

**NUTLEY BOARD OF EDUCATION
OPEN PUBLIC MEETING
JANUARY 25, 2010**

The Nutley Board of Education held a Public Meeting on Monday, January 25, 2010 at the Board Conference Room, 315 Franklin Avenue, Nutley, NJ 07110.

President Casale opened the meeting at 6:14 PM.

**CALL TO
ORDER**

FLAG SALUTE

**FLAG
SALUTE**

President Casale led the assembly in the flag salute.

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 October 8, 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.

ROLL CALL

**ROLL
CALL**

Present:

Mr. James Kuchta
Mr. Vincent Moscaritola
Mr. Kenneth Reilly
Mrs. Deborah J. Russo
Mr. Walter Sautter
Mr. Thomas J. Sposato
Dr. Philip T. Casale

Absent: Mr. Angelo Frannicola (arrived 6:42 PM)
Mr. Steven Rogers (arrived 6:26PM)

Also Present: Mr. Joseph Zarra, Superintendent of Schools
Mrs. Karen Yeamans, Interim Business Administrator/Board Secretary
Mr. Frank Pomaco, Board Attorney

Absent: Mrs. Mariana Francioso, Assistant Superintendent of Schools

**EXECUTIVE
SESSION**

MOTION TO ADJOURN TO EXECUTIVE SESSION

At 6:16 PM Trustee Kuchta moved and Trustee Russo 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

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 8:00 PM Trustee Sautter 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

**FLAG
SALUTE**

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

ROLL CALL

**ROLL
CALL**

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

Also Present: Mr. Joseph Zarra, Superintendent of Schools
Mrs. Karen Yeamans, Interim Business Administrator/Board Secretary
Mr. Frank Pomaco, Board Attorney
Ms. Stephanie Urso, Student Representative

Absent: Mrs. Mariana Francioso, 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 – January 11, 2010
Closed Executive Session – January 11, 2010
Open Public Meeting – December 21, 2009
Closed Executive Session – December 21, 2009

Trustee Kuchta moved, Trustee Frannicola seconded, and the Board minutes were unanimously approved.

PRESENTATIONS

A power-point presentation on solar power systems was presented by Michael Gingerelli of Positive Electric Co. and Lee Smith of NPCP, LLC.

A Board discussion ensued during and after the presentation.

A plaque was presented to the family of Gino Giua in recognition of his long service to the Nutley Board of Education.

CORRESPONDENCE

CORRESPONDENCE

None

SUPERINTENDENT'S REPORT

SUPT'S REPORT A

Mr. Zarra presented the Superintendent's Report dated January 25, 2010, 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. Ian Viemeister, Systems Manager, who gave a power-point presentation on the district's new website.

A Board discussion ensued.

Trustee Rogers made a motion, Trustee Frannicola seconded, that the new website be implemented immediately. The motion was unanimously approved by the Board.

Mr. Zarra spoke about the NJASK 3-8 and the HSPA test scores. Principals, Director of Special Services and the Math and English Coordinators discussed the test scores and answered any specific questions regarding their school's results.

**BOARD
SECRETARY'S
REPORT**

BOARD SECRETARY'S REPORT

None

**COMMITTEE
REPORTS**

COMMITTEE REPORTS

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

HEARING OF CITIZENS (Resolutions Only)

Resident Terry Quirk, representative for the Nutley Parent Advocacy Network (NPAN), asked about Superintendent Resolution 4 – Appointment – Professional Staff and a petition signed by the staff to support the employment of this teacher. She also wanted it to go on the record for saying that she was advised by an attorney that a public school building cannot be used for private business and therefore teachers cannot solicit for profit, private services in a publicly funded building.

Resident Mike Russo asked about payment for conducting the Rise Program and review classes for the Johns Hopkins Talent Search. He also questioned the snow guards at the middle school, the change in training levels and the travel expense for the Interim Business Administrator. He also questioned the softball trip to Florida on the trip list.

Mr. Michael Stoffers, EAN President, asked the Board Attorney if a staff member signs any document such as a petition is it any type of violation. Mr. Pomaco said no.

Resident Alan Thomas questioned Business Administrator's Resolution 1- Secretary & Treasurer's Report and Business Administrator's Resolution 2- Certification of Major Account Fund Status.

SUPERINTENDENT'S RESOLUTIONS

**SUPT'S
RESOLUTIONS**

Trustee Russo stated again that she felt the Computer Applications Course should be brought down to the elementary school level instead of high school.

Trustee Sautter asked Mr. Zarra about the status of an alternative school with the Bloomfield Board of Education.

Trustee Reilly moved, and Trustee Kuchta seconded, a motion that the Board approves Superintendent's Resolutions numbers 1 through 13 as listed below.

The Superintendent's Resolutions 1 through 13 were approved by roll call vote with the following exception:

1) Trustee Russo voted "No" on Resolution 10 – Approval of New Courses.

**LEAVE OF
ABSENCE**

1. 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. Bethany Anne Turro, effective March 31, 2010 through June 30, 2010, with a return date of September 1, 2010.

**RESIGNATION
ATHLETICS**

2. RESIGNATION – Athletics

BE IT RESOLVED that the Board of Education approves the acceptance of the resignation of Miss Stephanie Ruffo as assistant varsity softball coach effective January 7, 2010.

**REINSTATE
TEACHER**

3. REINSTATE – Teacher

BE IT RESOLVED that the Board of Education approves the reinstatement of Mr. Ryan McMullen to his previous position, effective January 26, 2010.

**APPOINT
PROF STAFF**

4. APPOINTMENT – Professional Staff

BE IT RESOLVED that the Board of Education approves the appointment of Miss Danielle Franco as special education teacher for the 2009-10 school year, effective January 26, 2010 at the annual salary of \$46,373 B.A. Step 8, in accordance with the 2009-10 Teachers' Salary Guide.

**APPOINT
EXTENDED DAY**

5. APPOINTMENT – BOE Extended Day Program

BE IT RESOLVED that the Board of Education approves the appointment of Ms. Janet Salvatoriello as a substitute part-time Child Care Aide for the 2009-10 school year at the hourly rate of \$15.75.

**APPOINT
TEACHER SUBS**

6. 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 2009/2010 school year.

**RATES FOR P.T.
SCHOOL AIDES**

**7. ESTABLISHING HOURLY RATES FOR PART-TIME
SCHOOL AIDES - 2009-10 SCHOOL YEAR**

BE IT RESOLVED that the Board of Education approves the following hourly rates be paid to part-time school aides effective February 1, 2010.

Step 1 - \$14.80
Step 2- \$15.65

**REAPPOINT
PT AIDES**

8. REAPPOINTMENTS – Part-time School Aides

BE IT RESOLVED that the Board of Education approves the reappointment of the part-time aides, listed on the attached Schedule C, effective February 1, 2010, at the hourly rate established by the Board of Education.

**EXTRA
COMP**

9. 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 December, 2009**

Katianne Oakley (Gratz) \$250.00

**PAYMENT FOR TEACHING EXTRA CLASSES –
High School- (maternity leave)**

Steven DiGregorio	\$720.00 (16 classes)
Andrew Linfante	720.00 (16 classes)
Christopher Rosati	720.00 (16 classes)
Gerald Ryan	720.00 (16 classes)

**PAYMENT FOR TEACHING EXTRA CLASSES –
High School – Special Education (extra period)**

Helen Doyle-Marino \$1,035.00 (23 classes)

**PAYMENT FOR CONDUCTING REVIEW CLASSES –
Johns Hopkins Talent Search November 14, 21,
December 5, 12, 19, 2009 and January 9, 2010**

David Johnston	\$863.76
Christopher Weinstein, Jr.	863.76

**PAYMENT FOR RISE PROGRAM – Academic Booster
Club – New Saturday Program for Grades 4,5,6**

Ann Mary Mullane	\$ 150.00
Christina Osieja	1,700.00
Dennis Pandolfi	400.00
Tamara Radyuk	750.00

PAYMENT FOR ARTICULATION DAY COMPENSATION

Lottie Alama	\$264.16
Danielle Cancelliere	140.88
Susan Dingwell	186.96
Jennifer Farro	175.44
Angela Irene	132.48
Geralyn Ryan	175.68
Rosa Santoriello	192.72
Debra Tiene	143.76
Patricia Trainor	280.64

**CENTRAL DETENTION COVERAGE –
Month of December, 2009**

High School

Joseph Cimo	\$ 19.50
John Gulardo	136.50
Denise Mazza	97.50
Katie O’Keeffe	117.00
Eric Puzio	19.50
Lisa Vallo	214.50

JHW Middle School

Joseph Cappello	39.00
Melissa Echevarria	39.00
Tracy Egan	97.50
Jenny Lombardo	58.50
Marcellino Marra	19.50
LuAnn Zullo	39.00

**SATURDAY MORNING SUSPENSIONS –
Month of December, 2009**

JHW Middle School

Joseph Cappello	\$81.51
Marcellino Marra	81.51

**APPROVE
NEW COURSES**

10. APPROVAL OF NEW COURSES

BE IT RESOLVED that the Board of Education approves the following courses presented at the January 11, 2010 conference session:

Financial Literacy -(Grades 9-12)
Computer Applications -(Grades 9-12)

**CHANGE-IN
TRAINING LEVELS**

11. CHANGE-IN-TRAINING LEVELS

BE IT RESOLVED that the personnel listed on the attached Schedule D be advanced to the proper level of the salary guide in accordance with Board of Education regulations, said teachers having completed the necessary college courses to qualify for such advancement, to be effective February 1, 2010.

**LONGEVITY
PAY**

12. LONGEVITY PAY

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

Diane LaPierre - \$1,400 (prorated) Eff. Jan.1, 2010 (15 yrs.)

**SPECIAL
CLASS PLACEMENT**

13. SPECIAL CLASS PLACEMENT – Educationally Disabled Student

BE IT RESOLVED that the Board of Education authorizes the attendance of a student in out-of-district special education classes for the 2009/2010 school year as follows:

<u>School</u>	<u>No. of Students</u>	<u>Classification</u>	<u>Eff. Date</u>	<u>Tuition</u>
New Alliance Academy Paramus, NJ	1	ED	1/11/10	\$32,809.12
High Point School Lodi, NJ	1	SLD	2/1/10	\$21,950.11

**BOARD
SECRETARY'S
RESOLUTIONS**

BOARD SECRETARY'S RESOLUTIONS

Trustee Rogers gave his reasons why he was voting "No" on Policy and Regulation No. 2423 Bilingual and ESL Education under Resolution 7 – Adoption of Policies.

Trustee Russo moved, Trustee Moscaritola seconded, a motion that the Board approves the Board Secretary's Resolutions numbers 1 through 18 as listed below.

Upon a roll call vote Resolutions numbers 1 through 18 were approved with the following exception:

1. Trustee Rogers voted "No" on Policy and Regulation No. 2423 under Resolution 7 – Adoption of Policies (Second Reading).

1. SECRETARY & TREASURER'S REPORT

**SECY. & TREAS. REPORT A
B**

BE IT RESOLVED that the Board of Education approves the acknowledgement and acceptance of the reports of the Board Secretary (Appendix A) December 31, 2009 and Treasurer of School Monies (Appendix B) dated December 31, 2009.

2. CERTIFICATION OF MAJOR ACCOUNT FUND STATUS

CERTIFICATION 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 December 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.)

3. BILLS AND MANDATORY PAYMENTS

BILLS & MANDATORY C

BE IT RESOLVED that the Board of Education approves the payment of bills and mandatory payments dated January 25, 2010 in the total amount of \$7,834,765.59 (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. APPROVAL OF TRAVEL LIST

APPROVAL TRAVEL LIST F

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

6. APPROVAL OF FIELD TRIPS

APPROVAL FIELD TRIPS G

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

7. ADOPTION OF POLICIES (Second Reading)

ADOPTION OF POLICIES 2ND READING

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

- 2415.03 - Highly Qualified Teachers
- 2423 - Bilingual and ESL Education - Policy
- 2423 - Bilingual and ESL Education - Regulation
- 2560 - Live Animals in School - Policy
- 2560 - Live Animals in School -Regulation
- 3126 - Provisional Teacher Program - Policy
- 3126 - Provisional Teacher Program - Regulation
- 3240 - Professional Development - Policy
- 3240 – Professional Development - Regulation
- 3431.3 New Jersey's Family Leave Insurance Program –
(Teaching Staff) - Policy (New)
- 4431.3 - New Jersey's Family Leave Insurance Program –
(Support Staff) - Policy (New)

**APPROVE PARTIAL
PAYMENT
GPC, INC.**

8. APPROVAL OF PARTIAL PAYMENT TO GPC, INC.

BE IT RESOLVED that the Board of Education approves partial payment, Application 6, in the amount of \$200,570.72 to GPC, Inc. for the Spring Garden School Project as per the recommendation of the Board's Engineer and Construction Manager.

**APPROVE PARTIAL
PAYMENT
SUNNYFIELD CORP.**

9. APPROVAL OF PARTIAL PAYMENT TO SUNNYFIELD CORPORATION

BE IT RESOLVED that the Board of Education approves partial payment, Application 3, in the amount of \$129,291.40 and Application 4, in the amount of \$170,612.12 to Sunnyfield Corporation for the Spring Garden School Project as per the recommendation of the Board's Architect and Construction Manager.

**APPROVE PARTIAL
PAYMENT
WOJCHIK ELECTRIC**

10. APPROVAL OF PARTIAL PAYMENT TO WOJCHIK ELECTRIC

BE IT RESOLVED that the Board of Education approves partial payment, Application 4, in the amount of \$45,100.45 to Wojchik Electric for the Spring Garden School Project as per the recommendation of the Board's Architect and Construction Manager.

**APPROVE PARTIAL
PAYMENT
HILT CONST. CO.**

**11. APPROVAL OF PARTIAL PAYMENT TO HILT
CONSTRUCTION CO.**

BE IT RESOLVED that the Board of Education approves partial payment, Application 8, in the amounts of \$459,738.58 to Hilt Construction Co. for the Exterior Façade Repairs at Washington Elementary School as per the recommendation of the Board's Engineer and Construction Manager.

**APPROVE CHANGE
ORDERS**

**12. APPROVAL OF CHANGE ORDER – ADDITIONS AND
ALTERATIONS – WASHINGTON ELEMENTARY SCHOOL**

BE IT RESOLVED that the Board of Education approves Change Orders, on file in the Business Office, for Exterior Façade Repairs at Washington School to Hilt Construction, Inc. as follows:

Change Order No. 5 \$7,551.84

Change Order No. 6 \$1,104.25

**APPROVE CHANGE
ORDERS**

**13. APPROVAL OF CHANGE ORDER – ROOF REPLACEMENT -
Lincoln, Radcliffe, Yantacaw and Radcliffe Elementary
Schools and Nutley High School**

BE IT RESOLVED that the Board of Education approves Change Orders, on file in the Business Office, for Roof Replacement – Lincoln, Radcliffe, Yantacaw and Radcliffe Elementary Schools and Nutley High School to Safeway Contracting, Inc.

Change Order No. 1 \$19,000.00 – Lincoln School

Change Order No. 2 \$57,384.00 – Washington School

Change Order No. 3 \$ 5,750.00 – Radcliffe School

**APPROVE
PAYMENT**

14. APPROVAL OF PAYMENT

BE IT RESOLVED that the Board of Education approves the one-time payment to the following individuals who chose to change from the Traditional Plan to the Direct Access Plan with the understanding that the decision is not reversible.

Name

Emanuela Fierro	
John Gulardo	1,573.83
Joyce Healy	1,573.83
Jenny Lombardo	758.64
Nicole Weiss	758.64

Donald Manfria	1,861.62
Margaret DeAngelo	758.64
Hannah Hungler	1,573.83
JoAnn Aromando	1,573.83
Kent Bania	758.64
Christine Stendardi	1,861.62
Susan Ames	758.64
Susan Gesumaria	1,861.62
David Steiner	1,073.89
Ian Viemeister	1,573.83
Erin Sheridan	758.64
Maureen Lazur	1,073.89
Kenneth Ferriol	758.64
Lynn Imperiale	758.64

**APPROVE
PAYMENT**

15. APPROVAL OF PAYMENT

BE IT RESOLVED that the Board of Education approves the following stipends for each Apple Technical Certification for the following personnel:

<u>Name</u>	<u>Stipend</u>
Michael Klug - MAC OS x 10.5 Troubleshooting Macintosh Service Certification	\$1,000 \$1,000
David Steiner- MAC OS-X V10.6 Recertification	\$1,000

**APPROVE EMERGENCY
CONTRACT**

16. APPROVAL TO AWARD EMERGENCY CONTRACT

BE IT RESOLVED that the Board of Education, pursuant to N.J.S.A. 18A:18A-7, approves the award of an emergency contract for snow guards at the John Walker Middle School to Furia Roofing Co., Inc. in the total amount of \$26,000,

and

BE IT FURTHER RESOLVED that the following contractors submitted quotations for snow guards as follows:

Stevenson Contracting LLC	\$34,458.00
Northeastern Interior Services LLC	\$26,145.00

**DETERMINE TIME & PLACE
FOR BALLOT POSITION FOR
SCHOOL ELECTION**

**17. DETERMINING TIME AND PLACE OF DRAWING FOR
POSITION ON BALLOT FOR ANNUAL SCHOOL ELECTION**

BE IT RESOLVED that the Board of Education approves the drawing for ballot position for the April 20, 2010 Annual School Election to be held at 10:00 a.m. in the Board Conference Room on Wednesday, March 10, 2010.

**ESTABLISH HOURS
OF VOTING FOR
SCHOOL ELECTION**

**18. ESTABLISHING HOURS OF VOTING FOR THE ANNUAL
SCHOOL ELECTION**

BE IT RESOLVED that the Board of Education approves the hours of voting at the April 20, 2010 Annual School Election to be 2:30 p.m. to 9:00 p.m.

HEARING OF CITIZENS

**HEARING OF
CITIZENS**

Resident, and district employee, Chris Osieja stated that if the Board decided to make a change in offering the computer application's course in the elementary school level instead of the high school she would like the technology department to be involved.

Resident Mike Russo asked where we are in the preparation of the 2010-2011 budget and when will it be ready for public viewing. He stated it was going to be very hard to get this budget passed. He commented that this was one of the most encouraging meetings he attended.

Resident Gerard Parisi stated that our test scores are very close to several districts that Nutley likes to target. He asked if the construction litigation deadline for appeal had been filed and was the \$650,000 put up. He suggested having a school board representative come to a Board Meeting and talk to the Board before deciding to cancel our membership. He also asked if the grant writer's contract that was pending attorney review was done.

Resident Victoria Flynn asked what the percentage of special education children were in 11th grade.

A Board discussion ensued regarding the contract with the grant writer.

OLD BUSINESS

OLD BUSINESS

Trustee Rogers handed out a copy of a Bill that Assemblyman John J. Burzichelli is proposing to the State of New Jersey which makes membership in the New Jersey School Boards Association optional.

Trustee Kuchta stated his support for the New Jersey School Boards Association.

A Board discussion ensued.

NEW BUSINESS

NEW BUSINESS

Trustee Russo expressed her concern for a lack of hot water in the bathrooms through the district.

Trustee Reilly said that to fix the problem it will cost \$35,000 and the work will have to be done throughout the summer.

A Board discussion ensued.

President Casale made it clear that there is no one out there suing the Nutley Board of Education. He stated that all the litigation matters are a result of the Board suing contractors, designers and workers to recoup some money.

Trustee Sposato questioned the protocol for Board Members to speak to the media.

A discussion ensued among the Board regarding freedom of speech.

ADJOURNMENT

ADJOURN

There being no further business, the meeting was adjourned at 11:08 pm on a motion by Trustee Kuchta seconded by Trustee Frannicola, and unanimously approved by voice vote.

Respectfully submitted,

Karen Yeamans
Interim Board Secretary