

Board of Education
Nutley, New Jersey

December 21, 1998

The Regular Meeting of the Board of Education of the Township of Nutley, New Jersey was held in the Board Room, 375 Bloomfield Avenue, on Monday, December 21, 1998 at 8:03 p.m. with Mr. Joseph C. Pelaia, President, presiding.

ANNOUNCEMENT OF MEETING:

Mr. Pelaia read the following:

"According to the provisions of the 'Open Public Meetings Act' (Chapter 231, P.L. 1975), proper notice of this Regular Meeting was provided in the Notice of August 31, 1998. 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.

"Formal action will be taken."

FLAG SALUTE:

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

CALL OF ROLL:

The other members present at roll call were: Dr. Philip T. Casale, Mrs. Michele Fleitell, Mr. Vincent Moscaritola, Mr. Steven P. Picciano, Mr. Alfred R. Restaino, Jr., Mrs. Agnes Roncaglio, Mrs. Maria Russo and Dr. Joseph P. Scarpelli. Approximately 75 citizens were present.

ADMINISTRATION OF OATH TO NEW BOARD MEMBER:

Mr. Sincaglia administered the Oath of Office to Agnes Roncaglio and Mr. Pelaia welcomed her as the Board's newest member.

PRESENTATION BY THE NUTLEY HIGH SCHOOL CHORALETTES:

Mr. Pelaia announced that he had invited the Choralettes to perform a few songs for the Board and citizens present this evening, adding that this will help support the arts and hearing them will uplift the soul. He introduced Mrs. Kathleen Bimbi, Director of the Choralettes, noting that this is an example of the fine work our students and staff are doing.

APPROVAL OF MINUTES:

Copies of the minutes of the Special Meeting held on November 17, 1998 at 7:02 p.m. being in the hands of each member, reading of same was dispensed. Mr. Moscaritola moved that the minutes be approved, seconded by Dr. Casale and unanimously approved by the Board.

Copies of the minutes of the Regular Meeting held on November 23, 1998 at 8:00 p.m. being in the hands of each member, reading of same was dispensed. Mr. Moscaritola moved that the minutes be approved, seconded by Dr. Casale and unanimously approved by the Board.

COMMUNICATIONS:

Mr. Sincaglia presented and read the following communications:

1. Two thank-you notes for the Board's expressions of condolence as follows:

Nancy Greulich and family upon the death of her mother
Michael Robinson upon the death of his mother
2. A Notice to Property Owners regarding an addition to two floors at 364 Bloomfield Avenue.

Mr. Sincaglia commented that this would have no impact on Radcliffe School.
3. A letter to Dr. Serafino and Mr. Sincaglia from Mary Louise Malyska, Ph.D., County Superintendent, indicating that the School Level Objectives for the 1998-99 school year and the 1997-98 school year have been approved as well as noting the approval of the Quality Assurance Annual Report for the 1997-98 school year.
4. A letter from Cathie Sousa, New Jersey School Boards Association, indicating that she has been appointed the new Field Service Representative in the Northern Office.
5. A notice from the Essex County School Boards Association regarding a General Membership Meeting to be held on January 13, 1999 at which the topic will be "Dealing with Difficult People."

SECRETARY'S REPORT:

Mr. Sincaglia presented the Report of the Secretary as of November 30, 1998. (See attached report.)

Mrs. Russo moved that the Board accept the Report of the Secretary, seconded by Mr. Restaino. On a roll call vote the resolution was unanimously adopted.

TREASURER'S REPORT:

Mr. Sincaglia presented the Report of the Treasurer of School Moneys as of November 30, 1998. (See attached report.)

Mr. Restaino moved that the Board accept the Report of the Treasurer of School Moneys, seconded by Mr. Moscaritola. On a roll call vote the resolution was unanimously adopted.

SUPERINTENDENT'S REPORT:

Dr. Serafino presented and read the following report:

"Informational Items:

"Wednesday, December 23 – single session. Schools closed Thursday, December 24, 1998 through Friday, January 1, 1999. Sessions will resume on Monday, January 4, 1999

"Nutley High School Financial Aid Program – January 5 – 7:30-9:00 p.m.

"Nutley High School Schedule Information Program – January 6, 1999 – 7:30-9:00 p.m.

"Articulation Day (single session) Monday, January 11, 1999

"Schools will be closed Monday, January 18, 1999 – Dr. Martin L. King, Jr. Day

"Attached is the student enrollment chart as of November 30, 1998"

FIRE DRILL REPORT:

Fire drills held during the month of November were as follows:

Nov. 2	Yantacaw School	2:30 p.m.	1 min. 40 secs.
Nov. 4	Lincoln School	1:47 p.m.	1 min. 33 secs.
Nov. 4	Radcliffe School	12:55 p.m.	1 min. 22 secs.
Nov. 6	Spring Garden School	10:45 a.m.	1 min. 35 secs.
Nov. 9	Lincoln School	10:38 a.m.	1 min. 24 secs.
Nov. 9	Radcliffe School	9:03 a.m.	1 min. 19 secs.
Nov. 9	Yantacaw School	11:02 a.m.	1 min. 45 secs.
Nov. 10	Washington School	8:38 a.m.	1 min. 30 secs.
Nov. 18	Nutley High School	1:57 p.m.	2 min. 20 secs.
Nov. 19	Franklin School	2:00 p.m.	1 min. 58 secs.
Nov. 23	Spring Garden School	1:50 p.m.	1 min. 30 secs.
Nov. 23	Washington School	2:45 p.m.	1 min. 15 secs.
Nov. 24	Franklin School	2:00 p.m.	1 min. 57 secs.
Nov. 24	Nutley High School	10:07 a.m.	2 min. 15 secs.

CAFETERIA REPORT:

Mr. Moscaritola presented the cafeteria report as of November 30, 1998 showing a 1998/1999 budget of \$646,796.00, contractual orders to date of \$432,403.18, leaving funds available of \$214,392.82.

COMMITTEE REPORTS:

Mrs. Russo asked if it was necessary for the Board to adopt a motion approving Articulation Day, to which Mr. Sincaglia replied in the negative.

HEARING OF CITIZENS (Resolutions Only):

None

CERTIFICATION OF MAJOR ACCOUNT FUND STATUS:

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

BE IT RESOLVED, That, pursuant to NJAC 6:20-2.13 (e), the Nutley Board of Education certifies that as of November 30, 1998, 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 6:20-2.13(b) and that sufficient funds are available to meet the district's financial obligations for the remainder of the fiscal year. (Major accounts are General Fund and Debt Service.)

BILLS AND MANDATORY PAYMENTS:

Mrs. Fleitell 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 Board of Education authorizes the payment of bills and mandatory payments in the total amount of \$3,736,809.37 as per the attached Schedule A which have been audited by the Business Office.

REQUESTS FOR USE OF SCHOOL BUILDINGS AND GROUNDS:

Mrs. Fleitell 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 Board of Education approves the requests for the use of school buildings and grounds (Schedule B), provided they conform to the rules and regulations set by the Board of Education.

RESIGNATIONS - Athletic:

Mrs. Fleitell 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 Board of Education accepts the following athletic resignations:

AnneMarie Kowalski	- Head Volleyball Coach
Robyn Powell	- Athletic Trainer

LEAVE OF ABSENCE – Clerk/Typist:Mrs. Immacolata Marra

Mrs. Fleitell 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 Board of Education approves a leave of absence without pay for family leave for Mrs. Immacolata Marra from December 1, 1998 through December 31, 1998.

APPOINTMENT – Professional Staff:Mrs. Karen Beckmeyer

Mrs. Roncaglio 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 Board of Education appoints Mrs. Karen Beckmeyer as teacher for the 1998/1999 school year, effective January 4, 1999, at the annual salary of \$17,600, B.A.-6 (p/t .5), in accordance with the 1998/1999 Teachers' Salary Guide.

APPOINTMENT – Professional Staff:Mrs. Ana Novo Ruiz

Mrs. Roncaglio 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 Board of Education appoints Mrs. Ana Novo Ruiz as teacher for the 1998/1999 school year, effective January 4, 1999, at the annual salary of \$37,750, M.A.-6, in accordance with the 1998/1999 Teachers' Salary Guide.

APPOINTMENT – Secretary:Mrs. Linda Boyle

Mrs. Roncaglio 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 Board of Education appoints Mrs. Linda Boyle as a Group II, ten-month secretary for the 1998/1999 school year, effective January 4, 1999, at the annual salary of \$18,777 (2-7) which is in accordance with the 1998/1999 Secretarial Salary Guide.

APPOINTMENT – Cafeteria:Mrs. Christine Rizzi

Mrs. Roncaglio 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 Board of Education appoints Mrs. Christine Rizzi as an elementary cafeteria manager for the 1998/1999 school year, effective January 4, 1999, at the hourly rate of \$10.14 (2-1) which is in accordance with the 1998/1999 Cafeteria Salary Guide.

APPOINTMENT – Substitute Teacher:Mr. Denis Williams

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

BE IT RESOLVED, That the Board of Education appoints Mr. Denis Williams as teacher substitute for the 1998/1999 school year, effective December 22, 1998, and

BE IT FURTHER RESOLVED, That the Board approves the application for emergency hiring of Mr. Denis Williams as per the state criminal review procedure.

APPOINTMENTS – Teacher Substitutes:

Mr. Restaino presented and moved the adoption of the following resolution, seconded by Dr. Scarpelli. Upon being put to a roll call vote the resolution was adopted with Dr. Casale, Mrs. Fleitell, Mr. Moscaritola, Mr. Restaino, Mrs. Roncaglio, Dr. Scarpelli and Mr. Pelaia voting aye and Mr. Picciano and Mrs. Russo voting nay:

BE IT RESOLVED, That the teacher substitutes listed on the attached Schedule C be approved for the 1998/1999 school year.

APPOINTMENTS – Substitutes:

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

BE IT RESOLVED, That the following substitutes be approved for the 1998/1999 school year:

Custodial

Michael Battoglia
Brian Layden

EXTRA COMPENSATION:

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

BE IT RESOLVED, That the following personnel be paid extra compensation in the amounts indicated for services rendered:

CAT Program Payroll for Fall, 1998 Session

Maria Andriola	\$ 1,114.92
Amy Cerisano	1,966.60
Nicole Errante	1,331.71
Caroline Evangelista	1,610.44
Barbara Hirsch	1,771.88
Eleni Koukoularis	1,734.32

CAT Program Payroll for Fall, 1998 Session (contd.)

Camille Lofrano	\$ 1,455.59
Carmen Mancuso	1,424.62
Christopher Masullo	1,362.68
Ellen Napoli	1,734.32
Dennis Pandolfi	1,672.38
Rosann Rizzuto	1,455.59
Louis SanGiovanni	1,517.53
Lisa Santosuosso	1,393.65
Janice Schoem	1,331.71
Sherrie Tolve	1,300.74
Robert Topolski	1,641.41
Ciro Violante	1,254.29
Frank Zintl	1,548.50

Substitutes

Gail Kahn	495.52
Karen SanGiovanni	123.88
Margit Smith	247.76
Robert Topolski, Jr.	371.64
Assunta Violante	<u>495.52</u>

Total \$30,357.20

Central Detention Coverage – November, 1998High School

Susan Ames	\$ 33.58
Edward Annett	16.79
Nicole Errante	16.79
Carol Shepherd	117.53

Franklin School

Donald Baumann	16.79
Elaine Coltre	67.16
Christine Hanlon	33.58
Patrick Keating	<u>151.11</u>

Total \$453.33

Saturday Morning Suspensions – November, 1998High School

Sergio Fernandez	\$70.17
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Winter Sports Physical Examinations – November 6 and 18, 1998

AnneMarie Kowalski	\$ 61.94
Gerald Ryan	123.88
Patricia Scullen	61.94
Patricia Tarczynski	61.94
Donald Tobey	<u>61.94</u>

Total \$371.64

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After School Library Program – November, 1998

Susan Ames	\$ 72.03
Arlene Orenstein	48.02
Sharon Romaglia	48.02
Carol Shepherd	<u>24.01</u>

Total	\$192.08
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SYETP Program – August 4, 5, 6, 11, 12, 13, 18, 19 and 20, 1998

Carmine D'Aloia	\$1,794.00
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Mr. Moscaritola left the meeting at 8:33 p.m.LONGEVITY PAY:

Dr. Scarpelli 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 following longevity payment be authorized:

Cynthia DeBonis	\$2,580	Eff. Jan. 1, 1999 (25 years)
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TUITION REIMBURSEMENT:

Dr. Scarpelli 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, in accordance with existing employment agreements, the following personnel receive reimbursement for tuition expenses:

<u>Name</u>	<u>Amount</u>
Tracy McCormick	\$840

APPROVAL OF CURRICULUM PROGRAMS:

Dr. Scarpelli 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 approves the following curriculum programs presented at the December 7, 1998 Conference session:

Advanced Placement Economics
Advanced Placement Spanish V
Business Systems and Technology

TEXTBOOK APPROVAL:

Dr. Scarpelli 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 approves the use of the following textbooks:

Social Studies – AP Economics

Economics Today
Publisher, Addison-Wesley, Inc.
1999, New York, New York

World Languages – AP Spanish V

Abriendo Paso
Publisher, Heinle & Heinle
1995, Florence, Kentucky

Business – Business Systems & Technology

Corporate View
Publisher, South-Western Publishing
1999, Cincinnati, Ohio

AMENDING RESOLUTION – Special Class Placement – Educationally Disabled Students:

Mrs. Russo 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 resolution, Special Class Placement – Educationally Disabled Students, approved at the August 31, 1998 meeting of the Board of Education, be amended to reflect a change on Schedule D for Windsor High School, Morristown, NJ from three full-time emotionally disturbed students to two full-time and one part-time emotionally disturbed students at a total tuition of \$73,645 for Windsor High School.

SPECIAL CLASS PLACEMENT – Educationally Disabled Students:

Mrs. Russo 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 authorizes the attendance of students in out-of-district special education classes for the 1998/1999 school year as follows:

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<u>School</u>	<u>No. of Students</u>	<u>Classification</u>	<u>Effective Date</u>	<u>Tuition</u>
Morris Cty. Vocational Denville, NJ	1	ED	9/2/98	\$2,100 (part time)
C.P. Center Belleville, NJ	1	Pre-Sch.Hdcp.	11/23/98	\$22,932.33
V. Sawtelle Montclair, NJ	1	Pre-Sch.Hdcp.	12/2/98	\$22,086.88

**TRANSPORTATION CONTRACT – Burlington County Educational Services
Commission:**

Mrs. Russo 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 approves a transportation contract with the Burlington County Educational Services Commission to transport one special education student from Delran, NJ to the Search Day Program, Inc., Ocean, NJ, effective December 1, 1998 through June 30, 1999 at a cost of \$220.50 per day. (Subject to approval of the County Superintendent of Schools.)

**TRANSPORTATION CONTRACT – Essex County Educational Services
Commission:**

Mr. Picciano 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 Board of Education approves a transportation contract with the Essex County Educational Services Commission to transport one special education student from Nutley to the John F. Kennedy School, Newark, NJ, effective October 14, 1998 through June 30, 1999 at a cost of \$148.36 per day. (Subject to approval of the County Superintendent of Schools.)

**TRANSPORTATION CONTRACT – Morris County Educational Services
Commission:**

Mr. Picciano 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 Board of Education approves a transportation contract with the Morris County Educational Services Commission to transport one special education student from Windsor High School, Morristown, NJ to Morris County Vocational School, Denville, NJ, effective October 29, 1998 through June 30, 1999 at a cost of \$7.76 per day (one way). (Subject to approval of the County Superintendent of Schools.)

TRANSFER OF FUNDS:

Mr. Picciano 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 transfers in the 1998/1999 General Fund Budget be confirmed as follows:

<u>From</u>		<u>To</u>	
Account 11-140-100-101	\$3,000	Account 11-205-100-101	\$3,000
Account 11-190-100-800	200	Account 11-213-100-640	200
Account 11-213-100-610	200	Account 11-401-100-800	200
Account 11-999-222-600	2,200	Account 12-999-220-730	2,200
Account 11-999-262-610	<u>300</u>	Account 12-999-260-730	<u>300</u>
	\$5,900		\$5,900

ADOPTION OF POLICY (Second Reading):

Dr. Casale 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 Board of Education adopts the following policy (second reading):

Policy #231 (2361) Acceptable Use of Computer Network/ Schedule D
Computers and Resources

APPROVAL OF SUBMISSION OF CARRY-OVER APPLICATION – IDEA-B and IDEA-B Preschool – FY 98:

Dr. Casale 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 Board of Education approves submission of application for FY 98 carry-over funds for IDEA-B in the amount of \$13,763 and IDEA-B Preschool in the amount of \$1,102.

ACCEPTANCE OF NOTICE OF FUNDING – Nonpublic School Technology Initiative – 1998/1999 School Year:

Dr. Casale 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 Board of Education accepts notice of funding for Nonpublic School Technology Initiative for the 1998/1999 school year in the amount of \$9,120.

Mr. Moscaritola returned at 8:38 p.m.

TESTIMONIAL – Teacher:

Mrs. Miriam J. Kirsten

Mr. Moscaritola presented and moved the adoption of the following resolution, seconded by Dr. Casale and unanimously approved by the Board:

WHEREAS, Mrs. Miriam J. Kirsten has tendered her resignation as high school teacher, effective January 1, 1999 and has signified her intention of retiring from active service, and

WHEREAS, Mrs. Kirsten has taught in the Nutley Public Schools for a period of twenty-four years, and

WHEREAS, through the years Mrs. Kirsten has exemplified the finest qualities of the teaching profession at all times,

NOW, THEREFORE, BE IT RESOLVED, That the Board of Education expresses to Mrs. Kirsten its deep appreciation of her long and faithful service and extends to her its best wishes for continued health and happiness, and

BE IT FURTHER RESOLVED, That this resolution be made a part of the minutes of this meeting and a copy presented to Mrs. Kirsten.

TESTIMONIAL - Teacher:

Mrs. Rae Nardone

Mr. Moscaritola presented and moved the adoption of the following resolution, seconded by Dr. Casale and unanimously approved by the Board:

WHEREAS, Mrs. Rae Nardone has tendered her resignation as Basic Skills teacher, effective January 1, 1999 and has signified her intention of retiring from active service, and

WHEREAS, Mrs. Nardone has taught in the Nutley Public Schools for a period of twenty-three years, and

WHEREAS, through the years Mrs. Nardone has exemplified the finest qualities of the teaching profession at all times,

NOW, THEREFORE, BE IT RESOLVED, That the Board of Education expresses to Mrs. Nardone its deep appreciation of her long and faithful service and extends to her its best wishes for continued health and happiness, and

BE IT FURTHER RESOLVED, That this resolution be made a part of the minutes of this meeting and a copy presented to Mrs. Nardone.

TESTIMONIAL – Bookkeeper:

Mrs. Beverly Nazare

Mr. Moscaritola presented and moved the adoption of the following resolution, seconded by Mrs. Russo and unanimously approved by the Board:

WHEREAS, Mrs. Beverly Nazare has tendered her resignation as bookkeeper, effective January 1, 1999 and has signified her intention of retiring from active service, and

WHEREAS, Mrs. Nazare has worked in the Nutley Public Schools for a period of thirteen and one-half years, and

WHEREAS, through the years Mrs. Nazare has exemplified the finest qualities of the bookkeeping profession at all times,

NOW, THEREFORE, BE IT RESOLVED, That the Board of Education expresses to Mrs. Nazare its deep appreciation of her long and faithful service and extends to her its best wishes for continued health and happiness, and

BE IT FURTHER RESOLVED, That this resolution be made a part of the minutes of this meeting and a copy presented to Mrs. Nazare.

Dr. Serafino remarked that she had worked closely with Mrs. Kirsten when they were both at the high school, adding that Mrs. Kirsten is a dedicated teacher who puts her students above all others.

Dr. Serafino noted that she had worked in a supervisory capacity with Mrs. Nardone who was also a dedicated teacher. She noted that both Mrs. Kirsten's and Mrs. Nardone's wisdom and experience would be missed by the district. Dr. Serafino further indicated that she would also miss Mrs. Nazare.

Mr. Sincaglia said that Mrs. Nazare is among those people that the public doesn't always hear about, one of the staff that keeps the district running behind the scenes. Mr. Sincaglia also noted that the books were always in good shape and every month the public sees evidence of Mrs. Nazare's work in the preparation of the bill list and the monthly reports. He further indicated that there were very few citations from the auditors over the years because her books were in such good shape. Mr. Sincaglia concluded by stating that he would miss Mrs. Nazare a great deal.

WINDOW REPLACEMENT BIDS – Franklin Middle School and Yantacaw Elementary School:

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

WHEREAS, bids for window replacements at Franklin Middle School and Yantacaw Elementary School were advertised on November 28, 1998, and

WHEREAS, sealed bids were publicly opened and read aloud on December 16, 1998 at 11:00 a.m. in the office of the Secretary/Business Administrator, and

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

Rure Associates, Inc.
Middlesex, NJ

Franklin School	\$29,568
Alternate	895
Yantacaw School	18,874
Combined	48,223
Total	\$48,223

Panoramic Window & Door Systems, Inc.
Kenilworth, NJ

Franklin School	\$35,920
Alternate	1,675
Yantacaw School	22,005
Combined	No bid, add 1 and 2 for total
Total	\$59,600

and

WHEREAS, the bid of Rure Associates, Inc. appears to meet the specifications with any minor deviations being waived by the Board,

NOW, THEREFORE, BE IT RESOLVED, That the Board of Education awards the contract for window replacements at Franklin and Yantacaw Schools to Rure Associates, Inc., Middlesex, NJ; at their low combined bid price of \$48,223.

HEARING OF CITIZENS:

Mrs. Carol LoCurcio, 14 Coeyman Avenue, asked about the status of a third wrestling coach and the return of the weight room. Mr. Sincaglia responded that some of the items will be returned to the weight room after the first of the year and after review by the Facilities Committee. He added that it is expected that a full program will be in effect for the summer as always but not necessarily in the same location. Mr. Sincaglia further stated that the universal machine which was not being used will be moved to DeMuro Park after the first of the year and this will be an improvement.

Mr. Restaino indicated that adding a third wrestling coach will be discussed by the Athletic Committee, noting that a problem is that the wrestling season is ongoing. Mr. Restaino added that a recommendation regarding a third wrestling coach must be made prior to the Athletic Committee meeting.

Dr. Steven Greco, 248 Vreeland Avenue, remarked that he was skeptical of the timing of the breakdown of the weight room and asked if it had anything to do with the recent monitoring. Mr. Sincaglia replied that the facilities were monitored by people from the Department of Education and the weight room was seen with the equipment that is there now.

Dr. Greco asked when Mr. Sincaglia determined that the weight room contained too many weights. Mr. Sincaglia replied that he was not certain of the exact date but explained that one of his responsibilities is facilities and during the summer he visited every space in the entire school district and saw the situation in the locker room and said this must be addressed. Mr. Sincaglia also noted that, naturally, the district would like to present the schools in the best possible light for monitoring.

Mrs. LoCurcio noted that there are over 40 wrestlers and last year the coaches were told that if the program grew to a number of students that would require a third coach, the district would look at it. She added that the season has begun and there is no third coach and she questions why this seems to be an ongoing problem which doesn't get recognized or answered. She stressed the fact that a third coach is needed.

Mrs. JoAnn Crosta, 95 Brookline Avenue, questioned the lack of inclusion classes for special needs students, particularly at the high school. Dr. Serafino suggested that Mrs. Crosta make an appointment with herself and Miss Hirsch and this would be reviewed with Mrs. Crosta and her concerns addressed. Dr. Serafino noted that the district does have staff development on inclusion.

Mrs. Gail Kline, 28 North Spring Garden Avenue, read the following statement:

"In the recommendation section of Dr. Serafino's December 7th paper she writes, 'If Nutley students are penalized in their application to colleges and universities because of the present policy, alternative ways of providing information should be considered.'

"The following is a quote from the National College Athletic Association:"

'The NCAA determines initial eligibility by using an eligibility index. The lowest grade point average a prospect can have is a 2.000 (out of their core courses taken in grades 9 – 12 – and differences in grading scales are not considered)...'

"Depending on an athlete's SAT score, he or she might even need a 2.75 GPA to qualify.

"The next quote is from Peterson's:"

'Our annual survey of Undergraduate Institutions gathers data on the average high school GPA of admitted freshmen, but only based on the conventional 4-point system. If a school reports using a different system, we ask them to convert their figure to the 4-point scale, or we do not use it.'

"Lastly, the College Board writes:"

'Students provide an extensive amount of information to the College Board on their Student Descriptive Questionnaire... We did a study on student performance on the SAT and their high school grade point average. The information is as follows:

A+	(97 - 100)
A	(93 - 96)
A-	(90 - 92)
B	(80 - 90)
C	(70 - 79)
D, E, or F	(Below 70)

"It is likely that every board member in this room has heard stories of Nutley students who missed college admissions or scholarship opportunities because of the Nutley grading scale. Some board members have personal knowledge of such students. Some board members (past and current) have witnessed the adverse effects and in some cases the potential of adverse effects via their own children.

"Dr. Serafino's paper acknowledges the need for change. With her reference to Levy, she admits that 'GPA was rated the single most important index used in the admissions process.' The particular study referenced by Levy and used by Serafino is from the National Association of Secondary School Principals which studied 1,100 colleges and universities across the United States.

"The problem now is that Dr. Serafino's recommended change is as atypical as the current scale. Though it will 'tweak' the GPA of some students, it will still require special explanatory cover letters and keys on bottoms of transcripts which we hope will be read and considered by college admissions personnel. Our children will still be at a competitive disadvantage when their GPAs are compared to the GPAs of their peers from other districts.

"Dr. Serafino, you said to me recently (and I quote) 'you have some valid concerns about using an atypical scale.'

"What then is the point of changing the grading policy if it fails to meet the objective of not penalizing students with an aberrant scale?

"The only reason Ms. Celli and I pushed for numeric grading is because we could not come to an agreement with the administration for an understandable, equitable, alpha-numeric scale. With numerics, you can still keep the failure rate at any grade below a 70 and let the colleges determine the value of numeric grades on a student's transcript.

"As far as contacting the 25 colleges most often applied to by Nutley students for admissions information, this is not a representative sampling of American colleges. We have been repeatedly told that since our students cannot afford the more expensive schools, and in many cases room and board at all, the majority of students apply locally or reasonably close by. The proposed 25 colleges will represent a skewed sampling. Size of school too (small, medium and large) may also be an important factor. What the material from these 25 schools is expected to add to the Levy data of 1,100 schools is unclear.

"We need to change the Nutley grading scale to one that is more understandable...more equitable...more conventional. The evidence is overwhelming. The more we look, the more we find.

"While the administration awaits the responses from 25 colleges, less than 1% of the colleges in the country, Ms. Celli and I await responses from The US Department of Education, The American Association of Collegiate Registrars and Admissions Officers, The National Association of College Admissions Counselors, The College Xpress, College View For Admissions Professionals, College Net, Department of Education Office of Post Secondary Education, and more!

"Will this board and the current Superintendent be satisfied with implementing another atypical grading scale when all of the evidence, including the material provided by Dr. Serafino herself, suggests otherwise?

"I hope not."

Mr. Joe DelGrande, 46 Cedar Street, spoke in support of Mrs. Kline's statement, asking what benefit does the change give when there is still an atypical scale.

Dr. Serafino remarked that there is no perfect grading scale or system, noting that Nutley has had a scale using 94-100 as an "A" for many years and our students take pride in the fact that their "A" appears to be more significant. She added that there is a sense of achievement on behalf of the students of the Nutley community. Dr. Serafino further indicated that she was a Nutley teacher for 16 years and has seen how setting the bar higher has made students attempt to achieve higher grades because of that.

Dr. Serafino also stated that because of the concerns raised with regard to college admissions and because of the fact that we added "pluses" about 12 or 13 years ago, and having looked into the grading issue over and over again through several committees, it seemed that adding a "minus" would fit the philosophy and provide an incentive for some students who didn't quite achieve the "A", "B", or "C." Dr. Serafino further noted that she feels this is a significant change from what was done in the past. She also indicated that to go from 94 to 90 would be a much more drastic change and the perception for our students would be that we are lowering standards.

Dr. Serafino explained that changing the "A" to a 90 would be perceived as lowering standards and as Superintendent she would not want to make such a recommendation to give students the perception that they do not have to work as hard. She continued by noting that our students do extremely well at the colleges they apply to and are accepted to and she feels it is mainly because we have set high standards in this district. Dr. Serafino noted that last year seven students applied to Boston College and six were accepted. She indicated that she has a sheet which she would be more than happy to share with the community which shows what schools students applied to and how many were accepted.

Dr. Serafino indicated that as a teacher she set the bar high and the students rose to that. She explained that many districts use 92 as a cut-off score for an "A" and anything below 70 as failing. Dr. Serafino also noted that she does not agree that Nutley is atypical since our students would definitely perceive anything lower than that as a lowering of standards. She explained that making the change she is recommending will maintain the perception that we are not lowering standards but are giving the students an incentive, adding that our students are not being hurt and they have a sense of pride in their accomplishments. Dr. Serafino stated that the people in the community should share in that sense of pride.

Mrs. Chris Osejia, 61 Grant Avenue, expressed her agreement with the change recommended by Dr. Serafino. She also thanked Mr. Restaino, Mr. Sincaglia and the grounds crew for erecting the sign in the front of Franklin School.

Mrs. Russo remarked that with regard to the grading issue, she knows there were other questions from the Board and suggestions that Dr. Serafino will follow through on. She noted that she is not an educator but represents the students and parents in this community and tries to do her best and make decisions on factual data. Mrs. Russo indicated that she looked at the information presented by Mrs. Kline and Mrs. Celli. She also questioned reports that came before her as a Board member because there wasn't enough factual data for supporting what we had before.

Mrs. Russo further stated that last March she said that if we were not going to change anything we should go straight to numbers and here we are changing what could not change a few years back because it was perfect. She indicated that we should be looking for what is most beneficial for our students.

Mrs. Russo urged that any changes of the grading system be based on factual data. She noted that she is still not sure that what she sees is the best thing but it is the Superintendent's recommendation and Dr. Serafino was open in hearing our concerns. Mrs. Russo would like us to be sure we are taking the right step, a positive step, and leaving no stone unturned while using more factual data. She gave credit to Mrs. Kline and Mrs. Celli for having done the research.

Mrs. Ann Perrone, 48 North Spring Garden Avenue, spoke in support of the grading system, noting that every student has an equal opportunity to achieve in the classroom. She indicated that she does not feel that Nutley's standards should be lowered; she just wants something fair to all students.

Dr. Greco remarked that having 90-100 as an "A" is not lowering standards, it is leveling the playing field, adding that a lot of things that worked in the 1960s do not work in the 1990s and if something helps the students, there is no harm done. He indicated that colleges do not care about perceptions. He further stated that he feels that a majority of schools in the country have 90-100 as an "A" and he feels Nutley's grading system should be changed. Dr. Serafino replied that she stands by her statement that the teachers and the curriculum set the standard.

Mr. DelGrande stated that no one here is talking about lowering the standards; people want the numbers on the transcripts and do not see how that would lower standards. He asked why there is resistance to putting number grades on the transcript. Dr. Serafino replied that she has a copy of the report dealing with that issue and she would be happy to share it. She added that putting numbers on the transcript flies in the face of all trends, adding that the child should be looked at holistically, not as a number. Dr. Serafino indicated that we can't assume that tests are perfect; we have to look at other criteria than the average for a teacher to assign a grade to a child.

Dr. Serafino further noted that using an exact number would increase the chance of having an unreliable result. She added that children with lower scores would not be helped by using numbers but would be penalized. Dr. Serafino indicated that children could be hurt as well as helped by placing a number value. She also indicated that if we put numbers on transcripts it could lead to then putting them on report cards and this does not fit with recent trends in assessment.

Dr. Scarpelli indicated that he would like a copy of the committee's report on the transcript.

Mr. Picciano stated that he believes it is the grading policy that must stand alone and which must be kept as simple as possible. He said he would like to see numbers on transcripts and report cards as this would make parents, teachers and students accountable. Mr. Picciano indicated that he had spoken with the University of Delaware this week and asked if they would take a different grading system into consideration and the response was they will use what grade is on the transcript. He commented that he finds this troublesome as a Board member, parent and educator. He added that he is very concerned about the grading system.

Mr. Picciano stated that he would like a more typical grading system and thinks we should look at it, adding that the students in the "C" range get hurt more when their "C"s are not the same as those of everyone else.

Dr. Serafino replied that the committee which looked into numerics did not recommend it and the staff of the Nutley School System did not recommend it; they recommended consideration of "pluses" and "minuses." She explained that

admissions' counselors should take everything into consideration rather than just letter grades on a transcript; they should look at SATs and class rank as well as the GPA. Dr. Serafino commented that she truly believes that directors of admissions look at all the criteria but certain criteria are at the top of the list. She added that students are all graded in the same way and are ranked in comparison to each other. Dr. Serafino noted that there is no perfect grading system and she does not agree with Mr. Picciano that the grading issue is separate since you can not separate assessment of students from what you do in the classroom.

Mr. Picciano said that because there are so many ways of looking at the issue he would like to see the grading system more in line with other districts so students are on the same playing field.

Mr. Peter LaFountain, 12 Newman Avenue, remarked that he has never met a student who has pride in the grading system and, in fact, he feels a sense of resentment among honor students because the Board of Education has precluded them from achieving acceptance at certain colleges and universities. He believes we are overloading our students, setting standards higher and putting more backbreaking effort on them. Mr. LaFountain said he feels credits can not be holistic, they are a judgment of what you have achieved in a course.

Mrs. Russo stated that it is her recollection that the report received from Mr. Cocchiola and his staff indicated that the staff was not in favor of numerics but a small majority was in favor of putting numerics on transcripts. She said she finds it questionable that every single thing in a classroom would have to be given a number. Mrs. Russo added that we are liberal in this district in allowing teachers to give "pluses" and "minuses" in determining grades.

Mrs. Concetta Celli, 152 Coeyman Avenue, read the following statement:

"Half-Truths, Lies, Deception and Slander

"During the Nutley grading scale debate, the group dedicated to keeping the status quo has used many methods to support their position.

"First, they use facts that are half-truths or meant to deceive the naïve. 'We're not the only ones using this scale, many other districts in New Jersey use it.' We called 82 New Jersey districts and schools and couldn't find one using the exact same scale as Nutley. 'I know that Pompton Lakes is using it.' Mrs. Kline called Pompton Lakes, found that they did use it in the past but changed it to the traditional scale when they realized it was affecting college admissions. 'The entire state of Florida is using our scale.' I called the Florida Department of Education and disproved that statement. High school guidance counselors and the superintendent told us, 'Colleges are using class rank more often to admit students than grades or GPA's.' I contacted the national organization for college admissions officers and found that the number one criteria is grades, not class rank. Dr. Serafino's position statement quotes a current study from Levy and Riordan that validates this fact.

"I could give many more examples, but we don't have all night. Let me just say, for each and every supposed fact that has been brought forth, we disproved it. A logical debate should be handled in this manner. One side issues a statement, the other side negates it.

"Since the facts used were proven false, an attempt to justify the scale was put forth based upon opinions that have not been verified, can not be proven and were not studied. They are merely observations. 'It makes students

work harder', 'Our students do better in college than other students', 'They're more prepared for college', 'My kids did fine and they went through this system.' etc. These types of statements are used indiscriminately when this debate should be about sound educational practices based upon facts and studies, not individual experiences with the grading scale.

"Now the status quo faction has only two choices left: to decide that their opinion is unsupported, or revert to other tactics to continue to support a position that they can't prove.

"They decide to use other tactics. One method that they use when the facts don't support their case is to appeal to mass emotions.

"One emotion played upon is fear. This status quo faction runs around town hysterically proclaiming 'the demise of our high standards' 'the decline of the Nutley system', 'our kids are all doomed if this changes', 'our way of life is at stake.' Using this method, the uninformed are lead by their fears instead of by facts and this faction is able to cloud the real issues with rhetoric.

"Another emotion to appeal to is civic pride. We've heard, 'You weren't born here' as a reason that we can't understand why Nutley wants to be different at the expense of their children. An atmosphere of distrust and an 'us-we're the Nutleyites' versus the 'them-the outsiders' is maintained in order to alienate us from the town. 'Our children are proud they're different.' You all have heard at these meetings from many high school students and their parents that this is certainly not the case in all situations.

"To attempt to inflame the public even more, these status quo supporters spread false information about exactly what type of grading scale we recommend. They tell the public and other teachers that we want to change the failing grade. To set the record straight, Mrs. Kline and I have never in writing or in any public or private statements said that we want to change the failing grade to a 'traditional' 65. In fact, our first proposal documented in our research paper and submitted to the board and the superintendent 4 years ago recommended lowering the passing grade by only two points. Our most recent proposal keeps the passing grade at 70. Yet, this faction continues to spread false information. Of course, not in the open where we could defend ourselves, but rather in rumor and gossip for one purpose only-to excite.

"However, the most vicious method that is used when you can not defend your position with facts is to discredit the opposition personally. Let me tell you, that is exactly what this faction has done in the past and is still doing today. Since neither of our families depends upon this town for their livelihood, and they can't find any horrible thing Gail and I have done, this faction has attacked the only thing that matters to the both of us – our children.

"The only reason they want to see the grading scale changed is because their kids aren't doing well in school. They want to change it so their own kids get better grades.' This wasn't said by some naïve, malicious parent who wanted to discredit our position by talking about our children. A male retired Nutley high school teacher at a cocktail party in West Caldwell said this last month during a discussion about the Nutley grading scale. The speaker was believed because he is a retired Nutley teacher. Why would he lie? Wouldn't he know about these kids and their performance, after all, he was a teacher in the district?

"Are you shocked that a Nutley teacher would speak about a child's academic record in this way? Surprised that a Nutley teacher would besmirch the academic reputation of children he doesn't know, has never met, and has never taught? I'm not. Because this is not the first time I have been told this slander is being spread by employees of this district.

"And it is slander. We can submit Honor Roll Certificates and report cards to prove this statement is slander. There are people sitting at that table right now who know it is slander because they know our children.

"Another issue bothers me about this incident. This high school teacher has never taught our children because they are still in elementary school. So where did he get information that our children are not doing well in school? It couldn't have been a parent from Spring Garden since our children's names are on the Honor Roll posted in the hallway. Surely not a Spring Garden teacher or principal since they know our children's academic records. Why would he pass on information he himself has no direct knowledge of? One logical conclusion would be that someone in the district that he is confident would know this type of information discussed it with him. A person who he believes would tell the truth. That person is the most culpable in this disgraceful incident."

Mr. Pelaia requested Mrs. Celli to contact Dr. Serafino if she feels any members of the staff are operating with any information they should not have.

Dr. Greco stated that New Jersey Monthly ranked high schools and the top 75 were listed. He asked if Nutley had participated in the survey and where did Nutley rank. Dr. Serafino responded that she has that information in her office but believes we moved up in rank. She explained that there are two criteria upon which the rankings are based, one being the number of AP courses offered and the percent of students taking AP exams and the other being the amount of instructional time.

Dr. Greco asked if the position had been posted prior to the hiring of the hockey coach and how many applicants there were. Dr. Serafino replied that yes, the position was posted and she believed there were three applicants. Dr. Greco questioned if the names of the applicants were public information, to which Mr. Sincaglia replied in the negative.

Mr. DelGrande asked who were the members of the grading committee and did the survey of teachers result in a unanimous response. Dr. Serafino answered that she has a copy of the report and the survey which was done of the high school staff. She added that the elementary staffs were surveyed by the principals.

Mrs. Fleitell remarked that from her experience the issue of grading is very emotional and very personal because we are talking about what we want that is best for our children. She noted that no matter what report she looks at, students are compared to their peers – they are competing with their peers to get a grade in school which translates to GPA, compared to peers for class rank and those students at the very top of the scale will be at the top no matter what we do. Mrs. Fleitell further noted that students at the middle will remain there and students at the bottom will remain there. She said that she doesn't want anyone to think that if we change the numbers that class positions would change. Mrs. Fleitell indicated that whether the grading is changed or not the students on top will still be on top and the students having a difficult time getting into college will still have a difficult time.

Mrs. Fleitell continued by stating that colleges ask for a profile and a profile has an explanation of the grading system, talks about the type of community, gives statistical information regarding different tests and gives the college a picture of what this school is and what the student is compared with. Mrs. Fleitell also stated that it is her feeling, not advocating any kind of change, that students begin school with a concept of what they have to do to get an "A", "B", "C", etc. and that is what they do and their parents encourage them to do what they can. She noted that if children need to achieve a 90 to get an "A" that is what they will do, commenting that students will work to the level we expect them to work at and the level they expect of themselves. To summarize, Mrs. Fleitell indicated that no matter what the grading system is, we have to recognize that the children will work the best they can and the best you have taught them. She noted that she does not want to lose sight of that.

Mrs. LoCurcio expressed her feeling that we need numeric grades for the transcripts.

Mrs. Russo noted that she agrees with Mrs. Fleitell in concept but disagrees that students from different districts are compared equally. Mrs. Fleitell responded that she said our children are being compared to ourselves and had made no mention of comparison with any other district, adding that she had made it clear she was talking about within the district because that is what gives rank and GPA. Mrs. Russo stated that when transcripts are sent out there should be a level playing field.

Mrs. Mary Ann LaFountain, 12 Newman Avenue, asked if the Board was in agreement with the Superintendent's recommendation. Mr. Pelaia explained that, according to Board policy, this matter is completely within the purview of the Superintendent.

Mr. Louis Perrone, 48 North Spring Garden Avenue, thanked the Board of Education, the high school principal and Mr. Affinito for their help in getting the hockey program off the ground. He added that with hard work and fund-raising, the hockey parents had shown their commitment.

Mr. Perrone asked if it is normal that a Board member would publicly discuss an applicant's resume. Mr. Pelaia replied that it is his understanding that the answer would be "no." Mr. Perrone stated that the hockey group publicly supports the coach.

Mr. Picciano read a portion of an article which appeared in The Nutley Journal regarding the grading controversy and which supported placing numeric grades on transcripts sent to colleges. Mr. Picciano indicated that the article said it is wrong to leave open the slightest possibility that Nutley students will have to settle for less when attending college and placing numeric grades on transcripts will cost the district nothing.

OLD BUSINESS:

Dr. Scarpelli remarked that he was glad to hear that the NNJIL is looking to realign and he hopes this does happen.

Mr. Picciano indicated that he would like to explain why he had voted "No" on the settlement agreed to regarding the Town and Country development. He noted that he does not believe the settlement was sufficient for the adverse impact the development would cause the students and taxpayers of Nutley. He added that the district's needs were in the area of \$5,000,000.

Mr. Pelaia stated that the entire Board was concerned but it was not the authority of this Board to oppose the project under the municipal ordinance. He noted that the Board hired an expert and an attorney to assist it in this matter and no other entity in town did likewise. Mr. Pelaia indicated that it was the first time in his recollection or in Board history that such a settlement was made and each Board member spoke with the attorney individually so each member could decide the issue for themselves and the result was a favorable vote with one "No."

Mr. Pelaia stated that Mr. Picciano was in favor of the hiring of an attorney but chose to ignore counsel's recommendation to accept settlement of this matter. Mr. Pelaia noted that Mr. Richardson expressed his astonishment that the settlement was as good as it was and Planning Board member Barry Kozyra stated that only six months ago the Board of Education was getting nothing and now we will get \$750,000.

Mrs. Russo indicated that as she sits as a Board member, she realizes that there are limits to what can be discussed. She questioned whether she, as a Board member approached by a citizen, is at liberty to discuss her vote on an appointment. Mr. Pelaia responded that he would not divulge anything learned from a personnel file as that would be inappropriate.

NEW BUSINESS:

Dr. Casale stated that, consistent with the authority vested in a Board of Education under Title 18A regarding appointments for professional services, he moved that the firm of Genova, Burns & Vernoia be appointed as Board attorney effective January 1, 1999 at an hourly rate of \$135, seconded by Mr. Restaino.

Mrs. Fleitell asked if this is the firm that delivered an unsolicited packet to Mr. Pelaia's home, followed by Mr. Moscaritola coming forth with information on another firm. Mrs. Fleitell stated that it was her belief that at the onset of this conversation the proposal was that anything we did should go out for bid and this had nothing to do with whether or not we liked our current attorney.

Mrs. Fleitell noted that when Mr. Sincaglia swore in Mrs. Roncaglio some of the words were apropos – supporting the Constitution, bearing true faith and faithfully, impartially and justly performing all duties. Mrs. Fleitell indicated that this Board, as a unit, has not solicited bids for a new attorney, there has been no discussion about why we should replace the current attorney and the Board has not voted to ask for proposals for services.

Mrs. Fleitell further stated that if the Board wishes to make this important change we should make it as a whole Board and know why we do not want to maintain the services of our current firm. She said that the Board should then solicit proposals from responsible law firms and then interview them to know what we are talking about. Mrs. Fleitell also said that the bid should be opened to all qualified attorneys.

Mrs. Fleitell noted that the letterhead of the firm now being proposed for our acceptance contains the name of someone related to a teacher in this district and she is afraid that might be a conflict of interest. She indicated that this Board, as a group, has not fired our attorney and has not made a decision to solicit a new law firm and until that time feels we are remiss in even discussing this issue.

Mrs. Russo stated that she agrees with some of the things Mrs. Fleitell said. Mrs. Russo commented that at the Reorganization Meeting the Board decided to keep the attorney on a month-to-month basis. She indicated that she does not feel she has reviewed the packets from the attorneys to the fullest extent possible and, thus, can not vote at this time. Mrs. Russo suggested that possibly this motion could be tabled for one month so the Board could ascertain that all protocols have been followed and could determine whether a separate meeting is needed to discuss this issue.

Mrs. Russo made a motion to table, for one month, the resolution regarding the appointment of the Board attorney.

Mr. Picciano indicated that he did not know if one month is enough time to review this. Mrs. Russo offered to amend her motion to table to a future date rather than one month. Mr. Picciano also questioned if one month would be enough time to put this out on bid.

Mr. Moscaritola called a point of order, noting that there is a motion to table and Mrs. Russo is the only one who can amend it.

Mrs. Russo stated that she would go back to her original motion, to table for one month the resolution regarding the appointment of the Board attorney, seconded by Mr. Picciano.

On the motion to table Dr. Casale's motion to appoint the firm of Genova, Burns & Vernoia as Board attorneys, the motion was defeated with Dr. Casale, Mrs. Fleitell, Mr. Moscaritola, Mr. Restaino, Mrs. Roncaglio, Dr. Scarpelli and Mr. Pelaia voting nay and Mr. Picciano and Mrs. Russo voting aye.

Dr. Scarpelli asked if the attorney is serving at our pleasure. Mr. Sincaglia explained that the Board has a contract with Sills Cummis which was renewed as of July 1 with a 30-day notice clause. He further explained that normally boards of education retain counsel from year to year. Mr. Sincaglia commented that there has never been a search for a new attorney during his tenure in Nutley.

Dr. Casale noted that this reappointment issue has been tabled since the Reorganization Meeting, adding that it was initially his feeling that at the Reorganization Meeting there can be one to three new Board members who are being asked to make a decision on the Board attorney without having had an opportunity to review the matter. Dr. Casale further indicated that the issue has been brought up several times but different priorities have come up and this matter has been on the back burner. He added that tabling it again is a waste of time since the Board members have had time enough to read all this information.

Dr. Casale indicated that the law firm has impeccable integrity and if someone in the firm is related to a district teacher he was certain that attorney would not serve where a conflict would arise. Dr. Casale also noted that the district would be saving \$15 per hour and we need to get the most for the least amount of money. He further noted that this firm is just as experienced as the firm we have been using.

Dr. Casale stated that he finds it offensive that we had to tell our law firm there might have been a conflict with the developer and they never brought it up to us. He also noted that we had to decide whether there was a conflict. Dr. Casale also asked how long have we been waiting for advice regarding residency from our current law firm.

Mrs. Fleitell asked if Mr. Pelaia, as President, had informed the Board that action would be taken on this issue. Mr. Pelaia replied that he agreed with what Dr. Casale had said. Mr. Pelaia also said that he does not believe in an imperial presidency; he believes in a democratic board where everyone, Board members as well as members of the public, have a right to express an opinion.

Mrs. Fleitell remarked that she had still not received an answer to her question. She asked what Sills Cummis has done that we were not happy with. She further asked if the Board agreed that it does not want representation from Sills Cummis and if so, we move to other proposals.

Mr. Restaino stated that part of the response to this motion would be to determine if we want to move to another firm. He noted that he has personally said that he was not satisfied with the relationship we have with the present attorney and is prepared to move in a different direction.

Mrs. Fleitell remarked that it sounds as though Mr. Restaino agrees with her that first we have to decide that we don't want Sills Cummis and then we ask for proposals from other attorneys. Mr. Restaino replied that he can not say that he agrees with Mrs. Fleitell because his mind is made up and he wants to change representation. He added that he does not feel Sills Cummis are attorneys that represent the Board's interests; he feels they represent the administration.

Dr. Casale said that he would amend his motion to reflect a date of February 1 since that 30-day window is needed.

Mr. Moscaritola stated that he would like the record to reflect that he made the first motion to table with regard to the attorney and this took place at the Reorganization Meeting in May. He commented that as a Board member he has lived under the imperial presidency of the previous administration.

Dr. Scarpelli noted that many times the Board makes decisions without proper information available and he feels the attorney should be present at Conference Meetings because many times the Board makes decisions by the seat of our pants. Mr. Pelaia replied that he has no problem with that except there is the issue of cost. He added that this can be discussed whether we decide to retain the current attorneys or another law firm. Dr. Scarpelli further noted that he was not happy with the way Sills Cummis handled the Town and Country matter.

Mr. Sincaglia stated that one of the concerns he has with a decision such as this is that it is a critical decision and he would be concerned about a decision made without interviewing candidates for this position. He noted that the interview is critical to the process to learn about the kind of people we would be dealing with. Mr. Sincaglia also noted that with respect to cost, another concern is that a dollar-per-hour figure is not necessarily reflective of what will have to be paid.

Mr. Sincaglia noted that he is concerned with any firm's knowledge of school law, negotiations law and how things are done in Nutley. He also said he would be concerned about whoever we look at so that when we talk about a particular issue we don't have to be paying someone to research basic materials. Mr. Sincaglia commented that we need to be sure they have the background to obtain information quickly and efficiently.

Mr. Sincaglia said that there are a number of good law firms who have professionals in school law, including the one proposed tonight, and we should take a look at them, narrow it down, meet with them and find out how we will be best served.

Mrs. Russo stated that she agreed with Mr. Sincaglia 100% and perhaps the interview process would help her be prepared and would answer her questions. She suggested that a little bit of extra time be taken to do the right thing.

Dr. Casale indicated that he had read the background materials and had done his homework, adding that he has been calling for requests for proposals. He stated that his motion stands.

Dr. Scarpelli asked if it would be appropriate to give Sills Cummis their 30-day notice before hiring another attorney. Mrs. Russo felt we should first have a vote to give notice to Sills Cummis. Dr. Casale commented that it has been no secret that Sills Cummis will not be our attorneys for much longer.

Mrs. Fleitell remarked that we are talking about due process and if the Board decides it does not want Sills Cummis, she believes that has to be voted on. Mr. Pelaia replied that it does not have to be voted on that way. Mr. Pelaia stated that we can vote on Dr. Casale's motion tonight.

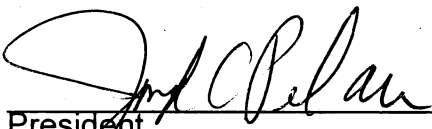
Mr. Pelaia stated that it was his understanding that Mrs. Russo had made a motion to hire a different firm effective February 1. Mrs. Russo stated that, based on the recommendation of Mr. Sincaglia, the interview process seems to be very important, to which Mrs. Fleitell stated that she agrees that it is extremely important and that is the due process about which she was speaking, adding that the Board would be remiss if this is not done.

Dr. Casale agreed that the interview process is important but noted that this matter has not been discussed over the past few months and it is time for action.


On the motion made by Dr. Casale to appoint the firm of Genova, Burns & Vernoia as Board attorney, the motion was adopted with Dr. Casale, Mr. Moscaritola, Mr. Restaino, Mrs. Roncaglio, Dr. Scarpelli and Mr. Pelaia voting aye, Mrs. Fleitell and Mr. Picciano voting nay and Mrs. Russo abstaining.

ADJOURNMENT:

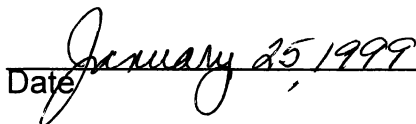
There being no further business to come before the Board, on motion made by Mrs. Russo, seconded by Mr. Restaino, the meeting adjourned at 10:53 p.m.



President



Secretary



Date