

**NUTLEY BOARD OF EDUCATION
OPEN PUBLIC MEETING
JUNE 9, 2008**

The Nutley Board of Education held a Public Meeting on Monday, June 9, 2008 at the Board Conference Room, 315 Franklin Avenue, Nutley, NJ 07110.

President Casale opened the meeting at 6:30 PM.

**CALL TO
ORDER**

MEETING NOTICE

**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 June 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

**ROLL
CALL**

Present:

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

Absent:

Mr. Angelo Frannicola
Mr. James Viola

Also Present:

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

MOTION TO ADJOURN TO EXECUTIVE SESSION

**EXECUTIVE
SESSION**

At 6:35 PM Trustee Alamo moved and Trustee Sautter 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 Matter
Food Service Contract

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

RECONVENE

At 8:05 PM Trustee Kuchta moved, Trustee Alamo 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

**FLAG
SALUTE**

Trustee Williams led the assembly in the flag salute.

ROLL CALL

**ROLL
CALL**

Present:

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

Absent:

Mr. Angelo Frannicola
Mr. James Viola

Also Present:

Mr. Joseph Zarra, Superintendent of Schools
Mrs. Mariana Francioso, Assistant Superintendent of Schools
Mr. Michael DeVita, Acting Board Secretary
Mr. Anthony Malanga, Board Attorney
Mr. Frank Pomaco, Board Attorney

HEARING OF CITIZENS (Resolutions Only)

None

Tri-Tech Presentation – Mr. Alan Ianuzzi and Mr John Agostini

Mr. Alan Ianuzzi gave a summary of the relationship with Tri-Tech and the Board which included a timeline of all that happened from their first contract until present.

Mr. John Agostini gave a construction timeline of the district's referendums and spoke about issues against Tri-Tech and other concerns that the district faces moving forward.

President Casale stated the settlement amount resulted in no tax levy increase to the taxpayers.

Mr. Malanga, Board Attorney, stated that he had a discussion with the bond counsel today and it is his understanding that if there is a surplus with a certain project, it could be released and go towards the construction management payment and not wait until the end of the project.

Mr. Malanga stated that it was his understanding that if the case went to arbitration, a settlement could not have been paid by the 2006 referendum money.

Trustee Alamo asked if the Board could receive a copy of the updated bond counsel letter containing the new information that Mr. Malanga was referring to.

Questions and answers ensued regarding the scope of work of the construction manager, contract issues, scope of 2006 referendum project and past happenings.

Mr. Agostini stated that he would provide a copy of his estimates of funds for the remaining projects.

Mr. Agostini will also provide the Board a copy of what was submitted to the Department of Education.

RESOLUTIONS

RESOLUTIONS:

Trustee Sautter moved, Trustee Kuchta seconded, a motion that the Board approves the Resolutions numbers 1 through 6 and 8 through 10 as listed below.

Resolutions 1 through 6 and 8 through 10 were unanimously approved by roll call vote.

**AMEND BOE
EXDENDED DAY
SUMMER PROG.**

**1. AMENDING APPOINTMENT – BOE Extended Day
Summer Program – 2008**

BE IT RESOLVED that the Board of Education approves the amending of the resolution, BOE Extended Day Summer Program-2008, approved at the May 28, 2008 Board Meeting to reflect a change in Child Care Aide salary of Elizabeth Rizzi to \$15.75.

**AMEND APPOINT
LEAVE OF ABSENCE
TEACHER**

**2. AMENDING APPOINTMENT – LEAVE OF ABSENCE –
Teacher**

BE IT RESOLVED that the Board of Education approves the amending of the resolution, Leave of Absence-Teacher, approved at the March 24, 2008 Board Meeting to reflect a change in Family Leave of Megan O'Hagan to June 30, 2008.

**AMEND APPOINT
RESIGN - TEACHER**

3. AMENDING APPOINTMENT – RESIGNATION – Teacher

BE IT RESOLVED that the Board of Education approves the amending of the resolution, Resignation – Teacher, approved at the May 12, 2008 Board Meeting to reflect a change in resignation date of Megan O'Hagan to June 30, 2008.

**APPOINT BOE
EXDENDED DAY
SUMMER PROG.**

4. APPOINTMENT – BOE Extended Day Summer Program

BE IT RESOLVED that the Board of Education approves the appointment of Mr. Ryan McMullen as part-time Child Care Instructor for the 2008 Summer Program at the hourly rate of \$25.00.

**APPOINT BOE
TECH SUMMER HELP**

5. APPOINTMENTS – Technology Summer Help

BE IT RESOLVED that the Board of Education approves the following appointments for the 2008 Summer Technology Program at the hourly rate of \$8.00:

Justin Kline
Philip Lam
Christopher Morgan
Leonardo Pugliese, III

**APPOINT
BASIC SKILLS
SUMMER PROG.**

**6. APPOINTMENTS – Basic Skills Summer
Enrichment Program**

BE IT RESOLVED that the Board of Education approves the appointments of the 2008 Basic Skills Summer Enrichment Program as part of the 2007-08 Basic Skills Improvement Program:

Lorraine Restel	Supervisor	\$2,500
Sophie Caprio	Secretary	1,200
Dana DiGiacomo	Teacher	1,000
Patricia Griffin	Teacher	1,000
Kristine Comune	Teacher	1,000
Kimberly DiVincenzo	Teacher	1,000
Kelli Cerniglia	Teacher	1,000
Valerie Martin	Teacher	1,000
Jill Freedman	Teacher	1,000
Lenore Chieffo (DeLorenzo)	Teacher	1,000

7. APPOINTMENTS – Autism Summer Program

PULLED FROM AGENDA

BE IT RESOLVED that the Board of Education approves the appointments of the following personnel for the 2008 Autism Summer Program:

Michael Kearney	Supervisor	\$5,028
Beverly Cullari	Secretary	3,016
Maura Byrne	Teacher	3,016
Andria Cheney	Teacher	3,016
Melissa O'Carroll	Teacher	3,016
Shannon Shaw	Teacher	3,016
Michelle Collins	Aide	2,012
Dyan Guida	Aide	2,012
Erin Lombardozi	Aide	2,012
Barbara McGarty	Aide	2,012
Carmela Pontoriero	Aide	2,012
Jessica Pravata	Aide	2,012
Melissa Rosamilia	Aide	2,012
Kim Saporito	Aide	2,012
April Hauer	Behavioral Specialist	3,300

**APPOINT
SPECIAL ED
SUMMER PROG.**

**8. APPOINTMENTS – Special Education
Summer Program**

BE IT RESOLVED that the Board of Education approves the appointments of the following personnel for the 2008 Special Education Summer Program:

Phillip Siculietano	Supervisor	\$3,500
Virginia Reilly	Nurse	3,300
Abigail Bergen	Teacher	2,012
Danielle Franco	Teacher	2,012
Karen Klecak	Teacher	2,012
Maureen Lazur	Teacher	2,012
Claudia Marra	Teacher	2,012
Nicolette Misner	Teacher	2,012
Lisa Palestina	Teacher	2,012
Judy Rasczyk	Teacher	2,012
Joniene Ryder	Teacher	2,012
Patricia Sloan	Teacher	2,012
Jill Sorensen	Teacher	2,012
Donna Zarra	Speech Therapist	3,300
Sherri Budinick	Physical Therapist	3,300
Sondra Chipkin	Senior Aide	\$ 500
Niko Ciccolella	Senior Aide	500
Nikki Franciose	Senior Aide	500
Dana Homyak	Senior Aide	500
Deborah Arroyo	Hourly Aide	\$14.57
Maureen Callaghan	Hourly Aide	20.00(ABA Therapy)
Marie Conforti	Hourly Aide	14.57
Margaret DeAngelo	Hourly Aide	14.57
Tracy Giuriceo	Hourly Aide	14.57
Marion Greiss	Hourly Aide	14.57
Karen Homyak	Hourly Aide	14.57
Barbara Polito	Hourly Aide	14.57
Barbara Sarno	Hourly Aide	14.57
Danielle Travisano	Hourly Aide	14.57
Nicole Weiss	Hourly Aide	14.57

**APPROVE LOCAL
MENTORING PLAN**

9. APPROVAL OF THE LOCAL MENTORING PLAN

BE IT RESOLVED that the Board of Education has reviewed and approved the local mentoring plan developed by the Nutley Local Professional Development Committee. The Nutley Board of Education assures that the submitted plan is aligned with the New Jersey Professional Standards for Teachers and meets or exceeds the minimum requirements of the mentoring regulations in N.J.A.C. 6A:9-8.4.

**APPROVE BI-LINGUAL
THREE YEAR
PROGRAM**

10. APPROVAL – BI-LINGUAL/ESL THREE YEAR PROGRAM PLAN - 2008-2011

BE IT RESOLVED that the Board of Education approves the Bilingual/ESL Three Year Program Plan for the 2008-2011 school years.

**APPOINT
SUMMER CUSTODIAL
EMPLOYMENT**

11. APPOINTMENTS – Summer Custodial Employment

Trustee Alamo moved, and Trustee Williams 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 personnel to be employed as summer custodial and grounds employees for the summer of 2008:

	<u>Step</u>	<u>Hourly Rate</u>
Richard Bolcato	2	8.00
Joseph Cioffi	1	7.50
Michael Rempusheski	2	8.00
Zack Stofers	2	8.00
Michael Travers	2	8.00

**APPROVAL
PARTIAL PAYMENT
A. PFLUGH, INC.**

12. APPROVAL – PARTIAL PAYMENT – A. PFLUGH, INC.

Trustee Williams moved, and Trustee Alamo 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 a partial payment of the settlement claim with the Nutley Board of Education and A. Pflugh, Inc. of \$105,000 as per the recommendation of the Board's attorney.

HEARING OF CITIZENS:

Resident Donna Ferraro asked what the bond counsel does, how the settlement money could be taken out of the 2006 referendum, how much the settlement agreement for Tri-Tech was, about the error/omission policy, who reviewed the first contract with Tri-Tech and if there were anymore law suits against the district.

Resident Louise Frye-Gaynor said that the air conditioning in the 2006 Referendum should not have been put in the scope of work.

Resident Lori Mundy asked why Resolution 7 – Autism Summer Program was pulled and if it included all staff for summer programs.

Resident Robert Rusignuolo thanked the Board, Tri-Tech and the Attorney for bringing information to the public. He asked if the scope of work would be reduced in the 2006 Referendum.

Commissioner Tom Evans asked if the Tri-Tech contract separated out a breach vs. a material breach of contract. He also asked what the consequences of a breach would be and would the NJ Law to assert damages be followed. He asked if an independent third party reviewed the settlement to make sure no taxpayer funds will need to be raised and if a schedule of payments in the settlement was submitted to the bond counsel.

NEW BUSINESS

Trustee Sautter discussed the following:

- Policy for early dismissal
- Board funds for a Board Retirement Dinner
- Sending a letter to the Assembly expressing the Board's displeasure with the new accountability laws
- The Board exposing itself to lawsuits for sponsoring overnight trips

ADJOURNMENT TO EXECUTIVE SESSION

ADJOURN

There being no further business, the meeting was adjourned at 10:26 PM on a motion by Trustee Moscaritola , seconded by Trustee Kuchta, and unanimously approved by voice vote.

Respectfully submitted,

Michael DeVita
Acting Board Secretary