

Board of Education
Nutley, New Jersey

May 1, 2000

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, May 1, 2000 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 5, 2000. 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."

MOMENT OF SILENCE:

Mr. Pelaia indicated that it was his sad duty to advise everyone that last week the President of the Essex County School Boards Association, Diane Cooper, was killed in an accident on the Garden State Parkway. He remarked that Ms. Cooper had succeeded him as President of the Essex County School Boards Association and he had worked together with her on many important projects. Mr. Pelaia noted that Ms. Cooper was his friend and a friend to all the schoolchildren in Essex County and would be missed.

Mr. Pelaia then requested that everyone stand and observe a moment of silence in honor of Diane Cooper.

FLAG SALUTE:

The Board members and citizens recited 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 18, 2000 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 \$29,582,475 in district taxes to support the proposed 2000/2001 General Fund Budget.

"The results of the election were as follows:

Candidates for 3-year terms

Alfred R. Restaino, Jr.	1,836 votes
David Lardier	1,235 votes
Joseph C. Pelaia	1,583 votes
Maria Alamo	1,449 votes

"The candidates elected were: Alfred R. Restaino, Jr., Joseph C. Pelaia and Maria Alamo for three-year terms.

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

Yes	1,485 votes
No	506 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."

Mr. Sincaglia explained that the number of votes listed on this statement would differ slightly from those recorded at Town Hall on election night because of provisional ballots which were cast and notification of which was received from the Board of Elections after the election.

ADMINISTRATION OF OATH TO NEW BOARD MEMBERS:

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

Mr. Sincaglia welcomed all as members of the Board of Education.

ELECTION OF PRESIDENT:

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

Mr. Moscaritola placed the name of Alfred R. Restaino, Jr. in nomination for President, noting that Mr. Restaino had served as Vice-President last year and had done an admirable job. He noted that one person can not do the job alone but Mr. Restaino possessed all the necessary qualities to take on this position. Dr. Casale seconded the nomination.

Mr. Pelaia moved that a unanimous ballot be declared for Alfred R. Restaino, Jr. for President, seconded by Dr. Casale and unanimously approved by the Board.

ELECTION OF VICE-PRESIDENT:

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

Mr. Pelaia placed the name of Philip T. Casale in nomination for Vice-President, noting that during Dr. Casale's tenure on the Board he has been an excellent member whose performance as Chairman of the Insurance and Negotiations Committees has been nothing less than stellar. He added that there is no one more qualified to lead the Board should it be necessary. Mr. Moscaritola seconded the nomination.

Mr. Pelaia moved that a unanimous ballot be declared for Philip T. Casale for Vice-President, seconded by Mr. Moscaritola and unanimously approved by the Board.

Mr. Restaino thanked his family for all their support over the past three years and extended congratulations to Mr. Pelaia and Mrs. Alamo for their election victories. He welcomed Mrs. Alamo to the Board, stating that she would find her tenure enjoyable and enlightening. Mr. Restaino also complimented Mr. Lardier for taking the time and making the effort to seek election to the Board.

Mr. Restaino thanked Mr. Moscaritola for nominating him as President and expressed his appreciation to the rest of the Board for their support. He noted that he is a man of brevity but there are a lot of things on the Board's plate and he wishes to move forward with various initiatives that have been begun during the past year. Mr. Restaino commended Mr. Moscaritola and Mr. Pelaia on their terms as Presidents.

HEARING OF CITIZENS (Resolutions Only):

None

ADOPTION OF SCHEDULE OF MEETINGS:

Mrs. Alamo presented and moved the adoption of the following resolution, seconded by Mr. Pelaia:

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)

Dr. Casale stated that he would vote to approve this resolution as long as the right is reserved to change the site of the meetings rather than tying up the Radcliffe multi-purpose room. This was acceptable to all.

On a roll call vote the resolution was unanimously adopted.

ADOPTION OF POLICIES:

Mr. Cafone 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 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.

DESIGNATION OF OFFICIAL NEWSPAPER:

Dr. Casale 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 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:

Mrs. Fleitell 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 Valley National Bank be designated as the official depository for the 2000/2001 school year for individual student savings accounts to which deposits are made through the elementary schools.

DEPOSITORY OF SCHOOL FUNDS - Valley National Bank:

Mr. Moscaritola 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 Valley National Bank be designated the official depository for the following accounts of the Nutley Board of Education for the 2000/2001 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 May 1, 2000:

<u>Board of Education, N.J. Unemployment Insurance Trust Fund Account</u>	John C. Sincaglia or Jean Unglaub
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Nutley High School Class of 1997

John C. Sincaglia and Kathleen C. Serafino	or	Jean Unglaub
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School Accounts

<u>Nutley High School</u>	Mario Cocchiola or Joseph Zarra and Mary Jane Delahunt
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<u>Franklin School</u>	James Vivinetto or Margaret Murray and Bettina Hopkins
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<u>Lincoln School</u>	Dorothy Mutch and Linda Zembrzuski
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<u>Radcliffe School</u>	Mariana Francioso and Beverly Cullari
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<u>Spring Garden School</u>	Rosemary Clerico and Sophie Caprio
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<u>Washington School</u>	Carmine D'Aloia and Shirley Bauerlein
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Yantacaw SchoolJohn Calicchio
and
JoAnnLuzziDEPOSITORY OF SCHOOL FUNDS - First Union Bank:

Mr. Pelaia presented and moved the adoption of the following resolution, seconded by Mr. Cafone. 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 2000/2001 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 May 1, 2000:

Board of Education General AccountPrimary SignatoryAlternate Signatory

Alfred R. Restaino, Jr., President

or Philip T. Casale, Vice-
President

John C. Sincaglia, Secretary

or Jean Unglaub, Manager of Accounts

David Wilson, Treasurer of
School MoneysBoard of Education Salary Account

John C. Sincaglia, Secretary

or Jean Unglaub, Manager of Accounts

David Wilson, Treasurer of
School MoneysBoard of Education Cafeteria Account

John C. Sincaglia, Secretary

or Jean Unglaub, Manager of Accounts

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

INVESTMENT OF FUNDS:

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

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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 AUDITOR - 2000/2001 School Year:

Dr. Casale 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, the firm of Lerch, Vinci and Higgins of Fairlawn, NJ is licensed as Public School Accountants and is fully capable of providing this service, and

WHEREAS, Lerch, Vinci and Higgins satisfactorily conducted the school audit in 1999, and

WHEREAS, the Public School Contracts Law (N.J.S.A. 18A:18A) provides for the award of contracts for this type of professional service without competitive bidding, and

WHEREAS, funds are available for this purpose,

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Township of Nutley as follows:

1. The firm of Lerch Vinci and Higgins of Fairlawn, NJ is hereby appointed auditors for the accounts of the Board of Education for the 2000/2001 school year at a fee of \$20,000.
2. This contract is awarded without competitive bidding as a professional service under the provisions of the Public School Contracts law.

CURRICULUM APPROVAL:

Mr. Pelaia 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 the curriculum as described in the district selected course guides, courses of study, curriculum guides and program material, listed on the attached Schedule B, be adopted for use in Grades K-12 of the Public Schools of Nutley for the 2000/2001 school year.

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LEASE OF BOARD PROPERTY ON OVERLOOK TERRACE:

Mrs. Alamo 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 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, 2000 and terminating April 30, 2001, 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. Cafone 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 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, 2000 and terminating April 30, 2001, 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:

Dr. Casale 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 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, 2000 and terminating April 30, 2001, 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.

BOILER REPLACEMENT BIDS - Radcliffe School:

Mr. Pelaiá 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 boiler replacement at Radcliffe School were advertised on April 6, 2000, and

WHEREAS, sealed bids were publicly opened and read aloud on April 25, 2000 at 2:00 p.m. in the office of the Secretary/Business Administrator, and

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

Pennetta & Sons Jersey City, NJ	\$189,600
Silva's Welding Co. Kearny, NJ	\$182,250
Thassian Mechanical Contracting, Inc. Oakhurst, NJ	\$198,100
C.J. Vanderbeck & Son, Inc. Paterson, NJ	\$189,290

and

WHEREAS, the bid of Silva's Welding Co. appears to meet the specifications,

NOW, THEREFORE, BE IT RESOLVED, That the Board of Education awards the contract for boiler replacement at Radcliffe School to Silva's Welding Co., Kearny, NJ at their low bid price of \$182,250.

RESOLUTION OF THE BOARD OF EDUCATION OF THE TOWNSHIP OF NUTLEY DECLARING ITS OFFICIAL INTENT TO REIMBURSE EXPENDITURES FOR PROJECT COSTS FROM PROCEEDS OF TAX EXEMPT OBLIGATIONS PURSUANT TO A BOND REFERENDUM:

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

May 1, 2000

WHEREAS, the Board of Education of the Township of Nutley in the County of Essex, New Jersey (the "Board" when referring to the governing body, and the "School District" when referring to the territorial boundaries and the legal entity governed by the Board) is created and charged by law with the responsibility of providing a system of public education within the School District over which it has jurisdiction, and

WHEREAS, the Board is authorized by law to establish, to acquire (by gift, purchase, condemnation or otherwise), to own, to lease, to erect, to repair, to maintain and to operate buildings and other facilities necessary for educational purposes, and

WHEREAS, the Board wants to replace the boilers and perform related work to the heating plant at Radcliffe School (the "Project") prior to obtaining the proceeds from the sale of tax-exempt school bonds (the "Tax Exempt Obligations"), and

WHEREAS, the Board intends to conduct a bond referendum to authorize the sale of the Tax Exempt Obligations during fiscal year 2001, and

WHEREAS, a cost-benefit analysis has determined that the Project should be financed by the Tax Exempt Obligations, and

WHEREAS, the Board desires to preserve its right to treat an allocation of the proceeds of the Tax Exempt Obligations toward the reimbursement of certain capital expenditures incurred and paid during the 1999/2000 and/or 2000/2001 fiscal years (the "FY 2000 and/or FY 2001 Capital Expenditures") and incurred prior to the issuance of the Tax Exempt Obligations, in accordance with Sections 103 and 141-150 of the Internal Revenue Code of 1986, as amended (the "Code") and Treasury Regulation Section 1.150-2,

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Board of Education of the Township of Nutley in the County of Essex, New Jersey as follows:

Section 1. The Board reasonably expects to reimburse FY 2000 and/or FY 2001 Capital Expenditures incurred and paid prior to the issuance of the Tax Exempt Obligations with proceeds of its Tax Exempt Obligations. No funds from sources other than the Tax Exempt Obligations have been or are reasonably expected to be reserved, allocated on a long-term basis, or otherwise set aside by the Board, or any member of the same "control group" as the Board, within the meaning of Treasury Regulations Section 1.150-1(e), pursuant to their budget or financial policies with respect to the expenditure to be reimbursed.

Section 2. This resolution is intended to be and hereby is a declaration of the Board's official intent to reimburse the FY 2000 and/or FY 2001 Capital Expenditures incurred and paid prior to the issuance of the Tax Exempt Obligations with the proceeds of a borrowing to be incurred by the Board, in accordance with Treasury Regulations Section 1.150-2(d),

and no action (or inaction) will be an abusive arbitrage device in accordance with Treasury Regulations Section 1.148-10 to avoid arbitrage restrictions or to avoid the restrictions under Internal Revenue Code Sections 142 to 147. The proceeds of the Tax Exempt Obligations used to reimburse the Board for FY 2000 and/or FY 2001 Capital Expenditures will not be used directly or indirectly (i) to "refund" an issue of governmental obligations within the meaning of Section 148 of the Code, (ii) to create or to increase the balance of a "sinking fund" within the meaning of Treasury Regulations Section 1.148-1 with respect to any obligation of the Board, or to replace funds that have been, are being or will be used for sinking fund purposes, (iii) to create or increase the balance in a "reserve or replacement fund" within the meaning of Treasury Regulations Section 1.148-2(f) with respect to any obligation of the Board or to replace funds that have been, are being or will be so used for reserve or replacement fund purposes, or (iv) to reimburse for any expenditure or payment that was originally paid with the proceeds of any obligation of the Board (other than a borrowing by the Board or the funds of a member of the same "control group" within the meaning of Treasury Regulations Section 1.150-1(e)).

Section 3. The Tax Exempt Obligations for FY 2000 and/or FY 2001 Capital Expenditures to be reimbursed will be issued in an amount not to exceed \$200,000.

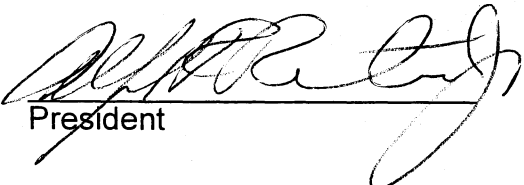
Section 4. The capital expenditures to be reimbursed with the proceeds of the Tax Exempt Obligations will be "capital expenditures" in accordance with the meaning of Treasury Regulations Section 1.150-2(d) (3).

Section 5. This resolution will take effect immediately, but will be of no effect with regard to expenditures for capital expenditures paid outside the permitted reimbursement period set forth in Treasury Regulations Section 1.150-2(d)(2).

Mr. Sincaglia explained that at the time the Board adopted the budget information had been obtained about the possibility of making this item part of the referendum and with the assistance of bond counsel this resolution was produced. He noted this will allow the costs of the Radcliffe School boiler project to be a part of the forthcoming bond referendum which was the intent of the Board at the time the budget was adopted.

ADJOURNMENT:

There being no further business to come before the Board on motion of Mr. Pelaia, seconded by Mr. Moscaritola the meeting adjourned at 7:50 p.m.



President



Secretary

May 24, 2000

Date

May 1, 2000