

**NUTLEY BOARD OF EDUCATION
REGULAR MEETING
NOVEMBER 21, 2005**

The Nutley Board of Education held a Regular Meeting on Monday, November 21, 2005 at the Nutley High School Library, 300 Franklin Avenue, Nutley, NJ 07110.

President Parisi opened the meeting at 8:00 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 Regular Meeting was provided in the annual notice dated May 5, 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 Viola led the assembly in the flag salute.

ROLL CALL

**ROLL
CALL**

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

Absent: Mr. Vincent Moscaritola

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

SPECIAL ORDER OF BUSINESS

**SPECIAL ORDER
OF BUSINESS**

President Parisi welcomed everyone in attendance and announced that special awards would be presented tonight to students for both academic and music achievements. He then introduced High School Principal Mr. Catrambone who then asked Mr. Vitkovsky, Mr. Violante and Ms. De Rosa to present the recipients of the academic and music awards stated on Schedule A as appended to these minutes.

RECESS MEETING

RECESS

At 8:10 PM upon the suggestion of President Parisi, Trustee Casale moved, Trustee Olivo seconded, and the Board unanimously approved by voice vote a motion to recess.

RECONVENE MEETING

RECONVENE

At 8:20 PM Trustee Del Tufo moved, Trustee Casale seconded, and the Board unanimously approved by voice vote a motion to reconvene the open public meeting.

APPROVAL OF MINUTES

**APPROVE
MINUTES**

BE IT RESOLVED that the Board of Education approves the following minutes:

- October 17, 2005 – Regular Meeting
- October 17, 2005 – Conference Meeting
- October 17, 2005 – Closed Executive Session
- October 12, 2005 – Special Meeting
- October 12, 2005 - Closed Executive Session

Trustee Olivo moved, Trustee Reilly seconded, and the Board approved by voice vote a motion to approve the minutes.

CORRESPONDENCE

CORRESPONDENCE

Board Secretary Oblack read, and the trustees acknowledged, the following items of correspondence:

A thank-you note from Jerry Vecchio and Family for the Board's expression of sympathy on the passing of his father.

SUPERINTENDENT'S REPORT

SUPT'S REPORT A

Superintendent Zarra presented the Superintendent's Report dated November 21, 2005, Schedule A, which is appended to the minutes of this meeting, and briefly summarized its contents.

**BOARD
SECRETARY'S
REPORT**

BOARD SECRETARY'S REPORT

Board Secretary Oblack discussed the recommendations of the Board's auditors for improvements in the district's financial procedures and controls. He noted that the Board's auditors' recommendations decreased from 11 in fiscal year 2004 to one in fiscal year 2005.

He also discussed the major factors that contributed to the generation of the audited excess surplus of \$458,607 as well as the constraints arising from the S-1701 legislation concerning this surplus.

COMMITTEE REPORTS

**COMMITTEE
REPORTS**

- Trustee Alamo - Personnel Committee
- Trustee Del Tufo - Negotiations Committee
Facilities Committee
Oval Committee
- Trustee Reilly - Policy Committee
- Marissa Ryder - Student Representative

President Parisi said that the Board must discuss the school ethics act and the code of ethics for school board members at a regularly scheduled public meeting annually.

HEARING OF CITIZENS (Resolutions Only)

**HEARING OF
CITIZENS**

Several residents expressed their opinions and concerns with the Business Administrator/Board Secretary's Resolution 8 – Approval of Removal of Crossing Guard Salary.

Commissioner Evans explained how the municipality plans their budget and how they are subject to limitations.

Resident Walt Sautter expressed his opinion with the Board not hiring a wrestling coach.

SUPERINTENDENT'S RESOLUTIONS

**SUPT'S
RESOLUTIONS**

Trustee Del Tufo moved, Trustee Viola seconded, a motion that the Board approves the Superintendent's Resolutions numbers 1 through 12 as listed below

The Superintendent's Resolutions 1 through 12 were approved by roll call vote with the following exception:

1. Trustee Olivo abstained on Resolution 12 – Extra Compensation.

**RESCIND
APPOINTMENT**

1. **RESCIND APPOINTMENT - Professional Staff**

BE IT RESOLVED that the Board of Education approves the rescinding of the addendum approved at the August 29, 2005 Board Meeting appointing Mr. Nikola Markovic as part-time teacher for the 2005-06 school year.

**AMEND
REAPPOINTMENTS**

2. **AMENDING RESOLUTION – Reappointments – Buildings and Grounds Personnel – 2005-06**

BE IT RESOLVED that the Amending Resolution - Reappointments – Buildings and Grounds Personnel 2005-06, adopted at the August 29, 2005 Board Meeting, be amended to reflect the following change effective November 22, 2005:

	<u>Group/ Step</u>	<u>Salary</u>
Nikola Markovic	7-9	\$40,500

**APPOINT
TEACHER SUBS B**

3. **APPOINTMENTS – Teacher Substitutes**

BE IT RESOLVED that the Board of Education approves the appointments of the teacher substitutes listed on the attached Schedule B for the 2005-06 school year.

**APPOINT
SUB**

4. **APPOINTMENT – Substitute**

BE IT RESOLVED that the Board of Education approves the following substitute for the 2005-06 school year:

Custodian

Richard E. Misner, Jr.

**APPOINT
ATHLETICS**

5. **APPOINTMENTS – Athletics**

BE IT RESOLVED that the Board of Education approves the athletic appointments listed below for the 2005-06 school year on the salary guide at the classification and step as indicated in accordance with the 2005-06 Coaches Salary Guide.

<u>Sport</u>	<u>Name</u>	<u>Step</u>	<u>Salary</u>
<u>GIRLS BASKETBALL</u>			
Assistant Coach	Michael Cole	3	\$4,505
Assistant Coach	Luann Zullo	4	4,730
<u>WRESTLING</u>			
Assistant Coach	Patrick Algieri	4	4,730
Assistant Coach	Luke Cardinale	3	4,505

**APPOINT
CAT PROG.**

6. **APPOINTMENTS – Cultivating Academic Talent Program**

BE IT RESOLVED that the Board of Education approves the appointments of the personnel listed below for the CAT Program for the 2005-06 school year:

Nicole Ferraro
Erika Pavlecka

**APPOINT
SAT CLASSES**

7. **APPOINTMENTS – Johns Hopkins SAT Classes**

BE IT RESOLVED that the Board of Education approves the appointment of Jolinda Griwert and LeeAnn Martin to teach the Johns Hopkins SAT Classes on October 29, November 19, December 3, 10, 17, 2005 and January 7, 2006.

**APPROVE
STIPENDS**

8. **APPROVAL OF STIPENDS - Buildings and Grounds Personnel**

BE IT RESOLVED that the Board of Education approves stipends, prorated, for the following buildings & grounds personnel effective December 1, 2005 in accordance with the 2004-07 Buildings and Grounds Employees Salary Guide for the following:

<u>Name</u>	<u>Stipend</u>	<u>Amount</u>
Michael Klein	AHERA O&M	\$ 450
Frank Marando	Black Seal License	\$ 500

**CHANGE
B& G ASSIGNMENTS**

9. **CHANGE OF ASSIGNMENTS – Buildings & Grounds Personnel**

BE IT RESOLVED that the Board of Education approves a change of assignment for the following personnel effective December 1, 2005:

<u>Name</u>	<u>From</u>	<u>To</u>
Nicholas Moccio	Lincoln (Nights)	Franklin (Days)
Anthony Lotito	Franklin (Days)	Lincoln (Nights) Night Stipend – \$2,500

10. **BOARD POLICY- Second Reading**

BE IT RESOLVED that the Board approves the following new Board Policies at this second reading.

Policy #5112	Entrance Age – Pupils	Schedule C
Bylaw #0147	Board Member Compensation and Expenses	Schedule D
Policy #3440	Job Expenses – Teaching Staff Members	Schedule E
Policy #4440	Job Expenses – Support Staff	Schedule F

LONGEVITY PAY

11. **LONGEVITY PAY**

BE IT RESOLVED that the Board of Education approves the following longevity payment:

Joanne Masucci -\$1,400(prorated)-Eff. Dec. 1, 2005 (10 years)

**EXTRA
COMP**

12. **EXTRA COMPENSATION**

BE IT RESOLVED that the Board of Education approves the following personnel be paid extra compensation in the amounts indicated for services rendered:

**PAYMENT FOR HEALTH DYNAMICS CLASSES –
Month of October, 2005**

Rose Cioffi	\$250.00
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**PAYMENT FOR FALL SAT REVIEW CLASSES-October
3,4,11,17,18,24,25,31, and November 1, 2005**

Jenifer Hecht	\$935.28
Leann Martin	935.28

**PAYMENT FOR FILMING BOE MEETINGS – August 28,
September 26 and October 17, 2005**

Denis Atlic	\$ 97.50
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**PAYMENT FOR FACILITATING TECHNOLOGY
WORKSHOPS – EZ Grade Pro Workshop/E-Mail
Workshop – September, 2005**

Gloria Dorfman	\$ 90.08
Darren Mischel	45.04
Ann Mary Mullane	112.60
Christina Osieja	67.56
John Schwarz	90.08

**EIGHTH GRADE SOCIAL STUDIES CURRICULUM
October 21 and 27, 2005**

Cheryl Kozyra	\$138.56
Louis Manganiello	138.56
Robert O'Dell	209.60
Donna Saitta	138.56
John Schwarz	69.28
Veronica Zoltowski	138.56

**TECHNOLOGY CURRICULUM COMMITTEE
October 6, 2005**

Denise Cleary	\$ 51.96
Gloria Dorfman	51.96
Sheryl Holly	51.96
Nancy Kehayes	78.60
Lesslie Licamelli	51.96
Christina Osieja	51.96
Christina Stendardi	51.96

G.A.T.E. COMMITTEE – October 27, 2005

Dolores Contreras	\$ 51.96
Rachel Daly	51.96
Jolinda Griwert	51.96
Rebecca Olivo	51.96

**CENTRAL DETENTION COVERAGE –
October, 2005**

High School

Jennifer Knobloch	\$ 93.85
AnneMarie Kowalski	93.85
Mary Ann Maher	56.31
Lawrence Mitschow	18.77
Joseph Simko	37.54
Lisa Vallo	112.62

Franklin School

Jennifer Ambrose	75.08
Joseph Cappello	75.08
Tracy Egan	75.08
Louis Manganiello	75.08
LuAnn Zullo	75.08

**SATURDAY MORNING SUSPENSIONS –
October, 2005**

High School

Lori Ferrara	\$156.90
AnneMarie Kowalski	78.45
Marcellino Marra (H.S./FMS)	235.35
Lisa Vallo	156.90

Franklin School

Jennifer Ambrose	78.45
Nicole Ferraro	78.45
Louis Manganiello	78.45

TESTIMONIAL

13. TESTIMONIAL – Assistant Superintendent Dr. James S. Vivinetto

Trustee Alamo moved, and Trustee Casale seconded, the following resolution. Upon being put to a roll call vote the resolution was approved.

Whereas, Dr. James S. Vivinetto has tendered his resignation as Assistant Superintendent of Schools of Nutley, effective February 1, 2006 and has signified his intention of retiring from active service, and

WHEREAS, Dr. Vivinetto has served as a teacher, learning consultant, vice-principal, principal and assistant superintendent of schools in the Nutley Public Schools for a period of thirty-seven years, and

WHEREAS, through the years Dr. Vivinetto has exemplified the finest qualities of his profession at all times.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Education expresses to Dr. Vivinetto its deep appreciation of his long and faithful service and extends to him 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 Dr. Vivinetto.

***BUSINESS ADMINISTRATOR/
BOARD SECRETARY'S RESOLUTIONS***

**BA/BOARD
SECRETARY'S
RESOLUTIONS**

Trustee Reilly moved, and Trustee Restaino seconded, a motion that the Board approves the Business Administrator/Board Secretary's Resolutions numbers 1 through 17 as listed below.

Trustee Casale made a motion, seconded by Trustee Restaino, that Resolution 8 – Approval of Removal of Crossing Guard Salary be amended to read:

BE IT RESOLVED that the Board of Education approves the removal of the crossing guard salary from the school budget, and

BE IT THEREFORE RESOLVED that the \$230,000 be budgeted as an addition to capital reserve for the 2006-07 School Budget.

The Amended resolution was approved with the following exceptions:

1. Trustee Alamo abstained pursuant to law.
2. Trustees Del Tufo, Viola and President Parisi voted "No".

The Business Administrator/Board Secretary's Resolutions 1 through 17 were approved by roll call vote with the following exceptions:

1. Trustee Alamo abstained on Resolution 8 – Approval of Removal of Crossing Guard Salary, pursuant to law.
2. Trustees Del Tufo, Viola and President Parisi voted "No" on Resolution 8 – Approval of Removal of Crossing Guard Salary.

1. **SECRETARY & TREASURER'S REPORT**

**SECY. & TREAS. A
REPORTS B**

BE IT RESOLVED that the Board of Education approves the acknowledgement and acceptance of the reports of the Board Secretary (Appendix A) and Treasurer of School Monies (Appendix B) both on file in the Business Office for the period from July 1, 2005 through October 31, 2005.

2. **CERTIFICATION OF MAJOR ACCOUNT FUND STATUS**

**CERTIFICATION C
MAJOR ACCOUNT
FUND STATUS**

BE IT RESOLVED that pursuant to NJAC 6A:23-2.11(c) 4, the Nutley Board of Education certifies that as of October 31, 2005, 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 6A:23-2.11(b) and that sufficient funds are available to meet the district's financial obligations for the remainder of the fiscal year. (Major funds are General Fund, Capital Projects and Debt Service.)

3. **BILLS AND MANDATORY PAYMENTS**

**BILLS & C
MANDATORY
PAYMENTS**

BE IT RESOLVED that the Board of Education approves the payment of bills and mandatory payments dated November 21, 2005 in the total amount of \$5,204,203.08 (Appendix C).

4. REQUESTS FOR USE OF SCHOOL BUILDINGS AND GROUNDS

USE OF BUILDINGS AND GROUNDS D

BE IT RESOLVED that the Board of Education approves the requests for the use of school buildings and grounds (Appendix D), that conform to the rules and regulations set by the Board of Education.

5. TRANSFER SCHEDULE

TRANSFER SCHEDULE E

BE IT RESOLVED that the Board of Education approves, in compliance with NJAC 6A:23-2.11(c)3ii, and NJSA 18A:22-8-1, the transfers in the 2005-06 budget dated October 31, 2005 in the amount of \$1,412.00 as appended (Appendix E).

6. SUPPLEMENTAL TRANSFER SCHEDULE

SUPPLEMENTAL TRANSFER SCHEDULE F

BE IT RESOLVED that the Board of Education approves, in compliance with NJAC 6A:23-2.11(c)3ii, and NJSA 18A:22-8-1, the supplemental transfers in the 2005-06 budget dated August 31, 2005 in the amount of \$17,249.89 as appended (Appendix F).

7. APPROVAL OF AGREEMENT OF SERVICES

APPROVE AGREEMENT OF SERVICES G

BE IT RESOLVED that the Board of Education approves the Agreement for Services between the Essex County Educational Services Commission for the Nonpublic School Technology Initiative Program 2005-06 with Abundant Life Academy and Good Shepherd Academy as appended (Appendix G).

8. APPROVAL OF REMOVAL OF CROSSING GUARD SALARY

APPROVE REMOVAL OF CROSSING GUARD SALARY

BE IT RESOLVED that the Board of Education approves the removal of the crossing guard salary from the school budget, and

BE IT THEREFORE RESOLVED that the \$230,000 be budgeted as an addition to capital reserve for the 2006-07 School Budget.

**NBOE SUPPORT
SCR-20/ACR-99
ACR-218**

9. NBOE IN SUPPORT OF SCR-20 / ACR-99 AND ACR-218

WHEREAS, New Jersey property taxes are among the highest in the nation; and

WHEREAS, New Jersey ranks fourth highest among the 50 states in the percentage of school costs funded through local taxes, such as the property tax; and

WHEREAS, The current system is inequitable because it is not based on an individual's ability to pay; and

WHEREAS, By overburdening homeowners and other residents, the over-use of property taxes to fund schools erodes community support for essential school programs and services; and

WHEREAS, Remediating the problems associated with high property taxes is a legislative responsibility; and

WHEREAS, The quickest and most effect way for the Legislature to address the issue is to convene in a special session that is dedicated solely to property tax reform in New Jersey; and

WHEREAS, A special session of both Houses of the Legislature could devise and consider ways of implementing property tax reform; and

WHEREAS, SCR-20/ACR-99 and ACR-218 would direct the leaders of each House of the Legislature to convene a special session that would be dedicated to property tax reform; now therefore, be it

RESOLVED, That the NUTLEY Board of Education urges Governor Richard Codey and members of the General Assembly and Senate to support passage of SCR-20/ACR-99 and ACR-218; and be it further

RESOLVED, That a copy of this resolution to be sent to our Senate Representative, Assembly Representatives, Acting Governor Richard Codey, and to the New Jersey School Boards Association.

**10. APPROVAL OF SUBMISSION OF APPLICATION FOR
IDEA-BASIC CARRY-OVER FUNDS - FY 2005**

**APPROVE
SUB. OF APPLICATION
IDEA-BASIC CARRY-OVER**

BE IT RESOLVED that the Board of Education approves submission of an application to carry-over funds from fiscal year 2005 for IDEA- Basic in the following amounts:

IDEA-B -	\$9,079
IDEA Preschool	<u>187</u>
	\$9,266

**11. APPROVAL OF SUBMISSION OF APPLICATION FOR
NCLB CARRY-OVER FUNDS – FY 2005**

**APPROVE
SUB. OF APPLICATION
NCLB CARRY-OVER**

BE IT RESOLVED that the Board of Education approves submission of an application to carry-over funds from the fiscal year 2005 for NCLB in the following amounts:

Title I	\$ 5,892
Title II A	2,139
Title II D	999
Title III	210
Title IV	4,840
Title V	<u>1,438</u>
Total	\$15,518

**12. ACCEPTANCE OF GRANT – INDIVIDUALS WITH DISABILITIES
EDUCATION ACT (IDEA-B)**

**ACCEPT GRANT
IDEA-B**

BE IT RESOLVED that the Board of Education accepts a FY 2006 grant acceptance certification for Individuals with Disabilities Education Act (IDEA-B) in the following amounts:

Basic	\$751,251
Preschool	\$ 29,652

**13. RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN
APPROVED STATE CONTRACT VENDORS FOR
CONTRACTING UNITS**

**AUTHORIZE STATE
CONTRACT VENDORS H**

WHEREAS, the Nutley Board of Education, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division and Property in the Department of the Treasury; and

WHEREAS, the Nutley Board of Education has the need on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS, the Nutley Board of Education intends to enter into contracts with the attached Referenced State Contract Vendors (Appendix H) through this resolution and properly executed contracts, which shall be subject to all conditions applicable to the current State contracts;

NOW, THEREFORE, BE IT RESOLVED, that the Nutley Board of Education authorizes the Purchasing Agent to purchase certain goods or services from those approved New Jersey State Contract Vendors on the attached list, pursuant to all conditions of the individual State contracts; and

BE IT FURTHER RESOLVED, that the governing body of the Nutley Board of Education pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

BE IT FURTHER RESOLVED, that the duration of the contracts between the Nutley Board of Education and the Referenced State Contract Vendors shall be from July 1, 2005 to June 30, 2006.

**ANNUAL
FINANCIAL
REPORT/AUDIT**

14. COMPREHENSIVE ANNUAL FINANCIAL REPORT/AUDIT

WHEREAS, the district has prepared the Comprehensive Annual Financial Report for the 2004-05 school year, and

WHEREAS, the audit of the financial records of the school district for the 2004-05 school year has been made, according to the requirements of Title 18A, by the firm of Lerch, Vinci & Higgins, and

WHEREAS, copies of a synopsis of this audit have been made available to the public,

NOW, THEREFORE, BE IT RESOLVED, That the Board of Education accepts the 2004-05 Comprehensive Annual Financial Report and the report of the independent auditors, which includes the audit recommendations which were read aloud and discussed at the public board meeting of November 21, 2005, and

BE IT FURTHER RESOLVED, That the Board approves the Corrective Action Plan as per (Appendix I) responding to the recommendations of the auditor and that a copy of the Corrective Action Plan be submitted, as required, to the County Superintendent of Schools.

**WAIVING 60 DAY
STATE MONITORING INFO.
TO THE PUBLIC**

15. WAIVING OF THE 60 DAYS REQUIREMENT FOR MAKING STATE MONITORING INFORMATION AVAILABLE TO THE PUBLIC

BE IT RESOLVED that the Board of Education approves waiving of the 60 days requirement for making information available to the public relating to the results of the state monitoring of the Nutley School District, performed by the Office of the Essex County Superintendent of Schools.

**DISTRIBUTE PAY FOR
ACCUMULATED SICK & VAC.
FOR CERTAIN EMPLOYEES**

**16. ELECTION TO DISTRIBUTE PAYMENTS FOR ACCUMULATED
SICK AND VACATION TIME AS CONTRIBUTIONS TO 403 (b)
PROGRAMS FOR CERTAIN EMPLOYEES**

WHEREAS, the Nutley Board of Education (the "Board") intends to make non-salary reduction contributions on behalf of certain classes of employees who terminate employment, and

WHEREAS, the Board will not permit any individual employee to have an option of, receiving the equivalent amounts as compensation, and

WHEREAS, the Economic Growth and Tax Relief Reconciliation Act of 2001 ("EGTRRA") amended Section 403(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code") to permit employers to make contributions to 403(b) programs for employees who have terminated employment with the District, and

WHEREAS, the District wishes to make such contributions as permitted under Section 403(b)(3) and Section 415(c)(1) of the Code for certain terminated employees,

NOW THEREFORE BE IT RESOLVED that the Board hereby authorizes and directs that the District shall make post-termination contributions into 403(b) contracts established for the Superintendent, Assistant Superintendent and Business Administrator, provided that such contributions shall not exceed the limits of Section 415(c)(1) of the Code and shall not continue beyond the five (5) year period authorized under Section 403(b)(3) of the Code.

BE IT FURTHER RESOLVED that any employer contribution authorized hereunder shall be made ratably in annual installments payable not later than thirty days after the individual's termination date and anniversaries thereof.

BE IT ALSO FURTHER RESOLVED that the proper employees of the Board be and they are hereby authorized and directed to take any and all actions necessary or desirable to implement the resolutions as set forth herein.

**17. AWARD OF CONTRACT – Nutley High School Main
Gym Floor Replacement**

**AWARD OF CONTRACT
NHS GYM FLOOR**

WHEREAS, bids for the replacement of the Nutley High School main gymnasium floor were advertised on September 22, 2005, and

WHEREAS, sealed bids were publicly opened and read aloud on October 12, 2005, at 2:00 p.m. in the office of the Business Administrator/Board Secretary, and

WHEREAS, bids were received in the following amounts for work to commence after the close of school in June, 2006:

Classic Sport Floors West Berlin, NJ	Base Alternate	\$125,000.00 (1,000.00)
Blesing's Flooring Clifton, NJ	Base Alternate	\$127,209.25 10,000.00
North Eastern Floors West Berlin, NJ	Base Alternate	\$152,000.00 6,480.00

and

WHEREAS, the bid of Classic Sport Floors meets all specifications, and is therefore the lowest responsible bidder.

NOW, THEREFORE, BE IT RESOLVED that the Board of Education approves the award of a contract for the replacement of the Nutley High School main gymnasium floor to Classic Sport Floors, West Berlin, NJ at a cost of \$125,000.00, and

BE IT FURTHER RESOLVED that the Nutley Board of Education rejects the alternate.

**APPOINT
CUSTODIAN**

18. APPOINTMENT - CUSTODIAN

Trustee Casale moved, and Trustee Viola seconded, the following resolution. Upon being put to a roll call vote the resolution was approved.

BE IT RESOLVED that the Board of Education approves the appointment of Frank Fochesato as a custodian effective December 1, 2005 at the annual salary of \$28,500, prorated, without benefits, (Group 2, Step 3), which is in accordance with the 2004-07 Custodial Salary Guide. (Hired on a 90-Day Probationary Period).

**APPOINT
CUSTODIAN**

19. APPOINTMENT - CUSTODIAN

Trustee Restaino moved, and Trustee Casale seconded, the following resolution. Upon being put to a roll call vote the resolution was approved.

BE IT RESOLVED that the Board of Education approves the appointment of Christopher Conca as a custodian effective December 1, 2005 at the annual salary of \$28,500 (Group 2, Step 3), prorated, which is in accordance with the 2004-07 Custodial Salary Guide. (Hired on a 90-Day Probationary Period).

**LEAVE
B& G EMPLOYEE**

20. LEAVE OF ABSENCE – B&G Employee

Trustee Alamo moved, and Trustee Viola seconded, the following resolution. Upon being put to a roll call vote the resolution was approved.

BE IT RESOLVED that the Board of Education approves an unpaid leave of absence for Mr. Kwabena Opong from December 10, 2005 through December 9, 2006.

**BOARD POLICY
1st READING G**

21. BOARD POLICY- First Reading

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

BE IT RESOLVED that the Board of Education approves the following new Board Policy at this first reading.

Policy #7422 School Integrated Pest
Management Plan Schedule G

**DESIGNATION OF
IPM COORDINATOR**

22. DESIGNATION OF IPM COORDINATOR

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

BE IT RESOLVED that the Nutley Board of Education approves the designation of the Manager of Buildings & Grounds as the district's Integrated Pesticide Management Coordinator to implement all the aspects of the IPM Policy and Plan.

**ACCEPT PERKINS
SECONDARY 2005-06**

**23. ACCEPTANCE OF NOTICE OF FUNDING – CARL D.
PERKINS SECONDARY – 2005-06 SCHOOL YEAR**

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 that the Board of Education accepts notice of funding for Carl D. Perkins Secondary in the amount of \$18,865 for the 2005-06 school year.

24. A RESOLUTION BINDING THE NUTLEY BOARD OF EDUCATION TO PURCHASE NATURAL GAS SUPPLY SERVICES THROUGH THE ALLIANCE FOR COMPETITIVE ENERGY SERVICES (“ACES”) Bid Cooperative Pricing System ID#E8801-ACESCPS

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

WHEREAS, the Alliance For Competitive Energy Services (hereinafter referred to as “ACES”), an alliance composed of the New Jersey School Boards Association (hereinafter referred to as “NJSBA”), the New Jersey Association of School Administrators, and the New Jersey Association of School Business Officials, will from time to time during the Effective Period as defined below solicit bids from natural gas suppliers for retail natural gas supply services including interstate transportation to the local natural gas distribution utility company (Natural Gas Supply Services) through an energy aggregation program in which NJSBA will act as Lead Agency of the ACES Cooperative Pricing System #E8801-ACESCPS in accordance with the “Public School Contracts Law”, N.J.S.A. 18A:18A-1 *et seq.*, and the Electric Discount and Energy Competition Act, N.J.S.A. 48:3-49 *et seq.* (“EDECA”) and the regulations promulgated thereunder; and

WHEREAS, the Nutley Board of Education is a participating member of the ACES Cooperative Pricing System and is eligible thereby to obtain Natural Gas Supply Services for its own use through one or more contracts to be awarded to natural gas suppliers following said bids for Natural Gas Supply Services pursuant to the aggregation program; and

WHEREAS, the Lead Agency will from time to time during the Effective Period (from date of adoption through May, 2009, hereinafter referred to as “Effective Period”) issue one or more Requests for Bids for Natural Gas Supply Services on behalf of the ACES Cooperative Pricing System pursuant to the Public School Contracts Law and EDECA; and

WHEREAS, due to significant volatility and the potential for price increases in the wholesale natural gas market, Participating Members will preauthorize the Lead Agency to award contracts for Natural Gas Supply Service for no more than two years at a time in each service territory to one or more natural gas suppliers that submit bids which are reasonably forecasted to provide estimated savings to the Participating Member based upon its previous natural gas usage and utility provided Basic Gas Supply Service rates; and

WHEREAS, the Lead Agency will only award contracts for said Natural Gas Supply Services to natural gas suppliers that submit bids with pricing reasonably estimated to be lower than the utility-provided basic gas supply service; and

WHEREAS, the District agrees to purchase all Natural Gas Supply Services for its own use during the Effective Period through any natural gas supplier(s) awarded a contract, it being understood that the term of any one contract shall not exceed two-years;

WHEREAS, the Lead Agency will notify the Department of Community Affairs' Division of Local Government Services by mail prior to the issuance a Request for Bids for Natural Gas Supply Services, with the understanding that if the Division of Local Government Services does not respond within 10 business days, it will be deemed to have approved the issuance of the Request for Bids or the Request for Rebids.

NOW, THEREFORE BE IT RESOLVED that the District binds itself to the ACES Cooperative Pricing System ##E8801-ACESCPS to purchase all Natural Gas Supply Services needed for its own use during the Effective Period from the natural gas supplier or suppliers awarded a contract for Natural Gas Supply Services by the Lead Agency; and, be it

FURTHER RESOLVED that the Lead Agency of the ACES Cooperative Pricing System is hereby authorized to execute a master performance agreement that obligates the district to purchase Natural Gas Supply Services at the terms and conditions stated therein with a third-party supplier or suppliers who have been awarded the contract or contracts by the Lead Agency on behalf of the participating members of the ACES Cooperative Pricing System #E8801-ACESCPS (or any CPS number to be assigned in the future), provided that no single contract shall have a term exceeding two years, and provided further that all such contracts shall be at prices reasonably forecast and estimated by the Lead Agency to provide savings to the Districts relative to the price charged for basic gas supply service by the natural gas public utility that would otherwise provide such service; and, be it

FURTHER RESOLVED that ACES is authorized to continue to bid to obtain Natural Gas Supply Services at any time during the Effective Period on behalf of the ACES Cooperative Pricing System including, for example, a rebid if energy market conditions do not initially lead to a successful bid, on additional dates to be determined by the Lead Agency; and

FURTHER RESOLVED that this Resolution shall take effect immediately upon passage. The authorization provided to the NJSBA pursuant to the Local Public Contracts Laws (N.J.S.A. 40A:11-11(5)), and the Local Public and Public School Contracts Laws Administrative Code (N.J.A.C. 5:34-7.1 et seq.) shall be valid until May, 2009 (the Effective Period) at which time the Cooperative Pricing System will be subject to renewal. Any rescission of this resolution shall not affect any Natural Gas Supply Services contract entered into prior to such rescission.

**AWARD OF CONTRACT
FMS PROJECT**

**25. APPROVAL – AWARD OF CONTRACTS FOR FRANKLIN
FOR FRANKLIN MIDDLE SCHOOL PROJECT**

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

WHEREAS, the Nutley Public Schools opened sealed bids for additions and alterations at the Franklin Middle School on August 10, 2005 and again on October 14, 2005

WHEREAS, the lowest bids received on both occasions substantially exceeded the cost estimates for the project and

WHEREAS, by resolution on October 17, 2005 the Nutley Board of Education authorized its Secretary/Business Administrator, its architect and its construction manager to negotiate proposed contracts for the additions and alterations at the Franklin Middle School as allowed under N.J.S.A. 18A:18A-5c, and

WHEREAS, prices were then negotiated in accordance with N.J.S.A. 18A:18A-5c with the following companies:

Chanree Construction Co., Inc. – Ortley Beach, NJ
Arnold Steel Corporation – Howell, NJ
Sparta Steel Corporation – Sparta, NJ
Alan Feid, Inc. – Livingston, NJ
A. Pflugh, Inc. - Flanders, NJ
AMCO Enterprises, Inc. – Kenilworth, NJ
Tomar Construction LLC. – Metuchen, NJ
Bill Leary Air Conditioning & Heating – Metuchen, NJ
Air Con, Inc. – Mountainside, NJ
Tru-Value Electric Corp. – South Hackensack, NJ
Sal Electric – Jersey City, NJ
Institutional System Service Corp. – Waldwick, NJ
Johnson Controls, Inc. – Union, NJ

and

WHEREAS, the prices listed below meet all specifications, and are therefore the lowest responsible prices, and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education accepts the recommendations of its Architect, DCM Architecture, Inc. and its Construction Manager, Tri-Tech, Engineering and approves the award of contracts to the contractors listed below in the amounts listed below:

General Construction:

Chanree Construction Co., Inc. \$11,368,900.00

Structural Steel:

Sparta Steel Corporation \$ 1,249,000.00

Plumbing:

A. Pflugh, Inc. \$ 1,808,732.00

Heating Ventilating &
Air Conditioning:

Bill Leary Air Conditioning &
Heating \$ 3,313,000.00

Electrical:

Institutional System Service Corp. \$ 2,257,752.00

HVAC Controls:

Bill Leary Air Conditioning &
Heating \$ 235,000.00

\$20,232,384.00

HEARING OF CITIZENS

**HEARING OF
CITIZENS**

At this time, President Parisi opened this meeting to members of the attending public for comments and/or concerns on any school-related matters.

Several residents expressed their opinion regarding the expense the board incurs for crossing guards.

Resident Terry Quirk, representative for the Nutley Parent Advocacy Network, suggested that the Special Education Committee ask the parents of autistic children in the district for their input. She also asked about the relocation of the Board meetings.

Resident Linda Petrocci asked why foreign language was dropped from the curriculum in the third and fourth grades.

Superintendent Zarra, President Parisi and several trustees responded to these questions.

Hearing no further comments, President Parisi closed this portion of the meeting.

OLD BUSINESS

None

NEW BUSINESS

Trustee Restaino thanked Superintendent Zarra for his support and visit to the 6th grade camping trip for the Spring Garden and Lincoln School students.

ADJOURNMENT

There being no further business, the meeting was adjourned at 10:10 PM on a motion by Trustee Alamo, seconded by Trustee Viola, and unanimously approved by voice vote.

Respectfully submitted,

Dennis M. Oblack
Board Secretary

OLD BUSINESS

NEW BUSINESS

ADJOURN