The Nutley Board of Education held a Public Meeting on Monday, November 23, 2009 at the Board Conference Room, 315 Franklin Avenue, Nutley, NJ 07110.

President Casale opened the meeting at 5:00 PM.

President Casale led the assembly in the flag salute.

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 November 19, 2009. 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.

Present:  
Mr. Angelo Frannicola  
Mr. James Kuchta  
Mr. Vincent Moscaritola  
Mr. Steven Rogers  
Mrs. Deborah J. Russo  
Mr. Walter Sautter  
Mr. Thomas J. Sposato  
Dr. Philip T. Casale

Absent:  
Mr. Kenneth Reilly (arrived 7:16 PM)

Also Present:  
Mr. Joseph Zarra, Superintendent of Schools  
Mr. Michael DeVita, Business Administrator/Board Secretary

Absent:  
Mrs. Mariana Francioso, Assistant Superintendent of Schools
MOTION TO ADJOURN TO EXECUTIVE SESSION

At 5:05 PM Trustee Sposato 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:

Personnel
Construction 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 8:05 PM Trustee Sposato 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 Choir Room located at 325 Franklin Avenue, Nutley, NJ.

FLAG SALUTE & MOMENT OF SILENCE

President Casale led the assembly in the flag salute & moment of silence.

ROLL CALL

Present:  Mr. Angelo Frannicola  
Mr. James Kuchta  
Mr. Kenneth Reilly  
Mr. Steven Rogers  
Mrs. Deborah J. Russo  
Mr. Walter Sautter  
Mr. Thomas J. Sposato  
Dr. Philip T. Casale

Absent:  Mr. Vincent Moscaritola
Also Present: Mr. Joseph Zarra, Superintendent of Schools  
Mr. Michael DeVita, Business Administrator/Board Secretary  
Mr. Frank Pomaco, Board Attorney  
Mr. Gary Vinci, Board Accountant  
Ms. Stephanie Urso, Student Representative  

Also Absent: Mrs. Mariana Franciosso, Assistant Superintendent of Schools  

APPROVAL OF MINUTES  

APPROVE OF MINUTES  

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

Open Public Meeting – November 9, 2009  
Closed Executive Session – November 9, 2009  
Open Public Meeting – October 19, 2009  
Closed Executive Session – October 19, 2009  

Trustee Kuchta moved, Trustee Sposato seconded, and the Board minutes were approved with the following exception:  

1. Trustee Frannicola abstained on the November 9, 2009 minutes.  

CORRESPONDENCE  

CORRESPONDENCE  

None  

SUPERINTENDENT’S REPORT  

SUPT’S REPORT A  

Mr. Zarra presented the Superintendent’s Report dated November 23, 2009, Schedule A, which is appended to the minutes of this meeting, and briefly summarized its contents as well as other activities going on in the district.  

Mr. Zarra introduced Mr. Maiello and Mr. Vitkovski from the Music Department who spoke about the Regional Music Festival and the marching bands accomplishments.  

BOARD SECRETARY’S REPORT  

BOARD SECRETARY’S REPORT  

Mr. DeVita spoke about the grant from the Italian American Committee on Education for $29,000, a donation from the Lincoln School PTO for Smart Boards and the prescription drug benefits for the 2010 year.  

Mr. DeVita introduced Mr. Vinci who explained the audit synopsis for year-end June 30, 2009.
COMMITTEE REPORTS

Trustee Kuchta – Finance Committee
Trustee Reilly – Facilities Committee
Stephanie Urso – Student Representative

HEARING OF CITIZENS (Resolutions Only)

Resident Mike Russo asked for clarification on Schedule C, Appendix E, Appendix G and the salary of the Extended Day Coordinator.

Resident Alan Thomas asked for clarification on the Corrective Action Plan.

SUPERINTENDENT’S RESOLUTIONS

Trustee Sposato moved, and Trustee Kuchta seconded, a motion that the Board approves Superintendent’s Resolutions numbers 1 through 16 as listed below.

The Superintendent’s Resolutions 1 through 16 were approved by roll call vote with the following exceptions:

1. Trustee Frannicola abstained on Resolution 7 – Reappointments – Professional Staff and Resolution 11 – Reappointment – Director of the Extended Day Program.

2. Trustee Russo abstained on Resolution 10 – Reappointments – Instructional Aides.

RESIGNATION

CHILD CARE INST.

1. RESIGNATION – BOE Extended day Program
Child Care Instructor

BE IT RESOLVED that the Board of Education approves the acceptance of the resignation of Mrs. Stephanie Mozeika, Child Care Instructor, effective October 16, 2009.

LEAVE OF ABSENCE

TEACHER

2. LEAVE OF ABSENCE – Teacher

BE IT RESOLVED that the Board of Education approves a leave of absence in accordance with the New Jersey Family Leave Act for Mrs. Michelle Shahinian, effective December 17, 2009 through April 2, 2010 with a return date of April 5, 2010.
3. **APPOINTMENT – Professional Staff**

BE IT RESOLVED that the Board of Education approves the appointment of Matthew Francello as teacher for the 2009/2010 school year, effective December 1, 2009, at the annual salary of $46,373, B.A. Step 8, in accordance with the 2009/2010 Teachers’ Salary Guide.

4. **APPOINTMENT – Volunteer Coach**

BE IT RESOLVED that the Board of Education approves the appointment of Mr. Christopher LaRocca for the position of Volunteer Hockey Coach for the 2009/2010 school year.

5. **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 2009-10 school year.

6. **APPOINTMENTS – Substitute School Bus Driver**

BE IT RESOLVED that the Board of Education approves the following personnel as a substitute school bus driver for the 2009-10 school year:

   Sara Cardell

7. **REAPPOINTMENTS – Professional Staff**

BE IT RESOLVED that the Board of Education approves the reappointment of the professional staff listed on the attached Schedule C for the 2009-10 school year on the salary guide at the classification, step and annual salary as indicated in accordance with the 2009-10 Teachers’ Salary Guide.

8. **REAPPOINTMENTS – Non-Tenured Teachers**

BE IT RESOLVED that the Board of Education approves the reappointment of the non-tenured teachers listed on the attached Schedule D for the 2009-10 school year on the salary guide at the classification, step and annual salary as indicated in accordance with the 2009-10 Teachers’ Salary Guide.
9. **REAPPOINTMENTS – Secretarial/Clerical Personnel**

BE IT RESOLVED that the Board of Education approves the reappointment of the personnel listed on the attached Schedule E for the 2009-10 school year at the salaries agreed upon and in accordance with the step and annual salary as indicated in accordance with the 2009-10 Secretarial Salary Guide.

10. **REAPPOINTMENTS – Instructional Aides**

BE IT RESOLVED that the Board of Education approves the reappointment of the instructional aides listed on the attached Schedule F for the 2009-10 school year at the classification and step as indicated in accordance with the 2009-10 Secretarial Salary Guide.

11. **REAPPOINTMENT – Director of the Extended Day Program**

BE IT RESOLVED that the Board of Education approves the reappointment of Mrs. Maria Cervasio as the Director of the Extended Day Program, for the period July 1, 2009 through June 30, 2010, retroactive to July 1, 2009 in the amount of $98,121.00.

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, 2009**

Katianne Oakley (Gratz) $250.00

**PAYMENT FOR TEACHING EXTRA CLASSES – High School**

Steven DiGregorio $675.00 (15 classes)
Christopher Rosati 630.00 (14 classes)
Gerald Ryan 720.00 (16 classes)
### PAYMENT FOR ZERO PERIOD FALL SAT REVIEW
**CLASSES September and October, 2009**

<table>
<thead>
<tr>
<th>Name</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Katie O'Keeffe</td>
<td>$924.00</td>
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<td>Cheryl Rossillo</td>
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<tr>
<td>Jennifer Sabatelli</td>
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<tr>
<td>Takisha Sanchez</td>
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### PAYMENT FOR FALL EVENING SAT REVIEW
**CLASSES – September 21, 23, 28, 30 October 5, 7, 14, 19, 21, 28 and November 2, 2009**

<table>
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<th>Name</th>
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<tr>
<td>Jessica Mabel</td>
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<td>Cheryl Rossillo</td>
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### PAYMENT FOR PROCTORING PSAT TESTING -
**October 17, 2009**

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<tr>
<td>Kent Bania</td>
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<td>Cindy Bravaco</td>
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<td>Joseph Cimo</td>
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<td>Shanna DiCristo</td>
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<tr>
<td>Tracy Egan</td>
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<tr>
<td>John Falduti</td>
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<td>John Gulardo</td>
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<td>Barbara Hirsch</td>
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<td>Ryan McMullen</td>
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<td>Dana Minervini</td>
<td>143.96</td>
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<tr>
<td>Katie O'Keeffe</td>
<td>89.98</td>
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<td>Linda Posternock</td>
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<td>Eric Puzio</td>
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<td>Donna Saitta</td>
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<td>Janet Salvatoriello</td>
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<td>Peter Smith</td>
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<td>Joseph Tagliareni</td>
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<tr>
<td>Lisa Vallo</td>
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### CENTRAL DETENTION COVERAGE –
**Month of October, 2009**

<table>
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<tr>
<td>Susan Ames</td>
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<td>Lawrence Mitschow</td>
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<tr>
<td>Lisa Vallo</td>
<td>117.00</td>
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<tr>
<td>Michael Viteritto</td>
<td>78.00</td>
</tr>
<tr>
<td>Eric Wdowiak</td>
<td>58.50</td>
</tr>
</tbody>
</table>
JHW Middle School

Joseph Cappello  39.00
Melissa Echevarria  78.00
Tracy Egan  97.50
Deanna Fredricks  19.50
Jenny Lombardo  78.00
LuAnn Zullo  58.50

SATURDAY MORNING SUSPENSIONS –
Month of October, 2009

JHW Middle School

Joseph Cappello  $163.02
Tracy Egan  81.51
Jenny Lombardo  81.51

14. LONGEVITY PAY

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

Glenn Farese  -$1,400 (prorated) Eff. Nov. 1, 2009 (10 yrs.)
Dora Farro  -$1,325 (prorated) Eff. Dec. 1, 2009 (10 yrs.)
Phillip Siculietano  -$1,400 (prorated) Eff. Dec. 1, 2009 (15 yrs.)
David Staub  -$1,700 (prorated) Eff. Sept. 1, 2009 (12 yrs.)

15. TRANSFER OF PERSONNEL

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

Name  From  To
Mary Venable  Lincoln  High School

16. SPECIAL CLASS PLACEMENT – Educationally Disabled Student

BE IT RESOLVED that the Board of Education authorizes the attendance of students in out-of-district special education classes for the 2009/2010 school year as follows:
Board Secretary’s Resolutions

Trustee Kuchta moved, Trustee Russo seconded, a motion that the Board approves the Board Secretary’s Resolutions numbers 1 through 19 as listed below.

Upon a roll call vote Resolutions numbers 1 through 19 were approved with the following exceptions:

1. Trustees Frannicola, abstained on check no. 081566 on the Bill List.

2. Trustee Rogers voted “No” on all cable and communications bills.

3. Trustee Sautter abstained on Resolution 2 – Bills and Mandatory payments.

1. CERTIFICATION OF 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, 2009, 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.)

2. BILLS AND MANDATORY PAYMENTS

BE IT RESOLVED that the Board of Education approves the payment of bills and mandatory payments dated November 23, 2009 in the total amount of $5,973,860.03 (Appendix C).
3. **REQUESTS FOR USE OF SCHOOL BUILDINGS AND GROUNDS**

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.

4. **TRANSFER SCHEDULE**

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 2009-10 budget dated October 31, 2009 in the amount of $56,320.21 as appended (Appendix E).

5. **APPROVAL OF TRAVEL LIST**

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

6. **APPROVAL OF FIELD TRIPS**

BE IT RESOLVED that the Board of Education approves the field trip list and all expenses per (Appendix G).

7. **APPROVAL OF CHANGE ORDERS – EXTERIOR FAÇADE REPAIRS AT RADCLIFFE ELEMENTARY SCHOOL**

BE IT RESOLVED that the Board of Education approves the following change orders, on file in the Business Office, for the Exterior Façade Repairs at Radcliffe Elementary School to A&S Restoration:

- Change Order No. 1 – $1,416.00
- Change Order No. 2 – $(1,888.00)

8. **APPROVAL OF PARTIAL PAYMENT TO WOJCHIK ELECTRIC**

BE IT RESOLVED that the Board of Education approves partial payment in the amount of $5,274.40 to Wojchik Electric for the Spring Garden School Project as per the recommendation of the Board’s Architect and Construction Manager.
9. **APPROVAL OF PARTIAL PAYMENT TO SUNNYFIELD CORPORATION**

BE IT RESOLVED that the Board of Education approves partial payment in the amount of $104,174.00 to Sunnyfield Corporation for the Spring Garden School Project as per the recommendation of the Board’s Architect and Construction Manager.

10. **APPROVAL OF PARTIAL PAYMENT TO B&B IRON WORKS, INC.**

BE IT RESOLVED that the Board of Education approves partial payment in the amount of $4,680.00 to B&B Iron Works, Inc. for the Spring Garden School Project as per the recommendation of the Board's Architect and Construction Manager.

11. **APPROVAL OF PARTIAL PAYMENT TO GPC, INC.**

BE IT RESOLVED that the Board of Education approves partial payment in the amount of $207,345.29 to GPC, Inc. for the Spring Garden School Project as per the recommendation of the Board’s Engineer and Construction Manager.

12. **APPROVAL OF PARTIAL PAYMENT TO A&S RESTORATION CORP.**

BE IT RESOLVED that the Board of Education approves partial payment in the amount of $153,000 to A&S Restoration Corp. for the Exterior Façade Repairs – Radcliffe School as per the recommendation of the Board’s Engineer and Construction Manager.

13. **SCHOOL BUS EMERGENCY EVACUATION DRILLS**

BE IT RESOLVED that the Board of Education approves the emergency school bus evacuation drills in accordance to the New Jersey Administrative code NJAC 6A: 27-11.2 as per (Appendix H).
14. **APPROVAL OF AGREEMENT FOR PROVISION OF PRESCRIPTION DRUG BENEFITS**

BE IT RESOLVED by the Nutley Board of Education that the President and Board Secretary be and are hereby authorized to execute an agreement with Benecard Services, Inc. to provide fully funded prescription drug management services for the period January 1, 2010 through December 31, 2010 at the monthly rate of $34.46 per eligible employee.

15. **ACCEPTANCE OF GRANT**

BE IT RESOLVED that the Board of Education accepts the Italian Program Grant from the Italian American Committee on Education in the amount of $29,000 to be spent on Italian World Language Classes.

16. **ADOPTION OF POLICIES (First Reading)**

BE IT RESOLVED that the Board of Education adopts the following policies (first reading) on file in the Business Office:

- **Policy - 1120 Employment of Chief School Administrator**
- **Policy - 2467 Surrogate Parents and Foster Parents**
- **Policy - 3159 Teaching Staff Member/School District Reporting Responsibilities**
- **Policy - 5512.01 Harassment, Intimidation and Bullying**
- **Regulation - R 5512 Reporting Procedure – Hazing and or Harassment, Intimidation or Bullying**
- **Policy - 8421 Crisis Management Policy/Lockdown/Shelter in Place**
- **Policy - 8760 Pupil Accident Insurance**

17. **ACCEPTANCE OF DONATION**

BE IT RESOLVED that the Board of Education approves the acceptance of a donation from the Lincoln PTO in the amount $13,889 to be used for the purchase of four Smart Boards.
18. **COMPREHENSIVE ANNUAL FINANCIAL REPORT/AUDIT**

WHEREAS, the district has prepared the Comprehensive Annual Financial Report for the 2008-09 school year, and

WHEREAS, the audit of the financial records of the school district for the 2008-09 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 2008-09 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 23, 2009, 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.

19. **APPROVAL OF SERVICE PROVIDERS**

BE IT RESOLVED that the Board of Education approves the following service providers for OT/PT, Speech, Music Therapy, ABA Therapy, Behavioral Consultation, Therapeutic Recreation and Substance Abuse Centers:

ABA Skills
Alpine Learning Group
Behavior Therapy Assoc.
Bergen County Special Services
Bergen County Y & Jewish Community Center
Caldwell Pediatric Therapy Ctr.
Children’s Therapy Center
Concordia Learning Center at St. Joseph’ School for the Blind
DAYTOP
Eden Institute
Education Inc.
Mark Faber, MD
Esther Fridman
Joseph Holahan, MD
Nancy Holahan, MD
WHEREAS, it is with a sense of deep sorrow and regret that the Nutley Board of Education records the death of Phyllis Gamba on November 4, 2009, and

WHEREAS, Mrs. Gamba had served the Nutley Board of Education as a Bus Driver for twenty-five years prior to her retirement in 2002, and

WHEREAS, Mrs. Gamba won the respect of all those with whom she came in contact for her dedication to the Nutley School District,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education of the Township of Nutley extends deepest sympathy to the members of her family, and

BE IT FURTHER RESOLVED, that this resolution be made a part of the minutes of this meeting and a copy sent to the members of her family.
HEARING OF CITIZENS

Resident Joan Rubino questioned the status of charging for detention and the impact on the budget for payment of professional dues.

Trustee Sautter read a statement about charging for detention.

Resident Terry Quirk, representative for the Nutley Parent Advocacy Network (NPAN), stated that she would like legal advice regarding payment for detention.

Resident Sue Zaccaro read a prepared statement regarding parents paying for detention.

Resident Jerry Parisi stated that payment for detention was visited 3 or 4 years ago with Strauss Esmay who is the Board’s policy professionals.

A Board discussion ensued on charging for detention.

Resident Alan Thomas asked what was cut from sports and clubs.

Resident Mike Russo asked about a financial presentation, the Interim Business Administrators position, the website and the supporting documents on the agenda.

OLD BUSINESS

Trustee Sposato asked about the status of the Grant Writer.

Mr. Zarra spoke positively about our new food service provider, Chartwells, and the positive contributions they are making to the district.

NEW BUSINESS

Trustee Sposato asked about the employee contracts that will be coming up within the next year and who was not settled this year with their contracts.

President Casale stated that he would include volunteers to be on a committee to pick the next Business Administrator/Board Secretary for the school year 2010/2011.
MOTION TO ADJOURN TO EXECUTIVE SESSION

At 9:45 PM Trustee Sposato 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:

Personnel
Construction 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 10:24 PM Trustee Sposato moved, Trustee Frannicola seconded, and the Board unanimously approved by voice vote a motion to reconvene the public meeting.

ADJOURNMENT

There being no further business, the meeting was adjourned at 10:25 pm on a motion by Trustee Kuchta seconded by Trustee Reilly, and unanimously approved by voice vote.

Respectfully submitted,

Michael DeVita
Board Secretary