

**NUTLEY BOARD OF EDUCATION
OPEN PUBLIC MEETING
FEBRUARY 28, 2011**

The Nutley Board of Education held a Public Meeting on Monday, February 28, 2011, in the JHWMS Choir Room located at 325 Franklin Avenue, Nutley, NJ.

President Reilly opened the meeting at 5:40 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 February 22, 2011. 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 and posted on the district website.

This is an official meeting.

ROLL CALL

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

Absent: Mr. Vincent Moscaritola (arrived 5:55 PM)

Also Present: Mr. Joseph Zarra, Superintendent of Schools
Mrs. Karen A. Yeamans, Business Administrator/Board Secretary
Mr. Frank Pomaco, Board Attorney (arrived 7:18 PM)

MOTION TO ADJOURN TO EXECUTIVE SESSION

At 5:42 PM President 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 personnel matters.

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.

RECONVENE MEETING

At 8:00 PM Trustee Kuchta moved, Trustee Sposato seconded, and the Board unanimously approved by voice to reconvene the meeting.

APPROVAL OF MINUTES

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

Special Meeting – February 21, 2011
Closed Executive Session – February 21, 2011
Special Meeting – February 14, 2011
Closed Executive Session – February 14, 2011
Special Meeting – February 10, 2011
Closed Executive Session – February 10, 2011
Special Meeting – January 31, 2011
Closed Executive Session – January 31, 2011
Open Public Meeting - January 24, 2011
Closed Executive Session – January 24, 2011

Trustee Kuchta moved, Trustee Kucinski seconded, and the Board minutes were unanimously approved by voice vote.

CORRESPONDENCE

None

SUPERINTENDENT'S REPORT

Mr. Zarra read the findings in the state report from the DOE audit of ARRA and Federal Funds.

Mr. Zarra presented the Superintendent's Report dated February 28, 2011, Schedule A, which is appended to the minutes of this meeting, and briefly summarized its contents as well as other programs and activities going on in the district.

BOARD SECRETARY'S REPORT

Announced that the 2011-2012 Budget Hearing would be presented at the March 28, 2011 Board Meeting at 6:30 PM and also stated that the tentative budget would be adopted at tonight's meeting.

Mr. Pomaco discussed the recent OPMA court decisions regarding Executive Sessions at Board Meetings.

COMMITTEE REPORTS

Finance – Trustee Kuchta gave an overview of the 2011-2012 Budget and its tax impact.

HEARING OF CITIZENS (Resolutions Only)

Resident Alan Thomas questioned the terms of the agreement in BA Resolution 6 - Approve Agreement with the Education Association of Nutley (Custodial Unit). Trustee Sposato gave a recap of the contract for 2010-2012.

Resident Vicky Flynn asked for the breakdown for each school for the security and miscellaneous renovations in the proposed referendum.

Resident Anthony Capriglione expressed his concerns regarding the solar project.

Resident Alan Thomas questioned if Nutley had a swim team as listed in Superintendent Resolution 11 – Extra Compensation.

PRESENTATION ON REFERENDUM

President Reilly provided a power-point presentation on the breakdown of the referendum. Several questions were asked in regard to the power-point presentation by the public and the Board Members. The questions were answered by Mr. Solimine, Bond Counsel and Mr. Doll, retired BA for Bayonne who experienced energy savings in his district by using solar panels.

SUPERINTENDENT'S RESOLUTIONS

Trustee Rogers moved, and Trustee Sposato seconded, a motion that the Board approves Superintendent's Resolutions numbers 1 through 12 as follows:

The Superintendent's Resolutions 1 through 12 were unanimously approved by roll call vote.

1. AMENDING RESOLUTION – APPOINTMENT – Professional Staff

BE IT RESOLVED that the Board of Education approves the amending of the resolution Appointment – Professional Staff, approved at the January 24, 2011 Board Meeting to reflect a change in starting date for Mrs. Kristen Pero to March 1, 2011.

2. AMENDING RESOLUTION – 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 January 24, 2011 Board Meeting to reflect a change in New Jersey Family Leave Act starting date for Mrs. Holly Jasnowitz to March 1, 2011 through May 23, 2011 with a return date of May 24, 2011.

3. 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. Jaimee Grella, effective March 29, 2011 through June 27, 2011 with a return date of September 1, 2011.

4. APPOINTMENT – Professional Staff

BE IT RESOLVED that the Board of Education approves the appointment of Philip Ahn as a full time teacher (replacing Ryan McMullen) for the 2010-11 school year, effective March 1, 2011, at the annual salary of \$46,836, B.A. Step 8, in accordance with the 2010-11 Teachers' Salary Guide.

5. APPOINTMENTS – Athletics - Spring

BE IT RESOLVED that the Board of Education approves the Spring Athletic appointments listed below for the 2010-11 school year in accordance with the 2010-11 Coaches Salary Guide:

<u>Sport</u>	<u>Name</u>	<u>Step</u>	<u>Salary</u>
Assistant Baseball	Frank Sasso	1	\$4,895
Assistant Crew	Carly O'Mara	1	4,895

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 2010-11 school year.

7. APPOINTMENT – Secretarial/Clerical/School Aide/Custodian

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

School Aide

Pamela Restel

Custodian

Ralph Chimento

8. APPOINTMENT – School Bus Aide

BE IT RESOLVED that the Board of Education approves the Appointment of Melissa Mitchell as a bus aide for the 2010-11 School year, effective March 1, 2011 at an hourly rate of \$13.96, which is in accordance with the 2010 -11 Transportation Agreement. (Hired on a 90-day probationary period).

9. APPROVAL OF TRIP LIST

BE IT RESOLVED that the Board of Education approves the trip list and all expenses per (Schedule C).

10. APPROVAL OF FIELD TRIPS

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

11. 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 January, 2011**

Katianne Oakley \$250.00

**PAYMENT FOR MATHCOUNTS COMPETITION – Liberty Middle School, West
Caldwell – Saturday, February 5, 2011 for a total of 6 ¾ hours**

Nancy Foglio \$252.65

PAYMENT FOR NJ ASK TRAINING – January 26, 2011

Megan Boswell \$100.38
Debra Tiene 113.28

**PAYMENT FOR ARTICULATION DAY – Additional time required for the
2009/10 school year (rate adjustment)**

Lottie Alama \$463.26
Danielle Cancelliere 211.26
Susan Dingwell 280.38
Jennifer Farro 263.10
Angela Irene 198.72
Geraldyn Ryan 263.52
Rosa Santoriello 289.02
Debra Tiene 215.58
Patricia Trainor 280.64

PAYMENT FOR WINTER SEASON SWIMMING – Practices/Meets

Anne Marie Kowalski \$602.95

PAYMENT FOR ATHLETIC GAME WORKERS – Winter Sports

S. DiGregorio \$ 250.00
J. Mabel 100.00
L. Manganiello 120.00
M. Marra 1,110.00
C. Weinstein 850.00
L. Zullo 360.00

CENTRAL DETENTION COVERAGE – Month of January, 2011

High School

Lori Ferrara \$ 20.28
Alicia Michalek 40.56
Chris Mickens 60.84
Katie O’Keeffe 81.12
Matthew Trokan 20.28
Lisa Vallo 141.96

JHW Middle School

Joseph Cappello \$ 81.12
Melissa Echevarria 60.84
Jenny Lombardo 81.12
Donna Saitta 81.12
LuAnn Zullo 20.28

**SATURDAY MORNING SUSPENSIONS –
Month of January, 2011**

JHW Middle School

Melissa Echevarria \$84.78
Marcellino Marra 84.78

12. SPECIAL CLASS PLACEMENT – Educationally Disabled Students

BE IT RESOLVED that the Board of Education authorizes the attendance of students in out-of-district special education classes for the 2010-11 school year as follows:

<u>School</u>	<u>No. of Students</u>	<u>Classification</u>	<u>Eff. Date</u>	<u>Tuition</u>
Sage Day School Rochelle Park, NJ	1	ED	1/26/11	\$248.06 per day
Chancellor Academy Pompton Plains, NJ	1	SLD	2/14/11	\$297.00 per day
Lakeview Learning Center Wayne, NJ	1	ED	2/14/11	\$257.00 per day

**BUSINESS ADMINISTRATOR/
BOARD SECRETARY'S RESOLUTIONS**

Trustee Kuchta moved, Trustee Moscaritola seconded, a motion that the Board approves the Board Secretary's Resolutions numbers 1 through 14 as follows:

Upon a roll call vote Resolutions numbers 1 through 22 were approved with the following exception:

- 1) Trustee Rogers voted "No" on all the communication bills.

1. SECRETARY & TREASURER'S REPORT

BE IT RESOLVED that the Board of Education approves the acknowledgement and acceptance of the reports of the Board Secretary (Appendix A) and Treasurer of School Monies (Appendix B) for the period ending January 31, 2011.

2. 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 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

BE IT RESOLVED that the Board of Education approves the payment of bills and mandatory payments dated February 28, 2011 in the total amount of \$8,335,067.96 (Appendix C).

4. 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.

5. ACCEPTANCE OF GRANT

BE IT RESOLVED that the Board of Education accepts a grant for \$3,050.85 from the Vanguard Charitable Endowment Program.

6. APPROVE AGREEMENT WITH EDUCATION ASSOCIATION OF NUTLEY (Custodial Unit)

BE IT RESOLVED that the Board of Education approves the Memorandum of Agreement and the salary guides with the Education Association of Nutley (Custodial Unit) encompassing the terms and conditions of employment for the buildings & grounds employees for the period July 1, 2010 through June 30, 2012.

7. APPROVAL OF SUBMISSION TO DOE FOR THE SOLAR, SECURITY AND MISCELLANEOUS RENOVATIONS

BE IT RESOLVED by the Nutley Board of Education to approve the submission of the Solar, Security, and Miscellaneous Renovations at Spring Garden Elementary School (DOE Project # 3750-090-11-1000) to the New Jersey Department of Education for review and Department approval as an Other Capital Project with no state funding, and Amendment of the 2005-10 Long Range Facilities Plan to be consistent with this Project. Further The Board authorizes Spiezle Architectural Group Inc. to make these submissions to the Department of Education on behalf of the district.

8. APPROVAL OF SUBMISSION TO DOE FOR THE SOLAR, SECURITY AND MISCELLANEOUS RENOVATIONS

BE IT RESOLVED by the Nutley Board of Education to approve the submission of the Solar, Security, and Miscellaneous Renovations at Yantacaw Elementary School (DOE Project # 3750-110-11-1000) to the New Jersey Department of Education for review and Department approval as an Other Capital Project with no state funding, and Amendment of the 2005-10 Long Range Facilities Plan to be consistent with this Project. Further

The Board authorizes Spiezle Architectural Group Inc. to make these submissions to the Department of Education on behalf of the district.

9. APPROVAL OF SUBMISSION TO DOE FOR THE SOLAR, SECURITY AND MISCELLANEOUS RENOVATIONS

BE IT RESOLVED by the Nutley Board of Education to approve the submission of the Solar, Security, and Miscellaneous Renovations at Washington Elementary School (DOE Project # 3750-100-11-1000) to the New Jersey Department of Education for review and Department approval as an Other Capital Project with no state funding, and Amendment of the 2005-10 Long Range Facilities Plan to be consistent with this Project. Further The Board authorizes Spiezle Architectural Group Inc. to make these submissions to the Department of Education on behalf of the district.

10. APPROVAL OF SUBMISSION TO DOE FOR THE SOLAR, SECURITY AND MISCELLANEOUS RENOVATIONS

BE IT RESOLVED by the Nutley Board of Education to approve the submission of the Solar, Security, and Miscellaneous Renovations at Radcliffe Elementary School (DOE Project # 3750-080-11-1000) to the New Jersey Department of Education for review and Department approval as an Other Capital Project with no state funding, and Amendment of the 2005-10 Long Range Facilities Plan to be consistent with this Project. Further The Board authorizes Spiezle Architectural Group Inc. to make these submissions to the Department of Education on behalf of the district.

11. APPROVAL OF SUBMISSION TO DOE FOR THE SOLAR, SECURITY AND MISCELLANEOUS RENOVATIONS

BE IT RESOLVED by the Nutley Board of Education to approve the submission of the Solar, Security, and Miscellaneous Renovations at Lincoln Elementary School (DOE Project # 3750-070-11-1000) to the New Jersey Department of Education for review and Department approval as an Other Capital Project with no state funding, and Amendment of the 2005-10 Long Range Facilities Plan to be consistent with this Project. Further The Board authorizes Spiezle Architectural Group Inc. to make these submissions to the Department of Education on behalf of the district.

12. APPROVAL OF SUBMISSION TO DOE FOR THE SOLAR, SECURITY AND MISCELLANEOUS RENOVATIONS

BE IT RESOLVED by the Nutley Board of Education to approve the submission of the Solar, Security, and Miscellaneous Renovations at Nutley High School (DOE Project # 3750-050-11-1000) to the New Jersey Department of Education for review and Department approval as an Other Capital Project with no state funding, and Amendment of the 2005-10 Long Range Facilities Plan to be consistent with this Project. Further The Board authorizes Spiezle Architectural Group Inc. to make these submissions to the Department of Education on behalf of the district.

13. APPROVAL OF SUBMISSION TO DOE FOR SECURITY AND MISCELLANEOUS RENOVATIONS

BE IT RESOLVED by the Nutley Board of Education to approve the submission of the Solar, Security, and Miscellaneous Renovations at Walker Middle School (DOE Project # 3750-060-11-1000) to the New Jersey Department of Education for review and Department approval as an Other Capital Project with no state funding, and Amendment of the 2005-10 Long Range Facilities Plan to be consistent with this Project. Further The Board authorizes Spiezle Architectural Group Inc. to make these submissions to the Department of Education on behalf of the district.

14. APPROVAL OF PAYMENT

BE IT RESOLVED that the Board of Education approves the payment to the following individuals opting out of their insurance coverage:

Margaret O'Connell -	\$1,625.00 - July – December, 2010
Rosa Santoriello -	\$1,625.00 - July – December, 2010
Nicole Schrodi -	\$812.50 – October – December, 2010

15. APPROVAL OF PARTIAL PAYMENT TO ESR MECHANICAL

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

Application 9 - High School - \$ 88, 200.00 (Acct #: 30-999-405-450-01-000)

16. APPROVAL OF PARTIAL PAYMENT TO VESPA ELECTRICAL COMPANY

BE IT RESOLVED that the Board of Education approves partial payment to Vespa Electrical Company for HVAC upgrades at Nutley High School as per the recommendation of the Board's Architect and Construction Manager as follows:

Application 5 - \$38,836 (Acct #: 30-999-405-450-01-000)

17. APPROVAL OF FINAL PAYMENT TO LEVY CONSTRUCTION CO. INC.

BE IT RESOLVED that the Board of Education approves final payment of \$20,802.00 to Levy Construction Co. Inc. for the Window and Door Replacement at Washington Elementary School as per the recommendation of the Board's Architect and Construction Manager as follows:

Application 6	\$ 18,342.00 (Acct #: 30-999-405-450-06-000)
Change Order 1	<u>2,460.00 (Acct #: 30-999-405-450-06-330)</u>
	\$ 20,802.00

18. APPROVAL OF FINAL PAYMENT TO WOJCHIK ELECTRIC

BE IT RESOLVED that the Board of Education approves final 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 15 \$ 23,168.19 (Acct #: 30-999-405-450-05-000)

19. APPROVAL OF FINAL PAYMENT TO HILT CONSTRUCTION CO.

BE IT RESOLVED that the Board of Education approves final payment to Hilt Construction Co. as per the recommendation of the Board's Engineer and Construction Manager for the following:

Exterior Façade Repairs at Yantacaw School:

Application 6 \$ 60,072.57 (Acct #: 30-999-405-450-07-000)

Exterior Façade Repairs at Washington School:

Application 10 \$ 28,750.00 (Acct #: 30-999-405-450-06-000)

20. APPROVAL OF CHANGE ORDER – HVAC Upgrades

BE IT RESOLVED that the Board of Education approves the following Change Orders to ESR Mechanical Contractors, Inc., on file in the Business Office, for HVAC Upgrades as per the recommendation of the Board's Engineer and Construction Manager as follows:

Radcliffe School:

Change Order HVAC-1 - \$16,830.00 (Acct #: 30-999-404-450-07-330)
Provide material and labor to install security lighting.

Yantacaw School:

Change Order HVAC-1 - \$16,312.95 (Acct #: 30-999-407-450-07-330)
Provide material and labor to upgrade existing feeders to 100 amp.

Change Order HVAC-2 - \$17,325.00 (Acct #: 30-999-407-450-07-330)
Provide material and labor to install security lighting.

21. ESTABLISH DATE FOR THE PUBLIC HEARING OF THE - 2011-2012 ANNUAL BUDGET

BE IT RESOLVED that the Nutley Board of Education does hereby establish the date of March 28, 2011 to hold the Public Hearing of the 2011-2012 Budget at 6:30 PM in the JHWMS Auditorium.

22. APPROVAL OF 2011-2012 TENTATIVE BUDGET

BE IT RESOLVED that the Board of Education hereby approves a tentative budget for the 2011-2012 school year in the amount of:

General Fund	\$ 54,991,512
Special Revenue Fund	1,546,305
Debt Service Fund	<u>3,740,236</u>
Total Budget	\$ 60,278,053

Of which the following amount shall be raised by local tax levy:

General Fund Tax Levy	\$ 48,142,637
Debt Service Tax Levy	<u>2,913,506</u>
Total Tax Levy	\$ 51,056,143

and,

BE IT FURTHER RESOLVED that the Secretary be authorized to submit this budget to the County Superintendent for approval, and

BE IT FURTHER RESOLVED that the Secretary be authorized to publish the 2011-2012 budget in the newspaper.

HEARING OF CITIZENS

Resident Terry Quirk, representative for the Nutley Parent Advocacy Network (NPAN), asked if there was any intent to hire a permanent Director of Special Services and if the Board was on track for hiring a Superintendent. She also questioned the School Base Therapy Services contract.

Resident Alan Thomas stated that he was disappointed that the public will not have a chance to meet and greet the new Superintendent. He also feels that the ARRA report is an embarrassment to the district. He said he disagreed with Board Attorney Pomaco's position on the OPMA.

Resident Vicky Flynn asked if an update will be given before the conferences on Tri-Tech.

Resident Alan Thomas asked about the second amended complaint the Board was served in connection with Tri-Tech.

OLD BUSINESS

Trustee Sposato suggested moving the Budget Hearing to the High School Auditorium on March 28, 2011 at 6:30 PM.

NEW BUSINESS

None

ADJOURNMENT

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

Respectfully submitted,

Karen A. Yeamans
Board Secretary