

**NUTLEY BOARD OF EDUCATION
OPEN PUBLIC MEETING
JULY 26, 2010**

The Nutley Board of Education held a Public Meeting on Monday, July 26, 2010 in the JHWMS Choir Room located at 325 Franklin Avenue, Nutley, NJ.

President Reilly opened the meeting at 6:32 PM.

FLAG SALUTE

President Reilly led the assembly in the flag salute.

MEETING NOTICE

President Reilly 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 April 28, 2010. Said notice was posted at the entrance of the Board of Education offices, mailed to The Star Ledger, The North Jersey Herald & News, The Nutley Journal, The Nutley Sun, Township Clerk advertised in The Nutley Sun on May 6, 2010 and posted on the district website.

This is an official meeting.

ROLL CALL

Present: Mr. Charles Kucinski
Mr. Vincent Moscaritola
Dr. Robert Reid
Mrs. Deborah J. Russo
Mr. Steven Rogers
Mr. Walter Sautter
Mr. Thomas J. Sposato
Mr. Kenneth Reilly

Absent: Mr. James Kuchta

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

APPROVAL OF MINUTES

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

Open Public Meeting – July 13, 2010
Closed Executive Session – July 13, 2010
Open Public Meeting – July 6 2010
Open Public Meeting – June 28, 2010
Closed Executive Session – June 28, 2010
Open Public Meeting – June 14, 2010
Closed Executive Session – June 14, 2010

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

Trustees Sautter abstained on July 13, 2010 minutes due to his absence from the meeting.

RECOGNITION OF AWARDS

Athletic awards were presented to students listed on Schedule A.

RECESS & MOTION TO ADJOURN TO EXECUTIVE SESSION

At 6:58 PM President Reilly moved and Trustee Kucinski 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
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

At 8:35 PM Trustee Sposato moved, Trustee Sautter seconded, and the Board unanimously approved by voice to reconvene the meeting.

ROLL CALL

Present: Mr. Charles Kucinski
Mr. Vincent Moscaritola
Dr. Robert Reid
Mrs. Deborah J. Russo
Mr. Steven Rogers
Mr. Walter Sautter
Mr. Thomas J. Sposato
Mr. Kenneth Reilly

Absent: Mr. James Kuchta

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

CORRESPONDENCE

A variance notice regarding property at 15 Brown Street being 200 feet within school property.

SUPERINTENDENT'S REPORT

Mr. Zarra presented the Superintendent's Report Schedule A.

BOARD SECRETARY'S REPORT

Mrs. Yeamans spoke about the addendum items added to the agenda.

COMMITTEE REPORTS

Trustee Reid said that the Academic Committee met twice and is looking into implementing a strategic plan for the district.

Trustee Reid said that the Technology Committee met and is looking into on-line attendance.

Trustee Kucinski said that the Athletic Committee met and discussed the budget and programs.

HEARING OF CITIZENS (Resolutions Only)

Resident Terry Quirk, representative for the Nutley Parent Advocacy Network (NPAN), referred to Superintendent's Resolution 14 – Appointment – Interim Director of Special Services and asked how often the person would be working. She also referred to Resolution 22 – Transfer of Personnel and asked if anyone would be replacing the special education teacher at Lincoln School. She asked who is responsible for placing people on certain steps in the teachers' guides.

Resident Alan Thomas questioned Superintendent's Resolution 15 – Appointment – Professional Staff and the number of applicants who are Nutley residents or related to Nutley staff.

SUPERINTENDENT'S RESOLUTIONS

Trustee Sautter moved, and Trustee Kucinski seconded, a motion that the Board approves Superintendent's Resolutions numbers 1 through 23 as follows:

The Superintendent's Resolutions 1 through 23 were unanimously approved by roll call vote.

1. RESIGNATION

BE IT RESOLVED that the Board of Education approves the acceptance of the resignation of Miss Melinda Burghardt, middle school English teacher, effective July 6, 2010.

2. RESIGNATION

BE IT RESOLVED that the Board of Education approves the acceptance of the resignation of Mr. Jeremy Thornton, high school science teacher, effective July 20, 2010.

3. RESIGNATION

BE IT RESOLVED that the Board of Education approves the acceptance of the resignation of Miss Amy Stoner, occupational therapist, effective June 22, 2010.

4. AMENDING RESOLUTION – APPOINTMENT – Coordinator of Science

BE IT RESOLVED that the Board of Education approves the amending of the resolution Appointment - Coordinator of Science, approved at the June 28, 2010 Board Meeting to reflect a change in salary and step for Mr. Kent Bania to \$89,955, M.A. Step 2.

5. AMENDING RESOLUTION – Professional Staff

BE IT RESOLVED that the Board of Education approves the amending of the resolution Reappointments – Professional Staff (Schedule D) approved at the June 28, 2010 Board Meeting to reflect a change in part-time status for Mrs. Rosa Santoriello to full-time.

6. AMENDING RESOLUTION– EXTENDED SCHOOL YEAR PROGRAM-SUMMER 2010

BE IT RESOLVED that the Board of Education approves the amending of the resolution Extended School Year Program – Summer 2010, approved at the June 28, 2010 Board Meeting to reflect the following changes:

- (1) Emotionally Disturbed student
Sage Day Middle School – Mahwah, NJ
June 28-July 2, 2010 & July 19-July 20, 2010 – Tuition \$2,500.00

Original resolution listed the tuition as \$7,441.80
- (1) Multiply Disabled student
Cerebral Palsy of No. Jersey – Livingston, NJ
(Horizon School)
July 1-August 12, 2010 – Tuition \$9,654.60+\$5,931.90 (1 personal aide)

Original resolution did not include cost of 1 personal aide.
- (1) Multiply Disabled student
(2) Preschool Disabled students
Children’s Therapy Center – Fairlawn, NJ
July 6-July 31, 2010 – Tuition \$6,405.28 per student+\$2,096.00 (1 personal aide)

Original resolution listed tuition as 6,722.39 per student
- (1) Mildly Cognitively Impaired student
ECLC – Chatham, NJ
July 3-July 30, 2010 – Tuition \$4,214.20

Original resolution listed (2) students attending
- (1) Autistic student
Spectrum Consulting Summer Camp – Westfield, NJ
Weeks of 6/28/10 - 7/6/10 - 8/16/10 - 8/23/10 – Tuition \$2,500.00

Original resolution listed dates July 1-July 30, 2010 and the tuition was listed as \$3,500.00
- (2) Autistic students
(1) Multiply Disabled student
(1) Other Health Impaired student
New Beginnings – Fairfield, NJ
July 7-August 17, 2010-Tuition \$8,502.20 per student +\$4,050.00 (1 personal aide)

Original resolution did not include cost of 1 personal aide

7. 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 B for the 2010-11 school year on the salary guide at the classification step and annual salary as indicated in accordance with the 2010-11 Teachers’ Salary Guide.

8. APPOINTMENTS – Athletics

BE IT RESOLVED that the Board of Education approves the Fall Athletic appointments listed on the attached Schedule E for the 2010-11 school year in accordance with the 2010-11 Coaches Salary Guide.

9. APPOINTMENTS – Athletics

BE IT RESOLVED that the Board of Education approves the Winter Athletic appointments listed on the attached Schedule F for the 2010-11 school year in accordance with the 2010-11 Coaches Salary Guide.

10. APPOINTMENTS – Athletics

BE IT RESOLVED that the Board of Education approves the Spring Athletic appointments listed on the attached Schedule G for the 2010-11 school year in accordance with the 2010-11 Coaches Salary Guide.

11. APPOINTMENTS – BOE Extended Day Program

BE IT RESOLVED that the Board of Education approves the appointments of the School Age Extended Day Program employees for the 2010-11 school year listed on the attached Schedule H at the salaries indicated.

12. APPOINTMENT – JHW Middle School Vice Principal

BE IT RESOLVED that the Board of Education approves the appointment of Miss Tracy Egan as JHW Middle School Vice Principal for the 2010-11 school year, effective September 1, 2010, at the annual salary of \$85,882, M.A. Step 1, in accordance with the 2010-11 Principals and Supervisors Salary Guide.

13. APPOINTMENT – Coordinator of Mathematics

BE IT RESOLVED that the Board of Education approves the appointment of Miss Leann Martin as Coordinator of Mathematics for the 2010-11 school year, effective September 1, 2010, at the annual salary of \$88,267, M.A. Step 1, in accordance with the 2010-11 Principals and Supervisors Salary Guide.

14. APPOINTMENT – INTERIM DIRECTOR OF SPECIAL SERVICES

BE IT RESOLVED that the Board of Education approves the appointment of Arthur Monaco as Interim Director of Special Services effective September 1, 2010 at an interim rate of \$500.00 as needed.

15. APPOINTMENTS – Professional Staff

BE IT RESOLVED that the Board of Education approves the appointments of the personnel listed below for the 2010-11 school year, effective September 1, 2010 in accordance with the 2010-11 Teachers' Salary Guide.

<u>Name</u>	<u>Degree</u>	<u>Step</u>	<u>Salary</u>
Richard Bolcato	B.A.	8	\$46,836
Michele Calicchio	B.A.	8	46,836
Jillian Cicero	B.A.+30	8	48,873
Joseph DiVincenzo	B.A.	11	51,825
Matthew Ferrara	B.A.	8	46,836
Raul Furnaguera	M.A.	7	49,891

Daniel Grove	B.A.	9	47,855
Lauren Mosior	B.A.	8	46,836
Darleen Puzzo	B.A.	8	46,836
Diana Rambaldi	B.A.	8	46,836
Nicole Simone	B.A.	8	46,836

16. APPOINTMENTS – Volunteer Coaches

BE IT RESOLVED that the Board of Education approves the appointments for the personnel listed below for the 2010-11 school year:

<u>NAME</u>	<u>SPORT (volunteer)</u>
Carter L. Carter	Boys Basketball
Frank Cole	Boys Basketball

17. APPOINTMENT OF SCHOOL PHYSICIANS - 2010-2011 School Year

WHEREAS, there exists a need for school physicians, and

WHEREAS a Request for Qualifications was received on May 4, 2010, and

WHEREAS, the following physicians are fully capable of providing this service, and

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Township of Nutley appoints the following school physicians for the 2010-2011 school year:

School Physicians

Prystowsky, Barry, M.D.	\$16,229
Vonroth, William, M.D.	\$11,451

18. APPOINTMENTS – Substitutes

BE IT RESOLVED that the Board of Education approves the following substitutes for the 2010-11 school year:

Bus Aide - Angela DeRobertis
Custodian – Kevin Reilly (pending criminal history review)

19. APPROVAL OF SUMMER HOURS – Lead Counselor

BE IT RESOLVED that the Board of Education approves payment for summer hours for Jill Divilio, Lead Counselor for the following days: June 24, 25, 30; July 1, 7, 8, 9, 21, 22, 23, 28, 29, 30; August 4, 5, 6, 11, 12, 13, 18, 19, 20, 25, 26, 27, 2010.

20. APPROVAL OF STIPENDS

BE IT RESOLVED that the Board of Education approves the following stipends for the 2010-11 school year:

Station Manager

James Kelly \$6,490

21. 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 TEACHING EXTRA CLASSES – High School Maternity Leave

Steven DiGregorio	\$180.00
Andrew Linfante	180.00
Christopher Rosati	180.00
Gerald Ryan	180.00

PAYMENT FOR SUMMER HOURS – Guidance Counselors – June 24 & 29, 2010

Donna Cocco	\$384.37
Alisa Gennace	743.28
James Mauro	508.01
Kathryn Mitchell	508.01
Susan Scerbo	498.17
Mary Fran Simmons	508.01
Joyce Wood	987.02

PAYMENT FOR SUMMER HOURS – NCLB

BE IT RESOLVED that the Board of Education approves payment for Mr. Michael Kearney for 15 days summer work for NCLB application and administration in the amount of \$5,000.

PAYMENT FOR SUMMER HOURS – ESL Teachers – July 22, 2010

Ciro Violante	\$437.75
Kathleen Cullity	286.28
Jane Frost-Guzzo	166.12
Angela Irene	136.72

PAYMENT FOR SUMMER HOURS – Technology – Five days in July

Chris Osieja \$2,085.00

PAYMENT FOR SUMMER HOURS – High School Lead Counselor-June 24, 25, 30; July 1, 7, 8, 9, 21, 22, 23, 2010

Jill Divilio \$4,378.20

PAYMENT FOR SUMMER HOURS – Child Study Team – During month of June, 2010

Abigail Bergen	\$2,910.44
Sarah Fredericks	2,474.28
Susan Furnari	5,673.36
Becky Pandolfi	2,934.37
Stephen Parigi	2,902.80
Toni Safonte	1,068.34
Erin Sheridan	2,480.00
Amy Stoner	450.81
April Vitiello	1,920.00
Michelle Yasso	3,207.40

22. TRANSFER OF PERSONNEL

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

<u>Name</u>	<u>From</u>	<u>To</u>
Lauren Alfaro	Lincoln Special Ed.	Yantacaw Grade 2
Danielle Franco	Washington	Yantacaw
Connie Inguanti	JHWMS Basic Skill	H.S. Special Ed.
Matthew Rosenhouse	Lincoln	½ Spring Garden – ½ Lincoln
Geralyn Ryan	Spring Gar. Basic Skills	Yantacaw Grade 4
Stephanie Tirri	High School Music	Washington Music
Lawrence Weiss	Gifted & Talented District	Radcliffe Grade 6

23. EXTENDED SCHOOL YEAR PROGRAM – SUMMER 2010

BE IT RESOLVED that the Board of Education approves the Extended School Year Program, listed below, for the Summer of 2010:

- (1) Emotionally Disturbed student
Strang School (Ranch Hope Inc.)
Alloway, NJ
July 6-August 23, 2010 – Tuition \$6,842.50

Trustee Sposato moved, Trustee Kucinski seconded, and the Board unanimously approved by voice vote Superintendent's Resolutions 24 and 25 as follows:

24. STATE ASSIGNED TUITION

BE IT RESOLVED that the Board of Education authorizes the attendance of a student in out-of-district special education classes for the state assigned tuition for the 2010/2011 school year as follows:

School

Dept. of Children and Families Regional School	MD	July 1, 2010-	\$177.27 per diem
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25. ACCEPTANCE OF GRANT

BE IT RESOLVED that the Board of Education approves the acceptance of a grant from the Italian American Committee on Education (IACE) in the amount of \$5,000 to be used towards a teacher's 2010-2011 salary (Addolorato Cicchino) for the Italian Program.

BOARD SECRETARY'S RESOLUTIONS

Trustee Russo moved, Trustee Sposato seconded, a motion that the Board approves the Board Secretary's Resolutions numbers 1 through 17 as listed below.

Trustees Sautter and Rogers questioned the payment to New Jersey School Boards Association.

Upon a roll call vote Resolutions numbers 1 through 17 were approved with the following exceptions:

- 1) Trustee Sautter voted "No" on check #083543 to New Jersey School Boards – Membership Renewal.
- 2) Trustee Rogers voted "No" on all the communication bills.

1. BILLS AND MANDATORY PAYMENTS

BE IT RESOLVED that the Board of Education approves the payment of bills and mandatory payments dated July 26, 2010 in the total amount of \$3,468,521.27 (Appendix A).

2. PETTY CASH FUNDS

WHEREAS, pursuant to NJAC 6:20-2.8 and Policy #615 (6620), a Board of Education may establish petty cash funds,

NOW, THEREFORE, BE IT RESOLVED that the Board of Education approves the following petty cash funds for schools to be established in the amounts listed:

High School	(Gregory Catrambone, Custodian)	\$500
Walker Middle School	(John Calicchio, Custodian)	400
Lincoln School	(Lorraine Restel, Custodian)	300
Radcliffe School	(Michael Kearney, Custodian)	300
Spring Garden School	(Rosemary Clerico, Custodian)	300
Washington School	(Douglas Jones, Custodian)	300
Yantacaw School	(David Sorensen, Custodian)	300

BE IT FURTHER RESOLVED that the Board of Education approves the additional district-wide petty cash accounts to be established as follows:

Board of Education	(Karen Yeamans, Custodian)	\$300
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Director of Extended Day (Maria Cervasio, Custodian)	500	
Pupil Transportation(Peggy Hollywood, Custodian)	400	
Special Services (Director, Custodian)	300	
Technology (Ian Viemeister, Custodian)	300	and

BE IT YET FURTHER RESOLVED that the Board of Education approves the maximum expenditure for petty cash funds to be set at \$40 and that the individual petty cash funds are replenished by submitting a properly completed voucher to the Board of Education as necessary.

3. APPROVAL OF PARTIAL PAYMENT TO SUNNYFIELD CORPORATION

BE IT RESOLVED that the Board of Education approves partial payment to Sunnyfield Corporation for the Spring Garden School Project as per the recommendation of the Board's Architect and Construction Manager.

Application 10 - \$246,648.36

4. APPROVAL OF PARTIAL PAYMENT TO WOJCHIK ELECTRIC

BE IT RESOLVED that the Board of Education approves partial payment to Wojchik Electric for the Spring Garden School Project as per the recommendation of the Board's Architect and Construction Manager as follows:

Application 10 \$9,364.58

5. APPROVAL OF PARTIAL PAYMENT TO GPC, INC.

BE IT RESOLVED that the Board of Education approves partial payment to GPC, Inc. for the Spring Garden School Project as per the recommendation of the Board's Engineer and Construction Manager as follows:

Application 12 \$423,654.00

6. APPROVAL OF PARTIAL PAYMENT TO CIRCLE-A CONSTRUCTION CO. INC.

BE IT RESOLVED that the Board of Education approves partial payment to Circle-A Construction Co., Inc. for the Exterior Façade Repairs at Lincoln School as per the recommendation of the Board's Architect and Construction Manager as follows:

Application 6 \$17,150.00

7. APPROVAL OF PARTIAL PAYMENT TO ESR MECHANICAL

BE IT RESOLVED that the Board of Education approves partial payment to ESR Mechanical as per the recommendation of the Board's Architect and Construction Manager as follows:

Yantacaw Elementary School - Application 2 - HVAC Upgrades – \$60,368.00
Radcliffe Elementary School - Application 2 - HVAC Upgrades – \$35,770.00
Nutley High School - Application 2 - HVAC Upgrades – \$12,250.00

8. APPROVAL OF CHANGE ORDER – ADDITIONS AND ALTERATIONS – SPRING GARDEN ELEMENTARY SCHOOL

BE IT RESOLVED that the Board of Education approves the following Change Order, on file in the Business Office, to Wojchik Electric, Inc., as follows:

Change Order No. E-3 – Total Amount - \$4,229.09

1. Provide material and labor to remove and replace existing front wall fixture with new C1 70w fixture and photocell on the top to control light. - \$982.60.
2. Furnish labor and material to install one (1) 120v 20 amp line for outlets, sump pump and misc. items to meet code regulations - \$838.78.
3. Supply and install necessary relays, time clock and wiring to automate exterior building lights. Also provide three (3) 3 pile relays to control all light from one time clock, season adjusted clock, and connect all exterior lights to these items - \$2,407.71.

9. APPROVAL OF CHANGE ORDER – ADDITIONS AND ALTERATIONS – SPRING GARDEN ELEMENTARY SCHOOL

BE IT RESOLVED that the Board of Education approves the following Change Orders, on file in the Business Office, to Hilt Construction, as follows:

Change Order No. 3 – Total Amount - \$12,002.66

Install 110 LF of new thru-wall counter flashing at low roof at 1/FR1 East.

Change Order No. 4 – Total Amount \$29,493.39

Install polymer concrete with metal lath to build out portions of masonry wall. Install light gauge metal framing and sheathing to facilitate installation of window wall panel. Delete work associated with infilling vent openings. All work shall be in accordance with CVM's Request for Change Directive No. 4 and Design Bulletin No. 1 which is on file in the Business Office.

10. APPROVAL OF CONTRACT WITH MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION – Lease Purchase Bidding/Financial Advisory Services

BE IT RESOLVED that the Nutley Board of Education approves the contract between the Nutley Board of Education and Middlesex Regional Educational Services Commission for Lease Purchase Bidding/Financial Advisory Services for a fee of \$500.

11. APPROVAL OF EDUCATONAL DATA SERVICES, INC. - Final District Summary for Award Letters

BE IT RESOLVED that the Nutley Board of Education approves the attached award letters for the district for the categories listed and the district's portion of each award. (Appendix B)

12. APPROVAL OF EDUCATONAL DATA SERVICES, INC. – Summary of Contract Awards for New Jersey Time and Material Maintenance Bids by Trade

BE IT RESOLVED that the Nutley Board of Education approves the Educational Data Services, Inc. Summary of Contract Awards for New Jersey Time and Material Maintenance Bids by Trade reflective of Re-Bid of various trade categories received on May 25, 2010 and awarded on June 2, 2010. (Appendix C)

13. APPROVAL AGREEMENT FOR STUDENTS WITH DISABILITIES

WHEREAS, The Forum School and Willowglen Academy are non-profit approved private schools for students with disabilities; and

WHEREAS, the Board of Education of Nutley has contracted to send to The Forum School and Willowglen Academy certain students with disabilities who reside in the District; and

WHEREAS, these schools do not charge any of its students for meals;

NOW, THEREFORE, it is hereby RESOLVED, that the Board of Education of Nutley does not require The Forum School and Willowglen Academy to charge students for reduced and/or paid meals in accordance with the income eligibility criteria established by the Child Nutrition Program as administered by New Jersey Department of Agriculture; and it is

FURTHER RESOLVED, that the Board of Education of Nutley understands and acknowledges that the foregoing actions do not increase the contracted tuition rate for students with disabilities sent by Nutley to The Forum School or Willowglen Academy.

14. APPROVAL OF SERVICE PROVIDERS

BE IT RESOLVED that the Board of Education approves the following service providers for the 2010-2011 school year for OT/PT, Speech, Music Therapy, ABA Therapy, Behavioral Consultation, Therapeutic Recreation and Substance Abuse Centers:

The Children's Therapy Center
North Jersey Outreach
Occupational Therapy Consultants, Inc.
Rickard Rehabilitation Services, Inc.
Spectrum Consulting, Inc.

15. APPROVAL OF LEASE RENEWAL

BE IT RESOLVED that the Board of Education, based upon the recommendation of the Business Administrator, does hereby accept the sixty month renewal lease proposal from Atlantic Tomorrows Office for five (5) stand alone copy/print/scan machines. The total annual cost of \$21,468 also includes two (2) complimentary re-manufactured desk top copiers and maintenance and supplies for three district owned Konica copiers. In addition the proposal includes a reduction in the annual per copy charge for the entire Savin fleet from \$.0075 to \$.0065. The total overall annual savings equals \$14,900.

16. APPROVAL OF CHANGE OF USE APPLICATION

BE IT RESOLVED that the Board of Education approves the Change of Use Application to convert cafeteria space back to classroom space which is needed to implement a full day kindergarten program at Washington School.

17. APPROVAL ESSEX REGIONAL EDUCATION SERVICES COMMISSION

BE IT RESOLVED that the Board of Education approves the contract between the Nutley Board of Education and Essex Regional Services Commission and Ed-Data for the cooperative purchasing services provided for the 2010-2011 school year at a fee of \$9,700.00.

President Reilly alerted the public that he visited Spring Garden School and was unhappy with the debris and dust. He said he asked if the Board could withhold payment to the contractors but was informed that legally the Board could not do that since the payment applications were already approved by the professionals.

Trustee Reid moved, Trustee Kucinski seconded, and the Board unanimously approved by voice vote Board Secretary's Resolutions 18 and 19 as follows:

18. APPROVAL OF FOOD SERVICE MANAGEMENT COMPANY

BE IT RESOLVED that The Nutley Board of Education (herein referred to as the Local Education Agency or LEA) approves Chartwells School Dining Services (herein referred to as the Food Service Management Company or FSMC) as its Food Service Management Company for the 2010/2011 school year.

BE IT FURTHER RESOLVED that the Food Service Management Company shall receive, in addition to the costs of operation, an administrative fee of \$48,000/year and a management fee of \$.05 per reimbursable meal and meal equivalent to compensate the Food Service Management company management costs. This fee shall be billed monthly as a cost of operation. These fees shall be billed monthly as a cost of operation. The Local Education Agency guarantees the payment of such costs and fee to the Food Service Management Company.

BE IT FURTHER RESOLVED that total meals are calculated by adding reimbursable meal pattern meals (breakfast, lunch and after school snack meals) served and meal equivalents. The number of School Breakfast Program, After School Snack Program, and National School Lunch program meals served to the children shall be determined by actual count. Cash receipts, other than from Sales of National Lunch Program and School Breakfast Program meals and After School Snack Program meals served to the children, shall be divided by \$1.00 to arrive at an equivalent meal count.

BE IT FURTHER RESOLVED that the per meal management fee of \$.05 will be multiplied by total meals.

BE IT FURTHER RESOLVED that the Food Service Management Company guarantees the Local Education Agency a minimum profit return of \$299,287.00, for the school year 2010/2011. This guarantee is contingent upon the guarantee requirements as stated below.

GUARANTEE CONDITIONS:

(a) Reimbursement rates for the Child Nutrition Program meals will not be less than the rates in effect for any prior school year.

(b) The value of government-donated commodities will not be less than the value of government-donated commodities received during the prior school year.

(c) The number of days meals are served during the school year will not be less than:

<u>School Category</u>	<u>Breakfast</u>	<u>Lunch</u>
Elementary Schools	178 days	178 days
Middle Schools	178 days	178 days
High Schools	170 days	170 days

(d) The number of serving periods, locations, serving times and types of service will not change materially.

- (e) The student enrollment for the Term of Agreement will not be less than stated in the RFP.
- (f) The level of wages, salaries and fringe benefits will not exceed those included in Chartwells' proposed operating budget submitted to the LEA.
- (g) The selling prices of Menu Pattern meals and a la carte selections will not be less than those included in Chartwells' proposed operating budget submitted to the LEA.
- (h) Service will not be interrupted as a result of fire, work stoppage, strike or school closing.
- (i) The District and its representatives including but not limited to, school principals, teachers and District employees shall fully cooperate with Chartwells in the implementation of the Food Service Program. The District shall fully cooperate with Chartwells to limit the expansion of competitive food sales in order to maximize the gross receipts and other non-cash sales of the Food Service Program.
- (j) The LEA shall have timely submitted all documentation for reimbursement claims, except where such failure is due to an act or omission of Chartwells.
- (k) The number of students eligible for free and reduced price meals will be no less than that during the prior school year.
- (l) Labor costs are higher than that budgeted by Chartwells as a result of the LEA not providing the collective bargaining agreement in connection with the Request for Proposal.

In the event the foregoing conditions are not met during the school year. Chartwells' guarantee obligation shall be reduced by an amount equivalent to any increased cost or loss of revenue attributable to the changes in such conditions.

19. CAFETERIA PRICES - 2010-11 School Year

BE IT RESOLVED that the Board of Education approves the cafeteria prices for the 2010-2011 school year.

<u>Item</u>	<u>Price</u>	<u>Premium Price</u>
Type "A" Lunch (Students)		
Elementary Schools	\$2.65	
John Walker Middle School	\$3.00	\$3.25
High School	\$3.25	\$3.50

HEARING OF CITIZENS

Resident Robert Rusignuolo updated the Board on his OPRA request and asked if administration have emergency contact telephone numbers for those that turned in the district cell phones.

Resident Terry Quirk, representative for the Nutley Parent Advocacy Network (NPAN), asked who the next 504 Coordinator for the elementary schools will be after Mrs. Francioso retires on October 1, 2010. She also asked about the status of Mr. Zarra's contract.

OLD BUSINESS

Trustee Rogers suggested that the Academic Committee look at utilizing the expertise of district personnel or retirees to help with a strategic plan before paying NJSBA \$4,000 to help.

Trustee Sposato asked if the heating for the schools is on schedule.

Trustee Rogers asked for the district contact person for Green Schools.

Trustee Kucinski asked about the status of the grant writer.

NEW BUSINESS

Trustee Kucinski spoke about a new grant opportunity with the district and town.

A discussion ensued.

MOTION TO ADJOURN TO EXECUTIVE SESSION

At 9:08 PM President Reilly moved and Trustee Kucinski 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 9:12 PM Trustee Sposato moved, Trustee Sautter seconded, and the Board unanimously approved by voice to reconvene the meeting.

President Reilly moved, Trustee Kucinski seconded, and the Board unanimously approved by voice vote Board Secretary's Resolutions 20 as follows:

20. TERMINATION OF CONSULTING AGREEMENT

BE IT RESOLVED that the Board of Education shall in accordance with Paragraph 10 of a Consulting Agreement dated January 15, 2010 between the Nutley Board of Education and Bruno Associates, Inc. give written notice to Bruno Associates, Inc., of their intention to terminate the Consulting Agreement.

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:20 PM on a motion by Trustee Sposato seconded by Trustee Russo, and unanimously approved by voice vote.

Respectfully submitted,

Karen A. Yeamans
Board Secretary