

**NUTLEY BOARD OF EDUCATION
SPECIAL MEETING
SEPTEMBER 6, 2005**

The Nutley Board of Education held a Special Meeting on Tuesday, September 6, 2005 in the Nutley High School Library, 300 Franklin Avenue, Nutley, NJ 07110.

President Parisi opened the meeting at 7:08 PM.

**CALL TO
ORDER**

MEETING NOTICE

**MEETING
NOTICE**

President Parisi stated that in compliance with Chapter 231, Public Law 1975 entitled Open Public Meetings Act, adequate notice of this meeting had been provided as specified in the Act. Proper notice of this Special Meeting was provided on August 31, 2005. Said notice was posted at the entrance of the Board of Education offices, mailed to The Nutley Sun, The Star Ledger, The North Jersey Herald & News and The Nutley Journal and mailed to the Nutley Township Clerk.

This is an official meeting.

FLAG SALUTE

**FLAG
SALUTE**

Trustee Moscaritola led the assembly in the flag salute.

ROLL CALL

**ROLL
CALL**

Present: Mrs. Maria Alamo
Dr. Philip T. Casale
Mr. Gerard Del Tufo
Mr. Vincent Moscaritola
Mr. Sal Olivo
Mr. Kenneth J. Reilly
Mr. Alfred R. Restaino, Jr.
Dr. Gerard M. Parisi

Absent: Mr. James Viola

Also Present: Mr. Joseph Zarra, Superintendent of Schools
Dr. James Vivinetto, Assistant Superintendent
Mr. Dennis M. Oblack, Business Administrator/Board Secretary

HEARING OF CITIZENS (Agenda Items Only)

**HEARING OF
CITIZENS**

None

RESOLUTION

**9/27/05
SCHOOL ELECTION
TWO SCHOOL
BOND PROPOSALS**

**1. RESOLUTION PROVIDING FOR A SPECIAL SCHOOL
DISTRICT ELECTION TO BE HELD ON SEPTEMBER 27,
2005 FOR CONSIDERATION OF TWO SCHOOL BOND
PROPOSALS**

A discussion ensued among the Board regarding the financing of this resolution.

Trustee Del Tufo moved, and Trustee Olivo seconded, the following resolution. Upon being put to a roll call vote the resolution was approved.

BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE TOWNSHIP OF NUTLEY IN THE COUNTY OF ESSEX, NEW JERSEY (not less than a majority of the full membership of the Board concurring) AS FOLLOWS:

1. It is hereby determined that two bond proposals together with an interpretive statement will be submitted for voter approval at a special election to be scheduled for September 27, 2005 between the hours of 2:30 p.m. and 9:00 p.m. as permitted and required by law. The form of the proposals and the interpretive statement will read substantially as follows:

PROPOSAL NO. 1

The Board of Education of the Township of Nutley in the County of Essex, New Jersey is authorized (a) to construct additions, renovations and alterations at Lincoln Elementary School, Spring Garden Elementary School and Washington Elementary School and renovations at the Park Oval fields, including acquisition and installation of furnishings and equipment and sitework; (b) to appropriate therefor \$47,308,248, including \$16,716,573 Educational Facilities Construction and Financing Act (EFCFA) grants for which the school district is eligible, and \$105,000 available from the Essex County Recreation and Open Space Trust Fund and \$840,000 available from the New Jersey Department of Community Affairs for the Park Oval

field renovations; (c) to issue bonds of the school district to finance the balance of the district's local share of the projects in the principal amount of \$29,646,675; and (d) to transfer any unexpended local share among the projects approved at this election.

The final eligible cost of the projects approved by the Commissioner of Education is \$41,791,433, consisting of \$12,695,289 for Lincoln Elementary School, \$13,414,953 for Spring Garden Elementary School, \$15,681,191 for Washington Elementary School, and \$-0- for the Park Oval field renovations. The projects include \$-0- allocated to Lincoln Elementary School, \$-0- allocated to Spring Garden Elementary School, \$-0- allocated to Washington Elementary School, and \$2,945,412 allocated to the Park Oval field renovations for school facilities construction elements in addition to the facilities efficiency standards developed by the Commissioner of Education or not otherwise eligible for State support pursuant to N.J.S.A. 18A:7G-5(g). The Park Oval field renovation project constitutes an "other" capital project under N.J.A.C. 6A:26-3.12 and is not eligible for State support under the Educational Facilities Construction and Financing Act.

PROPOSAL NO. 2

The Board of Education of the Township of Nutley in the County of Essex, New Jersey is authorized (a) to construct additions, renovations and alterations at Radcliffe Elementary School and Yantacaw Elementary School and exterior renovations and roof replacement at Nutley High School, including acquisition and installation of equipment and furnishings and sitework; (b) to appropriate therefore \$24,603,756, including \$9,315,092 EFCFA grants for which the district is eligible; (c) to issue bonds of the school district to finance the local share of the project in the principal amount of \$15,288,664; and (d) to transfer any unexpended local share among the projects approved at this election.

The final eligible cost of the projects approved by the Commissioner of Education is \$23,287,729, consisting of \$6,940,316 for Radcliffe Elementary School, \$12,983,319 for Yantacaw Elementary School and \$3,364,094 for Nutley High School. The projects include \$-0- for school facilities construction elements in addition to the facilities efficiency standards developed by the Commissioner of Education or not otherwise eligible for State support pursuant to N.J.S.A. 18A:7G-5(g).

INTERPRETIVE STATEMENT

These proposals will authorize the issuance of bonds to pay for the school district's capital projects. If both proposals are approved by the voters at this election, the total aggregate cost of the projects will be \$71,912,004, including EFCFA grants in the aggregate amount of \$26,031,665 for which the school district is eligible, and \$105,000 available from the Essex County Recreation and Open Space Trust Fund and \$840,000 available from the Department of Community Affairs for the Park Oval field renovations. The final eligible cost of the projects approved by the Commissioner is \$65,079,162 (\$12,695,289 allocated to Lincoln Elementary School, \$13,414,953 allocated to Spring Garden Elementary School, \$15,681,191 allocated to Washington Elementary School, \$-0- allocated to the field renovations, \$6,940,316 allocated to Radcliffe Elementary School, \$12,983,319 allocated to Yantacaw Elementary School and \$3,364,094 allocated to Nutley High School). The aggregate amount of the cost of the projects if both proposals are adopted includes \$2,945,412 allocated to the field renovations and \$-0- allocated to the schools for school facility construction elements in addition to the facilities

efficiency standards developed by the Commissioner of Education or not otherwise eligible for State support pursuant to N.J.S.A. 18A:7G-5(g). If both proposals are passed, the local share of the projects to be financed with the school district bonds is \$44,935,339.

2. This Board of Education hereby approves and adopts the proposals set forth above and, subject to the approval of the legal voters of the school district, hereby determines to carry out the improvements described therein (the "Project").

3. This Board of Education hereby acknowledges and confirms that in accordance with N.J.S.A. 18A:24-16 and 18A:24-17 a supplemental debt statement has been prepared by the chief financial officer of the Township of Nutley, being the only municipality comprised within the school district, giving effect to the proposed authorization of bonds of the school district in the maximum amount of bonds authorized in the proposals. The supplemental debt statement has been filed in the offices of the Clerk of Township of Nutley and in the office of the Business Administrator/Board Secretary of this Board of Education prior to the final adoption of the proposals and will be filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs prior to the date of the special election.

4. The Business Administrator/Board Secretary is hereby authorized and directed to send a certified copy of the proposals to the County Clerk as required by N.J.S.A. 19:60-2 and to request the County Clerk to conduct the special election.

5. The Board acknowledges receipt of the PEC letters from the Department of Education with respect to the Project. The Board hereby elects to receive grants under Section 15 of the Educational Facilities Construction and Financing Act, P.L. 2000, c. 72, effective July 18, 2000 (the "Act") and to construct the Project itself. The Board further determines to accept the preliminary eligible costs determined by the Department of Education as final eligible costs and not to appeal the determination of preliminary eligible costs. The Business Administrator/Board Secretary is authorized to notify the Department of Education of the District's election with respect to the eligible costs, the construction of the Project and the election to receive grants pursuant to Section 15 of the Act.

6. The Board authorizes the President or the Business Administrator/Board Secretary to execute and to deliver the Educational Facilities Construction and Financing Act Section 15 Grant Agreements for the referenced Project.

7. The Board delegates the authority for the supervision of the Project to the Business Administrator/Board Secretary pursuant to the New Jersey Economic Development Authority Grant Agreement guidelines.

8. The educational plans and the schematic plans for the construction of the Project have heretofore been approved by this Board of Education, and such approval is hereby reconfirmed.

9. The Board President, the Superintendent of Schools, the Business Administrator/Board Secretary, the Project Architect, Bond Counsel and other appropriate representatives of the Board (the "Board Representatives") have heretofore been authorized, and such authorization is hereby reconfirmed, to submit the educational plans and the schematic plans for the Project, together with such other information as may be required, to the State Department of Education for approval and to make application to the Commissioner of Education for approval of the educational plans, the schematic plans and the Project and, if necessary, any required amendment to the long-range facilities plan, in accordance with the requirements of the Act and N.J.A.C. 6A:26-3.2.

10. The Board Representatives have heretofore further been authorized and directed to submit the schematic plans and any other required information to the Planning Board for review and comment, and such authorization and direction is hereby reconfirmed.

11. DCM Architecture, Inc., the School District's appointed architect for the Project, has heretofore been authorized and delegated the responsibility to prepare the plans and specifications for the Project in consultation with and under the supervision of the Business Administrator/Board Secretary, who has heretofore been delegated the responsibility to work with the architect for this purpose on behalf of the Board, and such authorizations and delegations are hereby reconfirmed and ratified, all in accordance with the requirements of N.J.S.A. 18A:18A-16.

12. The Board representatives are hereby authorized to take all steps necessary to implement this resolution. The Business Administrator/Board Secretary is further authorized and directed to request the County Clerk, the County Board of Elections, the County Superintendent of Elections and the Municipal Clerk as applicable to conduct the special election, and the Business Administrator/Board Secretary is authorized

to act on behalf of the Board to make such determinations required of the Board for the conduct of the election.

Trustee Restaino left the meeting at 7:45 PM.

2. AUTHORIZATION TO REQUEST MEDICAL PLAN CLAIMS HISTORY

**(WITHDRAWN)
REQUEST
MEDICAL PLAN
CLAIMS**

Trustee Olivo moved, and Trustee Del Tufo seconded, the following resolution.

After discussion on the purpose of this motion, the necessity thereof, and those trustees who would be required to disqualify themselves from voting, Trustees Olivo and Del Tufo withdrew their motion.

WHEREAS the Nutley Board of Education desires to evaluate options for providing medical and prescription coverage for its employees and retirees,

NOW, THEREFORE BE IT RESOLVED, that the Nutley Board of Education authorizes the Business Administrator to request a report of the district's medical claims history in the New Jersey State Health Benefits Plan from Horizon Blue Cross Blue Shield of New Jersey, at a cost of \$1,500.

MOTION TO ADJOURN TO EXECUTIVE SESSION

**EXECUTIVE
SESSION**

At 7:55 PM Trustee Alamo moved and Trustee Moscaritola seconded the following resolution:

WHEREAS, the Board of Education will be discussing matters exempt from public discussion pursuant to N.J.S.A. 10:4-12,

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

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

The motion was unanimously approved by voice vote.

RECONVENE

OPEN MEETING

At 8:10 PM the Board reconvened in open public session on a motion by Trustee Reilly seconded by Trustee Del Tufo, and unanimously approved by voice vote.

Trustee Olivo will be bringing a proposal to the Board regarding random drug testing.

Superintendent Zarra spoke about the press release that will be sent out regarding the Gold Medal certificate from Expansion Management.

ADJOURNMENT

ADJOURN

There being no further business, the meeting was adjourned at 8:15 PM on a motion by Trustee Casale, seconded by Trustee Del Tufo, and unanimously approved by voice vote.

Respectfully submitted,

Dennis M. Oblack
Board Secretary