

**NUTLEY BOARD OF EDUCATION
OPEN PUBLIC MEETING
JUNE 16, 2008**

The Nutley Board of Education held a Public Meeting on Monday, June 16, 2008 at the Board Conference Room, 315 Franklin Avenue, Nutley, NJ 07110.

President Casale opened the meeting at 6:00 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 13, 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. Angelo Frannicola
Mr. James A. Kuchta
Mr. Vincent Moscaritola
Mr. Kenneth Reilly
Mr. Walter Sautter
Ms. Patricia Williams
Dr. Philip T. Casale

Absent:

Mr. James Viola

Also Present:

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

FLAG SALUTE

**FLAG
SALUTE**

Trustee Alamo led the assembly in the flag salute.

**EXECUTIVE
SESSION**

MOTION TO ADJOURN TO EXECUTIVE SESSION

At 6:05 PM Trustee Reilly moved and Trustee Kuchta 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
Personnel Issues
Student 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 PUBLIC SESSION

**RECONVENE
PUBLIC SESSION**

At 6:30 PM Trustee Kuchta moved, Trustee Williams seconded, and the Board unanimously approved by voice vote a motion to reconvene public session.

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

ROLL CALL

**ROLL
CALL**

Present:

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

Absent:

Mr. James Viola

Also Present:

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

HEARING OF CITIZENS (Resolutions Only)

None

Trustee Reilly asked if there were always two steps for the custodial summer help.

RESOLUTIONS

RESOLUTIONS:

Trustee Frannicola moved, Trustee Kuchta seconded, a motion that the Board approves the Resolutions numbers 1 through 3 as listed below.

Resolutions 1 through 3 were unanimously approved by roll call vote.

**REAPPOINT
NON-TENURED
TEACHERS**

1. REAPPOINTMENT – Non-Tenured Teachers

BE IT RESOLVED that the Board of Education approves the reappointment of the non-tenured teachers listed on the attached Schedule E for the 2008-09 school year on the salary guide at the classification, step and annual salary as indicated in accordance with the 2008-09 Teachers' Salary Guide.

**APPROVE
PARTIAL PAY
TRU-VAL**

**2. APPROVAL OF PARTIAL PAYMENT TO TRU-VAL
ELECTRIC CORP.**

BE IT RESOLVED that the Board of Education approves partial payment in the amount of \$43,530.38 to Tru-Val Electric Corp. for the Franklin Middle School Additions and Alterations Project as per the recommendation of the Board's architect and construction manager.

**APPROVE
PARTIAL PAY
BILL LEARY**

**3. APPROVAL OF PARTIAL PAYMENT TO BILL LEARY
AIR CONDITIONING & HEATING**

BE IT RESOLVED that the Board of Education approves partial payment in the amount of \$178,714.40 to Bill Leary Air Conditioning & Heating for the Franklin Middle School Additions and Alterations Project as per the recommendation of the Board's architect and construction manager.

**STATE OF
EMERGENCY
NBOE**

**4. STATE OF EMERGENCY – NUTLEY BOARD OF
EDUCATION**

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

WHEREAS, the declared state of emergency on June 11, 12 and 13, 2008, which were a result of tornado like conditions, which struck the township on Tuesday, June 10, 2008 and caused extensive damage compelled the school district to close schools.

WHEREAS, early Wednesday morning, 50% of the township was without power. This included six of seven schools. Officials from Public Service anticipated full power in town no earlier than Friday afternoon, June 13.

WHEREAS, added to the danger of no power, communication, smoke and fire alarms, was the hazard of many trees and countless power lines down. Upon the restoration of power, these power lines posed a threat to the safety of student and parents traveling to the schools.

WHEREAS, the Public Safety Department and the Office of Emergency Management determined that it was unsafe to have students traveling to school while clean-up efforts were underway.

WHEREAS, this unique set of circumstances late in the school year left the Nutley School District with very limited options.

WHEREAS, by changing the school calendar to it's original dates, the Nutley School District will be compliant with code and instruction will not be compromised. The last day of school is moved from Friday, June 20 to Tuesday, June 24.

NOW, THEREFORE, BE IT RESOLVED that the Board of Education, as a result of a declared State of Emergency by the Township of Nutley and the Essex County Office of Emergency Management approves a change to the 2007-2008 school calendar.

NOW, BE IT FURTHER RESOLVED that the Board of Education is requesting a change from 180 days to 179 days.

**SUMMER
CUSTODIAL
EMPLOYMENT**

5. APPOINTMENTS – Summer Custodial Employment

Trustee Alamo moved, and Trustee Kuchta 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>
Kevin Byrnes	1	7.50
Shane Byrnes	1	7.50
Matthew Calleo	2	8.00
Ryan Castro	2	8.00
Michael Cargill	2	8.00
Matthew Ciancimino	2	8.00
Ryan Conner	1	7.50
Daniel Del Tufo	1	7.50
Mathew Duhm	1	7.50
Garry Furnari	2	8.00
Michael DeMunno	2	8.00
Anthony Genitempo	1	7.50
Dylan Gonzales	1	7.50
Jordan Gonzales	2	8.00
Scott Kilianski	1	7.50
Mathew Lotito	2	8.00
Stephen Lotito	2	8.00
Robert Lubertazzi	2	8.00
Michael Robinson, Jr.	2	8.00
Robert Romas	2	8.00
Robert Tarquini	2	8.00
Mark Vicidomini	2	8.00
Jordan Weinstein	2	8.00
Robert Woll	2	8.00

**TRANSFER
OF
PERSONNEL**

6. TRANSFER OF PERSONNEL

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

BE IT RESOLVED that the Board of Education approves, upon the recommendation of the Superintendent of Schools the following transfer:

<u>NAME</u>	<u>FROM</u>	<u>TO</u>
Laura Reilly	JHW Middle School	High School

**APPROVE
TRAVEL
LIST A**

7. APPROVAL OF TRAVEL LIST

Trustee Kuchta moved, and Trustee Frannicola 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 travel list and all expenses per (Schedule A).

MOTION TO RECESS TO EXECUTIVE SESSION

**EXECUTIVE
SESSION**

At 6:37 PM Trustee Kuchta moved and Trustee Reilly 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
- Personnel Issues
- Student 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.

President Casale said the Board might be coming back into public session to take action after executive session.

RECONVENE PUBLIC SESSION

**RECONVENE
PUBLIC
SESSION**

At 7:35 PM Trustee Reilly moved, and Trustee Kuchta seconded, that the meeting reconvene public session. Upon being put to a roll call vote the resolution was approved.

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

APPROVAL – Construction Law Firm

**APPROVE
CONSTRUCTION
LAW**

BE IT RESOLVED that the Nutley Board of Education authorizes the law firm of ConnellFoley to perform a preliminary inquiry about the scope of work on a construction law basis for the 2004 and 2006 Referendums.

BE IT FURTHER RESOLVED that the firm will speak with the construction manager, architect and owner to discuss contracts, change orders, owner claims, contractor claims, punch list items, code violations, known legal claims and bid documents.

BE IT FURTHER RESOLVED that the firm will make an informal report to the Board or Facilities Committee.

ALSO, BE IT FURTHER RESOLVED that the firm will perform these duties at an hourly rate of \$200 and not exceed a total of \$5,000.

MOTION TO RECESS TO EXECUTIVE SESSION

**EXECUTIVE
SESSION**

At 7:40 PM Trustee Kuchta 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:

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The motion was approved by voice vote.

RECONVENE PUBLIC SESSION

**RECONVENE
PUBLIC
SESSION**

At 10:04 PM Trustee Reilly moved, and Trustee Kuchta seconded, that the meeting reconvene public session. Upon being put to a roll call vote the resolution was approved.

President Casale asked for all trustees to attend all meetings where construction is discussed. The Facilities Committee meeting originally scheduled for Thursday, June 19th was moved to Monday, June 23rd at 5:00 PM, when the Public Meeting is scheduled to start.

ADJOURN

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

ADJOURN

Respectfully submitted,

Michael DeVita
Acting Board Secretary