The Nutley Board of Education held a Public Meeting on Monday, May 12, 2008 at the Board Conference Room, 315 Franklin Avenue, Nutley, NJ 07110.

President Casale opened the meeting at 7:30 PM.

MEETING NOTICE

President Casale 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 Open Public Meeting was provided in the notice of May 5, 2008. 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.

ROLL CALL

Present:

Mrs. Maria Alamo
Mr. Angelo Frannicola
Mr. James A. Kuchta
Mr. Vincent Moscaritola
Mr. Kenneth Reilly
Mr. Walter Sautter
Mr. James Viola
Ms. Patricia Williams
Dr. Philip T. Casale

Also Present:  Mr. Joseph Zarra, Superintendent of Schools
Mrs. Mariana Francioso, Assistant Superintendent of Schools
Mr. Michael DeVita, Acting Board Secretary

Absent:  Mr. Robert A. Green, Jr./Business Administrator/Board Secretary
MOTION TO ADJOURN TO EXECUTIVE SESSION

At 7:35 PM Trustee Kuchta moved and Trustee Williams 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 to discuss the following:

Legal Issues

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 approved by voice vote.

RECONVENE MEETING

At 8:00 PM Trustee Reilly moved, Trustee Frannicola seconded, and the Board unanimously approved by voice vote a motion to reconvene the public meeting.

The meeting reconvened in the JHWMS Library located at 325 Franklin Avenue, Nutley, NJ.

FLAG SALUTE

Trustee Williams led the assembly in the flag salute.

ROLL CALL

Present:
Mrs. Maria Alamo
Mr. Angelo Frannicola
Mr. James A. Kuchta
Mr. Vincent Moscaritola
Mr. Kenneth Reilly
Mr. Walter Sautter
Mr. James Viola
Ms. Patricia Williams
Dr. Philip T. Casale

Also Present: Mr. Joseph Zarra, Superintendent of Schools
Mrs. Mariana Francioso, Assistant Superintendent of Schools
Mr. Michael DeVita, Acting Board Secretary

Absent: Mr. Robert A. Green, Jr./Business Administrator/Board Secretary
HEARING OF CITIZENS (Resolutions Only)

None

SUPERINTENDENT’S REPORT

Mr. Zarra spoke about the items on the attached list.

RESOLUTIONS:

Trustee Reilly made a motion, and Trustee Moscaritola seconded, that the Board table Resolution #34 – Award of Contract – HVAC – Nutley High School Auditorium until the May 28, 2008 Public Meeting. The resolution was approved with a voice vote.

Trustee Moscaritola made a motion, and Trustee Alamo seconded, that the Board revise Resolution # 3 – Adoption of Meetings to read the 8:00 PM Public Meeting will take place in the JHWMS Auditorium. The resolution was approved with a voice vote.

Trustee Frannicola moved, and Trustee Kuchta seconded, a motion that the Board approve the Resolutions numbers 1 through 33 as listed below. Upon being put to a roll call vote the resolutions were unanimously adopted.

1. RESIGNATION – Teacher

BE IT RESOLVED that the Board of Education approves the acceptance of the resignation, following her leave of absence, of Mrs. Megan O’Hagan, high school science teacher, effective May 16, 2008.

2. RESIGNATION – Buildings & Grounds

BE IT RESOLVED that the Board of Education approves the acceptance of the resignation of Mr. Gerard Vecchio, buildings & grounds employee, effective May 30, 2008.

3. ADOPTION OF SCHEDULE OF MEETINGS

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 annual Schedule of Meetings be adopted as appended to these meeting minutes (Schedule A).
4. **DESIGNATION OF OFFICIAL NEWSPAPERS**

BE IT RESOLVED that the Board of Education designates The Nutley Sun and the North Jersey Herald and News as the official newspapers for meeting notices and hereby directs the Board Secretary to also send meeting notices to the Nutley Journal and the Star Ledger.

5. **CURRICULUM APPROVAL**

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 2008-09 school year.

6. **APPOINTMENT OF AUDITOR - 2008-09 School Year**

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 2007, and will be performing the school audit for the 2007-08 school year, and

WHEREAS, the Public School Contracts Law (N.J.S.A. 18A:18A-5) 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 2008-09 school year at a fee of $33,000.

2. This contract is awarded without competitive bidding as a professional service under the provisions of the Public School Contracts law.
7. **APPOINTMENT OF BOARD ATTORNEY - 2008-09 School Year**

WHEREAS, there exists from time to time a need for legal services for the Board of Education, and

WHEREAS, funds are available for this purpose, and

WHEREAS, the Public School Contracts Law (NJSA 18A:18A-5) provides for the award of contracts for this type of professional service without competitive bidding, and

WHEREAS, the firm of Gaccione, Pomaco & Malanga of Belleville, NJ is well qualified and capable of providing these services,

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Township of Nutley that the firm of Gaccione, Pomaco & Malanga of Belleville, NJ is hereby appointed Board attorney for the 2008-09 school year at an hourly rate of $175.00.

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8. **APPOINTMENT OF BROKER OF RECORD - 2008-09 School Year**

BE IT RESOLVED that the Board of Education approves Mr. Joseph Maurillo of IMAC Insurance Management & Consulting, as broker of record for the health, dental and prescription insurance for the 2008-09 school year.

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9. **APPOINTMENT OF ENGINEER**

WHEREAS, there exists a need for professional engineering services in connection with the district's energy management program, and

WHEREAS, the firm of Energy for America, Inc., Springfield, NJ is qualified and capable of performing these services, and

WHEREAS, Energy for America, Inc. has submitted a proposal acceptable to the Board of Education for these services, and

WHEREAS, N.J.S.A. 18A:18A-5 provides for the award of contracts for this type of professional service without competitive bidding,

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Township of Nutley that the firm of Energy for America, Inc., Springfield, NJ is hereby appointed as the engineering firm for the Nutley Board of Education for energy management services for the 2008-09 school year at a monthly cost of $4,455.00.
10. **APPOINTMENT – Custodian of Records**

BE IT RESOLVED that in accordance with the New Jersey Open Public Records Act, the Board of Education designates its Business Administrator/Board Secretary as the person to be responsible as the Custodian of Government Records, for the 2008-09 school year.

11. **APPOINTMENT – Affirmative Action Officer**

BE IT RESOLVED, pursuant to Policy No. 102 (2260), that the Board of Education approves the appointment of Mr. Phillip Siculietano as Affirmative Action Officer for the Nutley School District, at a stipend of $500.00, for the 2008-09 school year.

12. **APPOINTMENT – Section 504 Coordinator**

BE IT RESOLVED, pursuant to Policy No. 104 (1510), that the Board of Education approves the appointment of Mrs. Mariana Francioso as Section 504 Coordinator for the Nutley School District for the 2008-09 school year.

13. **APPOINTMENT – Section 504 Coordinator**

BE IT RESOLVED, Pursuant to Policy No. 104 (1510), that the Board of Education approves the appointment of Mr. George Ackerman as Section 504 Coordinator for the high school, at a stipend of $3,245, for the 2008-09 school year.

14. **APPOINTMENT – Asbestos Program Manager**

WHEREAS, the Asbestos Hazard Emergency Response Act of 1986 (AHERA) required the Board of Education to designate a person as Asbestos Program Manager who would be responsible to ensure that the requirements of the AHERA rules and regulations were properly implemented, and

NOW, THEREFORE, BE IT RESOLVED that the Board of Education appoints Philip Nicolette as the Asbestos Program Manager for the 2008-09 school year.

15. **APPOINTMENT – Right to Know Officer**

BE IT RESOLVED that the Board of Education appoints Philip Nicolette as the Right to Know Officer for the 2008-09 school year.
16. **APPROVAL OF DESIGNEE – Philip Nicolette**

BE IT RESOLVED that the Board of Education approves Philip Nicolette for the 2008-09 school year as designee for the following:

- Safety & Health
- Air Quality
- Integrated Pest Management

17. **APPOINTMENTS – SCHOOL POOL FOR EXCESS LIABILITY LIMITS JOINT INSURANCE FUND (SPELL JIF)**

BE IT RESOLVED that the Board of Education appoints Michael DeVita as the Delegate for the School Pool or Excess Liability Limits Joint Insurance Fund (SPELL JIF).

18. **APPOINTMENTS – SUBURBAN ESSEX JOINT INSURANCE FUND**

BE IT RESOLVED that the Board of Education appoints Michael DeVita as the Fund Commissioner for the Suburban Essex Joint Insurance Fund (SEJIF).

19. **APPROVAL – MILLENNIUM STRATEGIES, LLC**

BE IT RESOLVED that the Board of Education approves the services of Millennium Strategies, LLC for grant procurement and governmental relations services from July 1, 2008 through June 30, 2009 at $4,000 per month.

20. **DEPOSITORY OF HIGH SCHOOL & JHWMS ACCOUNTS – TD Bank North**

BE IT RESOLVED that TD Bank North be designated as the official depository for the following school accounts for the 2008-09 school year, and

BE IT FURTHER RESOLVED that the following individuals be authorized to sign checks drawn on these accounts:

**Nutley High School Account**

- Gregory Catrambone or Anne Starace
  
  and

- Jacqueline Camelia
JHWMS Account

John Calicchio

and

Catherine Felici

21. DEPOSITORY OF SCHOOL FUNDS – Student Savings - Commerce Bank

BE IT RESOLVED that Commerce Bank be designated as the official depository for the 2008-09 school year for individual student savings accounts to which deposits are made through the elementary schools.

22. DEPOSITORY OF SCHOOL FUNDS – Student Savings - Commerce Bank

BE IT RESOLVED that the Commerce Bank be designated as the official depository for the following accounts of the Nutley Board of Education for the 2008-09 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 13, 2008

Board of Education General Account, Referendum Account and Capital Reserve Account

<table>
<thead>
<tr>
<th>Primary Signatory</th>
<th>Alternate Signatory</th>
</tr>
</thead>
<tbody>
<tr>
<td>Philip Casale, President</td>
<td>Vincent Moscaritola, Vice President</td>
</tr>
<tr>
<td>Michael DeVita, Board Secretary</td>
<td>Jean Unglaub, Manager of Accounts</td>
</tr>
<tr>
<td>and</td>
<td>and</td>
</tr>
<tr>
<td>David Wilson, Treasurer of School Monies</td>
<td></td>
</tr>
</tbody>
</table>

Board of Education Cafeteria Account

Michael DeVita, Board Secretary and Jean Unglaub, Manager of Accounts
Board of Education Salary Account
Michael DeVita, Board Secretary or Jean Unglaub, Manager of Accounts
and
David Wilson, Treasurer of School Monies

Extended Day Account
Michael DeVita, Board Secretary and Jean Unglaub, Manager of Accounts

Extended Day Care Funds
Maria Cervasio, Extended Day Care Director or Rosemary Griesbach
and
Michael DeVita, Board Secretary or Jean Unglaub, Manager of Accounts

Board of Education, N.J. Unemployment Insurance Trust Fund Account
Michael DeVita, Board Secretary
and
Jean Unglaub, Manager of Accounts

Board of Education Agency Account
Primary Signatory
Michael DeVita
and
Jean Unglaub

Board of Education Raider Account
Primary Signatory
Joseph Piro or Alternate Signatory
Greg Catrambone
and
Linda Jernick
Nutley Board of Education  
Special Public Meeting on May 12, 2008

Nutley High School Athletic Account
Two of the following signatures required:
Joseph Piro  
Gregory Catrambone  
Linda Jernick

Guidance Pay-Pal Account
Gregory Catrambone or Anne Starace
and
Jacqueline Camelia

Board of Education Referendum Account
Authorized to wire funds
Michael DeVita

School Accounts:

Lincoln School  Lorraine Restel  
and  Donna Bolcato

Radcliffe School  Michael Kearney  
and  Beverly Cullari

Spring Garden School  Rosemary Clerico  
and  Sophie Caprio

Washington School  Douglas T. Jones  
and  Geralynn Dwyer

Yantacaw School  Principal  
and  Angela Gariano

BE IT FURTHER RESOLVED that the Commerce Bank be authorized to accept facsimile signatures of the check signing machine.
23. **DEPOSITORIES OF SCHOOL FUNDS - Unemployment Fund**

BE IT RESOLVED that the Board of Education authorizes the Business Administrator/Board Secretary to invest idle funds of the Unemployment Fund at any of the following institutions: Boiling Springs Savings Bank; Commerce Bank; TD Bank North; Spencer Savings Bank; Capital One; and Washington Mutual.

24. **INVESTMENT OF FUNDS**

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 of our local banks, and in any other securities designated by law.

25. **APPROVAL OF ADOPTION OF POLICIES**

BE IT RESOLVED that the Board of Education approves the adoption for the ensuing year all Bylaws and Policies, Rules and Regulations currently in force.

26. **ESTABLISH TUITION RATES FOR THE 2007-08 SCHOOL YEAR**

BE IT RESOLVED that the Nutley Board of Education approves the tuition rates for out-of-district students attending Nutley schools for the 2008-09 school year be established as follows:

<table>
<thead>
<tr>
<th>Grade</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kindergarten</td>
<td>$ 8,720</td>
</tr>
<tr>
<td>1-5</td>
<td>11,019</td>
</tr>
<tr>
<td>6-8</td>
<td>11,144</td>
</tr>
<tr>
<td>9-12</td>
<td>11,306</td>
</tr>
<tr>
<td>Learning and/or Lang. Disabled</td>
<td>24,134</td>
</tr>
<tr>
<td>Preschool Disabled</td>
<td>18,071</td>
</tr>
<tr>
<td>Autism</td>
<td>39,068</td>
</tr>
</tbody>
</table>
27. **APPROVAL OF NUTLEY RAIDER ALL-STAR SPORTS CAMPS**

BE IT RESOLVED that the Board of Education approves the sponsoring, through the Nutley High School Athletic Department, summer sports camps for Nutley students ranging from 5th grade to 8th grade.

28. **APPROVAL OF AWARD OF A CONTRACT TO HORIZON BLUE CROSS BLUE SHIELD OF NEW JERSEY**

BE IT RESOLVED that the Nutley Board of Education accepts the recommendation of its insurance broker, IMAC Insurance Agency, and approves the award of a contract to Horizon Blue Cross Blue Shield of New Jersey (Horizon BCBSNJ) to provide health and prescription drug insurance benefits to district employees at the rates shown in (Schedule C) for the period of June 1, 2008 to May 31, 2009.

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

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 (Schedule D) 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, 2008 to June 30, 2009.

30. APPROVAL OF TRAVEL LIST

BE IT RESOLVED that the Board of Education approves the travel list and all expenses per (Schedule E).

31. LEASE OF BOARD PROPERTY ON OVERLOOK TERRACE

BE IT RESOLVED that the Board of Education leases property owned by it, known as Lot Number 14, Block 212 on the tax maps of the Township of Nutley, to John Janiec and Mrs. Anne Janiec, his wife, for a term beginning May 1, 2008 and terminating April 30, 2009, 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.

32. LEASE OF BOARD PROPERTY ON ROMANO STREET

BE IT RESOLVED that the Board of Education leases property owned by it, known as Lot Numbers 45 and 46, Block 18 on the tax maps of the Township of Nutley, to Nicholas Del Mauro, for a term beginning May 1, 2008 and terminating April 30, 2009, 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.
33. **LEASE OF BOARD PROPERTY ON ROMANO STREET**

BE IT RESOLVED that the Board of Education leases property owned by it, known as Lot Numbers 78 and 79, Block 18 on the tax maps of the Township of Nutley, to Angelo Rotonda, for a term beginning May 1, 2008 and terminating April 30, 2009, 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.

The following resolution was tabled until May 28, 2008 Public Meeting:

34. **AWARD OF CONTRACT –HVAC– Nutley High School Auditorium**

WHEREAS, bids for HVAC – Nutley High School Auditorium were advertised on April 2, 2008, and

WHEREAS, sealed bids were publicly opened and read aloud on Thursday, April 24, 2008 at 3:30 p.m. in the Board Conference Room, and

WHEREAS, bids for HVAC – Nutley High School Auditorium are as follows:

<table>
<thead>
<tr>
<th>Contractor</th>
<th>Address</th>
<th>Base Bid</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACP Contracting</td>
<td>25 Just Road, Fairfield NJ 07004</td>
<td>$88,800.00</td>
</tr>
<tr>
<td></td>
<td>973.575.1777</td>
<td></td>
</tr>
<tr>
<td></td>
<td>973.575.2774 Fax</td>
<td></td>
</tr>
<tr>
<td>C. Dougherty &amp; Co</td>
<td>7 Washington Ave., Paterson NJ 07503</td>
<td>$89,814.00</td>
</tr>
<tr>
<td></td>
<td>973.742.8100</td>
<td></td>
</tr>
<tr>
<td></td>
<td>973.742.6862 Fax</td>
<td></td>
</tr>
<tr>
<td>Aero Plumbing &amp; Heating</td>
<td>423 Mountain Lake Road, Great Meadows NJ 07838</td>
<td>$106,600.00</td>
</tr>
<tr>
<td></td>
<td>908.637.8886</td>
<td></td>
</tr>
<tr>
<td></td>
<td>908.241.4179 Fax</td>
<td></td>
</tr>
<tr>
<td>Envirocon LLC</td>
<td>490 Schooleys Mountain Rd, Hackettstown NJ 07840</td>
<td>$118,735.00</td>
</tr>
<tr>
<td></td>
<td>908.813.1600</td>
<td></td>
</tr>
<tr>
<td></td>
<td>908.813.0460 Fax</td>
<td></td>
</tr>
</tbody>
</table>
WHEREAS, the base bid of ACP Contracting meets all specifications, and is therefore the lowest responsible bidder, and

WHEREAS the architect and engineer recommended that the Board accept the bid of ACP Contracting, Fairfield, NJ.

NOW, THEREFORE, BE IT RESOLVED that the Nutley Board of Education accepts the recommendation of the Board’s architect and engineer and approves the award of the contract for HVAC – Nutley High School Auditorium to ACP Contracting, Fairfield, NJ.

Trustee Alamo stated the Board could not have its retirement dinner anymore because of the new accountability regulations. She suggested that the Board look into having one with the EAN.

Mrs. Franciosio introduced Nancy Kehayes who gave a presentation on the Technical Education Curriculum – Grades 7-12 and the Art Curriculum – Grades 7-12.

Mrs. Kehayes suggested changing the department name from Business & Creative Arts to Career & Technical Education. A resolution will be needed for the change and will be looked into.

Trustee Sautter suggested making certain course requirements in the high school to better prepare students for the future.

Mr. Zarra thanked Mrs. Kehayes, who is retiring in June, for her years of service with the district.
HEARING OF CITIZENS:

Resident Rusignuolo spoke about the lack of response from the Business Administrator/Board Secretary on issues he presented to him. He offered to help the Board if he can.

Trustee Viola said he was trying to find alternate ways to pay for the flag poles in the budget that were removed. He is forming a committee to try to raise money. He will report back to the Board.

It was decided that High School Graduation would remain at 6:00 PM on June 24, 2008.

Trustee Sautter asked if a sign on the Oval could be fixed.

Trustee Alamo asked if the Board Attorney could come to the next Board meeting to discuss the Tri-Tech Settlement. Since the Board already approved the settlement, it was suggested that they call the attorney directly to discuss.

President Casale stated that the Athletic Committee will consist of:

Trustee Frannicola, Chairperson
Trustee Sautter
Trustee Williams
Trustee Moscaritola
Alternate: Trustee Reilly

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:43 PM on a motion by Trustee Kuchta, seconded by Trustee Sautter, and unanimously approved by voice vote.

Respectfully submitted,

Michael DeVita
Acting Board Secretary