

Board of Education
Nutley, New Jersey

September 27, 2001

The Special Meeting of the Board of Education of the Township of Nutley, New Jersey was held in the Radcliffe School Multi-Purpose Room, 379 Bloomfield Avenue, on Thursday, September 27, 2001 at 7:50 p.m. with Dr. Philip T. Casale, President, presiding.

ANNOUNCEMENT OF MEETING:

Dr. Casale 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 September 21, 2001. 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 will be for the Board to consider the following matters:

Review of Schematic Drawings for School Facilities
Renovations and Additions

Consideration of Approval of Schematic Drawings for
Facilities Renovations and Additions for Submission to
the Department of Education

Consideration of Appointment of Bond Counsel

"Formal action may be taken."

FLAG SALUTE:

The meeting was opened with Dr. Casale 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: Mrs. Maria Alamo, Mr. John Cafone, Mr. Alan Genitempo, Mr. Vincent A. Moscaritola, Dr. Gerard M. Parisi, Mr. Joseph C. Pelaia and Mr. Alfred R. Restaino, Jr. Late: Mrs. Agnes Roncaglio (7:55 p.m.). Approximately 4 citizens were present.

Mrs. Roncaglio entered 7:55 p.m.

HEARING OF CITIZENS (Agenda Items Only):

None

REVIEW OF SCHEMATIC DRAWINGS FOR SCHOOL FACILITIES RENOVATIONS AND ADDITIONS

Dr. Casale introduced Lee Heckendorn, of DCM Architecture, Inc., who went through the schematic drawings one building at a time pointing out in detail the renovations and additions. Also present from Tri-Tech Engineering were Alan Forziati, Wai Lee and Joe Grabowski.

After reviewing each building, there were various questions asked by the Board members. In particular, Mr. Cafone was concerned about the grandparents and other senior citizens walking down a flight of steps if the Yantacaw auditorium is moved to the basement level. Mr. Pelaia commented that he would like to see artist renderings of what Franklin School would look like since he felt it was hard to visualize what the architect was proposing.

Mr. Forziati stated that the five-year plan has been given preliminary approval. He said that what we are approving is that this scope of work reflects what we said we were going to do in the five-year plan. He noted that this will make it take shape.

Mr. Grabowski wanted to make it clear that the designs are at the schematic phase and are not very concrete or very detailed. He noted that once this approval is passed is when the design and development will take place. He said a presentation will come before the Board and detailed questions will be discussed. That is when the Board will sign off on the final construction documents.

Mr. Forziati said the approval tonight hinges on moving to the next step where we can then fill out the project application where we show the state each of these schools as a project and each of the components of that project. He noted that it will allow the state to finalize the amount they will fund us and what the remaining portion the district will be responsible for.

Mr. Heckendorn said the Board cannot go to the next level until the draft determination letter is accepted. He noted by the Board's approval tonight it no longer becomes a draft but a benchmark that allows you to go to the state and formally ask them what their contribution will be.

Mr. Sincaglia stated that what we propose to do has to be in the five-year plan but that does not mean we have to do everything that is in the plan.

Several Board members expressed concerns that the public will still be allowed to continue to have some input in our plans since the public will be voting on the referendum.

Mr. Forziati said once we go to the next phase that is when we present the public with a slide show and let them know what has taken place.

Dr. Casale suggested that we entertain the prepared motion.

ACCEPTANCE OF DEPARTMENT OF EDUCATION DETERMINATION
OF LONG-RANGE FACILITIES PLAN AND APPROVAL OF PROPOSED
SCOPE OF WORK

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

BE IT RESOLVED, That the Board accepts the draft letter of the final determination by the New Jersey Department of Education of the district's Long-Range Facilities Plan (LRFP), and

BE IT FURTHER RESOLVED, That the Board finds and determines that the proposed scope of work as submitted by DCM Architecture, Inc. is consistent with the district's LRFP, and

BE IT FURTHER RESOLVED, That the Board authorizes DCM Architecture, Inc. to proceed with the development of projects consistent with the district's LRFP for submission to the New Jersey Department of Education in anticipation of a public referendum.

Dr. Casale said that the consideration for bond counsel needs to be discussed, not necessarily voted on, because it is a Special meeting and was on the published agenda.

Dr. Casale asked Mr. Forziati if based on the information that he just received from the bond counsel firm would he be able to make a recommendation.

Mr. Forziati responded that he would need more time to make a solid recommendation on a particular firm.

Dr. Casale suggested that Tri-Tech be provided more time to make a recommendation in light of the new information received.

Mr. Cafone asked what firm provided Mr. Forziati with new information.

Dr. Casale responded that they have information from Waters, McPherson, McNeill, P.C. dated July 12, 2001 but for some reason was not made available until September 27, 2001.

Mr. Restaino stated that a lot of trust has been put in Lee Heckendorn and Alan Forziati and it would be prudent on our part to allow Tri-Tech to give their opinion on the bond counsel.

Mr. Pelaia agreed with Mr. Restaino that more time should be given for Tri-Tech to look into the bond counsel firm.

Mr. Sincaglia commented that the only item that changed with respect to the letter received today was that in the event there was a defeated election the Board would only be bound to pay \$2,500.

Dr. Casale reiterated the fact that Tri-Tech would not only come in with a recommendation but also an explanation and rationale on why a particular firm was selected.

Mr. Restaino reiterated that the construction management firm should have some involvement in this decision.

Dr. Parisi asked about the packet that he recently received as a new Board member regarding the bond counsel firms. Mr. Sincaglia explained that the information given to Dr. Parisi and Mr. Genitempo was previously given to the other Board members at an earlier date, prior to their being on the Board.

Mr. Cafone wanted it clarified that the Board's law firm, Gaccione, Pomaco & Beck, received a letter on July 16 from Waters, McPherson, McNeill, P.C. and it was received by the Board today, September 27, 2001.

Mr. Sincaglia said according to the fax cover sheet the law firm said they had this letter and they were not sure if he had it in his file so they sent it today. Mr. Sincaglia noted that he was not aware of the fact that our law firm was involved in this matter.

Mr. Cafone asked Dr. Casale if the Board ever asked our Board attorney to handle this matter. Dr. Casale stated that all communication goes through the Board attorney.

Mr. Cafone asked Mr. Sincaglia if that was the case. Mr. Sincaglia said he was not sure what Mr. Cafone was asking.

Mr. Cafone asked if we asked Gaccione, Pomaco & Beck to solicit or ask for clarification from any of the people who were involved in the bond counsel process.

Mr. Sincaglia responded that he did not.

Dr. Casale stated that he authorized our attorney to be in contact with the architect because he felt it was not proper for himself to be in contact with them.

Mr. Cafone stated that it is proper for our Business Administrator who was contacted by the other parties involved and he did not understand how this happened.

Mr. Cafone said that we do need to ask our Board attorney what happened since July 16.

It was agreed by the Board to wait until the next meeting for Tri-Tech's recommendation regarding the appointment of the bond counsel.

ADJOURNMENT:

There being no further business to come before the Board, on motion made by Mr. Pelaia, seconded by Mr. Restaino, the meeting was adjourned at 10:07 p.m.

September 27, 2001

Philip Cordoc

President

John C. ...

Secretary

11/13/01

Date