LEASE - 22 Romano Street:

Mr. Williams presented and moved the adoption of the following resolution, seconded by Mrs. Russo. On a roll call vote the resolution was unanimously adopted:

BE IT RESOLVED by the Board of Education of the Township of Nutley, that it hereby leases to Angelo Rotonda, owner of the property known as 22 Romano Street, Nutley, New Jersey, a strip of land 25 feet in width running along the westerly line of the premises of said lessee for the full width thereof, which said premises are listed as Block 18, Lots 78 and 79 in the tax assessor's books of the Township of Nutley, and

BE IT FURTHER RESOLVED, That said lease be written for a term commencing May 1, 1997 and terminating April 30, 1998, at a term rental of One Dollar (\$1.00), and

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

OTHER BUSINESS:

Mrs. Russo suggested that the Board commit itself to aggressive policy revisions, review and updating where necessary for the policies in force now. Mr. Pelaia questioned Mrs. Russo's use of the term, "aggressive," to which Mrs. Russo explained that she meant not apathetic. Mr. Pelaia indicated that he would second the motion if the word "aggressive" were deleted. Mrs. Russo indicated that she would be willing to change "aggressive" to "in an active manner." Mrs. Fleitell remarked that "assertive" is an appropriate word.

Mr. Rusignuolo noted that the district has an outside company that it hires to review the entire policy manual and now may be the time for the company to do this, adding that this is a standard procedure.

Mrs. Russo stated that she is looking for a complete Board review with input from the entire Board before sending it to an outside company. Mr. Williams remarked that one should begin by sending the policy manual to the outside agency because they will review and change any policies which need changing by law and after the agency returns the policy book, then it gets into individual Board review. Mr. Williams added that it is not an inexpensive exercise.

After some discussion, Mrs. Russo moved that the Board undertake a review of policies and bylaws and make recommendations for changes and revisions where appropriate, seconded by Mr. Pelaia and unanimously approved by the Board.

Mrs. Russo noted that if there is no change made to a policy, it should be indicated that the policy was reviewed in 1997.

RESOLUTION TO CLOSE MEETING TO THE PUBLIC:

Mr. Rusignuolo asked Mr. Sincaglia to read 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,

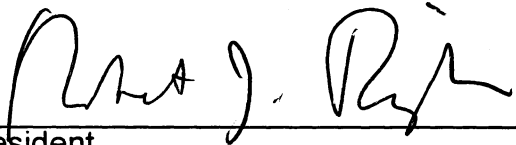
NOW, THEREFORE, BE IT RESOLVED, That the Board of Education recess to closed executive session at this time to discuss personnel matters, and

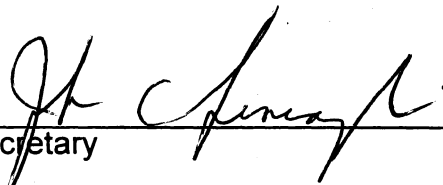
BE IT FURTHER RESOLVED, That the results of the discussions will be made public by inclusion on the agenda of a subsequent meeting of the Board of Education, or when the reasons for discussing such matters in closed session no longer exist.

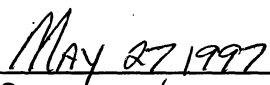
The resolution was moved by Mrs. Russo, seconded by Mr. Williams and unanimously approved by the Board.

ADJOURNMENT:

The meeting was adjourned at 8:16 p.m.

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Secretary

  
\_\_\_\_\_  
Date