

**NUTLEY BOARD OF EDUCATION
OPEN PUBLIC MEETING
AUGUST 29, 2011**

The Nutley Board of Education held a Public Meeting on Monday, August 29, 2011, in the JHWMS Choir Room located at 325 Franklin Avenue, Nutley, NJ.

Vice President Sposato opened the meeting at 6:32 PM.

FLAG SALUTE

Vice President Sposato led the assembly in the flag salute and a moment of silence.

MEETING NOTICE

Vice President Sposato 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 May 9, 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 advertised in The Nutley Sun on May 19, 2011 and posted on the district website.

This is an official meeting.

ROLL CALL

Present: Mrs. Danchak-Martin
Mr. Charles W. Kucinski
Dr. Robert Reid
Mr. Steven Rogers
Mrs. Deborah J. Russo
Mr. Thomas J. Sposato
Mr. Fredrick Scalera

Absent: Ms. Victoria Flynn
Mr. James A. Kuchta

Also Present: Mr. Russell Lazovick, Superintendent of Schools
Mrs. Karen A. Yeamans, Business Administrator/Board Secretary

APPROVAL OF MINUTES

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

Open Public Meeting – July 25, 2011
Closed Executive Session – July 25, 2011
Board Retreat – July 19, 2011
Closed Executive Session – July 19, 2011

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

CORRESPONDENCE

A variance notice to erect a 5' picket type fence regarding property at 59. S. Spring Garden Avenue being 200 feet within school property.

SUPERINTENDENT'S REPORT

Mr. Lazovick gave an overview of his expectations and plans to ensure excellence in education and that the administrators, staff and new teachers are ready for the opening of schools. He gave a report on the facilities and the issues surrounding a tight budget.

BOARD SECRETARY'S REPORT

Mrs. Yeamans stated that the buildings are on schedule and the town will have a walk through on August 31, 2011.

COMMITTEE REPORTS

Academic – Trustee Reid stated that Gina Marie Villani, Director of Curriculum and Instruction, will be the liaison to the committee. They plan on developing a strategic plan for academic goals and address several academic concerns expressed last school year.

HEARING OF CITIZENS (Resolutions Only)

Resident Robert Rusignuolo wanted reassurance from the Board that all procedures will be followed properly regarding Superintendent's Resolution 29.

Resident Terry Quirk, representative for the Nutley Parent Advocacy Network (NPAN), questioned Business Administrator's Resolution 8 as to the number of students from Bloomfield vs. Nutley.

SUPERINTENDENT'S RESOLUTIONS

Trustee Kucinski moved, Trustee Russo seconded, a motion that the Board approves Superintendent's Resolutions numbers 1 through 29 as follows:

Trustee Scalera stated that although he was voting "yes" on Resolution 29 he felt that there was a lack of communication with the parents on the pay to participate issue.

The Superintendent's Resolutions 1 through 29 were unanimously approved by roll call vote.

1. RETIREMENTS

BE IT RESOLVED that the Board of Education approves the acceptance of the retirement of the following personnel, effective January 1, 2012:

Elaine C. Mauro Elementary School Speech Therapist
James A. Mauro High School Guidance Counselor

2. AMEND RESOLUTION – REAPPOINTMENTS – District-Wide Personnel

BE IT RESOLVED that the Board of Education approves the amending of the resolution Reappointments – District-Wide Personnel approved at the June 28, 2011 Board Meeting to reflect a change in salary for Natale Ferrara to \$69,340.

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. Kimberly DiVincenzo-Root, effective September 6, 2011 through November 30, 2011.

BE IT FURTHER RESOLVED that the Board of Education approves an unpaid childrearing leave of absence for Mrs. DiVincenzo-Root, effective December 1, 2011 with a return date of January 3, 2012.

4. 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 Ms. Abigail Bergen, effective September 6, 2011 through November 25, 2011.

BE IT FURTHER RESOLVED that the Board of Education approves an unpaid childrearing leave of absence for Ms. Bergen, effective November 28, 2011 with a return date of December 19, 2011.

5. 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. Erin Battaglia, effective September 6, 2011 with a return date of November 1, 2011.

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 2011-12 school year.

7. APPOINTMENTS – Secretarial/Clerical/Aide Substitutes

BE IT RESOLVED that the Board of Education approves the appointments of the Secretarial/Clerical/Aide Substitutes listed on the attached Schedule C for the 2011-12 school year.

8. APPOINTMENT – Bus Aide Substitute

BE IT RESOLVED that the Board of Education approves the appointment of Cindy Hughes as a Bus Aide Substitute for the 2011-12 school year.

9. REAPPOINTMENTS – Part-time Non-Instructional Aides

BE IT RESOLVED that the Board of Education approves the reappointments of the part-time non-instructional aides, listed on the attached Schedule D for the 2011-12 school year at the hourly rate established by the Board of Education.

10. APPOINTMENTS – Professional Staff

BE IT RESOLVED that the Board of Education approves the appointments of the following personnel for the 2011-12 school year effective September 1, 2011, in accordance with the 2011-12 Teachers' Salary Guide:

Name	Degree	Step	Salary	
Nancy Kresge	BA+30	4	\$58,869	(R) Autistic
Marie Louise Lawson	MA	1	52,121	(R) Library
Dawn Rabbia	MA	1 p/t .5	26,061	(SG) Pre-School (a.m.)
Jaime Schragger	MA	1 p/t .5	26,061	(SG) Pre-School (p.m.)
Lora Shertel	BA	1	48,509	(Y) 5 th Grade
Daniella Suric	BA	1	48,509	(R) Autistic
Barry Sussman	MA	5	60,894	(JHW) Tech. Teacher
Stefanie West	BA	1 p/t .5	24,255	(Y) B.S.

11. APPOINTMENTS – Paraprofessionals

BE IT RESOLVED that the Board of Education approves the appointments of the following personnel for the 2011-12 school year effective September 1, 2011, in accordance with the 2011-12 Secretarial Salary Guide:

Name	Step	Salary	
Patricia Bartell	1	\$20,285	(R) Autistic Aide
Katerina Kearney	1	20,285	(Y) 1-1 Personal Aide
Toni O'Halloran	1	20,285	(R) 1-1 Personal Aide
Tiffany Servidio	1	20,285	(R) 1-1 Personal Aide
Maryanne Tarrant	1	20,285	(SG) 1-1 Personal Aide

12. APPOINTMENTS – Permanent Unassigned Substitutes

BE IT RESOLVED that the Board of Education approves the appointments of the following permanent unassigned substitutes for the 2011-12 school year at the rate of \$81 per day:

Meghan Carlin	-High School
Frank DiPiano	-High School
Michael Falco	-High School
Denise Mazza	-High School
Allyson Ciancimino	-JHW Middle School
Neal DiNapoli	-JHW Middle School
Amber Casey	-Lincoln School
Laura Pontrella	-Radcliffe School
HollyAnne Kuba	-Spring Garden School
Ozlem Gegre	-Washington School
Catriona Caithness	-Yantacaw School

BE IT FURTHER RESOLVED that these candidates met the district's requirements for the permanent unassigned substitute position which is the possession of a State Substitute Certificate.

13. APPOINTMENTS – Band Program

BE IT RESOLVED that the Board of Education approves the appointments listed below for the 2011-12 school year in accordance with the 2011-12 Extra Curricular Activities Salary Guide.

Percussion Instructor(s)	Jeffrey Rubin	\$1,406
	Vincent Vicchiariello	1,406

14. APPOINTMENT – Band Program

BE IT RESOLVED that the Board of Education approves the appointment of Mr. Michael Coppola as Visual Design Instructor for the 2011-12 school year at a salary of \$2,500.

15. APPOINTMENT – Volunteer Coach

BE IT RESOLVED that the Board of Education approves the appointment of the personnel listed below for the 2011-12 school year:

NAME	SPORT
Michael Perry	Cheerleading

16. 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 2011-12 school year listed on the attached Schedule E at the salaries indicated.

17. APPROVAL OF STIPENDS

BE IT RESOLVED that the Board of Education approves the following stipends for the 2011-12 school year:

Director - Academy of Fine & Performing Arts

Michael Cundari \$6,615

Station Manager

James Kelly \$6,490

Testing Coordinator

Christopher Rosati \$5,000 (includes 40 hours summer work)

Substitute Caller

Denise Mazza \$2,800

18. APPROVAL OF PAYMENT

BE IT RESOLVED that the Board of Education approves payment for the librarians, listed below, for one day prior to school opening:

Erin Battaglia - Washington School
Johanna Hungler - Yantacaw School
Janine Peters - Lincoln School
Christina Stendardi - JHW Middle School
Louise Walk - Spring Garden School

19. APPROVAL OF PAYMENT

BE IT RESOLVED that the Board of Education approves payment for Nicole Monte and Elliot Bradley, as the Academy of Fine and Performing Arts instructors, a stipend at the rate of \$875 per semester or \$3,500 for 2011-12 school year.

20. APPROVAL OF PAYMENT

BE IT RESOLVED that the Board of Education approves the one-time payment of \$1,846 to Maria Cervasio who switched from the Traditional Plan to the Direct Access Plan with the understanding that the decision is not reversible.

21. APPROVAL OF PAYMENT

BE IT RESOLVED that the Board of Education approves the payment of \$1,250 to Cindy Palley for Occupational Therapy Evaluations on June 30, July 6, and July 30, 2011 for five students at a rate of \$250.00 per student.

22. 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 SUMMER HOURS – Raiders All Star Sports Camps -
Month of July, 2011**

Angela Bania	\$1,500
Michael DiPiano	650
Robert Harbison	1,500 (Baseball)
	1,100 (Basketball)
Christian Helm	1,400
Nikola Markovic	650
Marcellino Marra	2,700
Valerie Martin	650
Luann Zullo	1,675

**PAYMENT FOR SUMMER HOURS – To ensure the district’s compliance and
readiness with the regulations set forth by the NJ Anti-Bullying Bill of Rights**

Joseph Cappello	\$1,305.71
Lisa Cassilli	531.36
Kelli Cerniglia	454.16
Antoinette Frannicola	371.60
Alisa Gennace	471.84
Lesslie Licameli	421.68
Nancy Thunell	188.76

**PAYMENT FOR SUMMER HOURS – Clara Maass Medical Center – during the
month of July, 2011**

Transition Coordinator	
Sharon Romaglia	\$3,698.50
(Supplemented by a \$1,700 grant from School-to-Careers Dental Program)	

PAYMENT FOR ADDITIONAL SUMMER HOURS – Child Study Team

Sarah Fredericks	\$101.74
Susan Furnari	600.96
Ashley Hauer	34.65 (teacher)
Stephen Parigi	591.68
Jenna Pavlisko	781.83
April Vitiello	608.86

**PAYMENT FOR SUMMER HOURS – 504 Classification – During July and
August, 2011**

George Ackerman	\$1,784.80
Lisa Cassilli	1,328.40

23. CHANGE-IN-TRAINING LEVELS

BE IT RESOLVED that the personnel listed on the attached Schedule F 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 September 1, 2011.

24. 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
Eva Casazza	Radcliffe	Spring Garden
Elizabeth D'Angio	½ Yantacaw B.S. ½ Washington B.S.	District/World Languages

25. LONGEVITY PAY

BE IT RESOLVED that the Board of Education approves longevity payments to the personnel listed on the attached Schedule G, effective September 1, 2011.

26. APPROVAL OF TRAVEL LIST

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

27. SPECIAL CLASS PLACEMENT – Educationally Disabled Student

BE IT RESOLVED that the Board of Education authorizes the attendance of a student of out-of-district special education classes for the 2011-12 school year as follows:

School	No. of Students	Classification	Eff. Date	Tuition
Community Nursery Nutley, NJ	1	Preschool	9/9/11 thru 6/25/12	\$660 per mo. (10 months)
New Beginnings Fairfield, NJ	1	Autistic	9/12/11	\$56, 923.20 (\$316.24 per diem for 180 days

*One to one aide at \$150.00 per diem for 180 days - \$27,000.

28. SPECIAL CLASS PLACEMENT – Educationally Disabled Student

BE IT RESOLVED that the Board of Education rescind the out of district placement of (1) ED Student from Westbridge Academy, Bloomfield, NJ approved at the July 25, 2011 Board Meeting.

29. ADOPTION OF BYLAWS, POLICIES & REGULATIONS (Second Reading)

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

- 0155 – Committees
- 2431 – Athletic Competition
- 2431.4 – Concussions
- 5512 – Harassment, Intimidation, and Bullying

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

Trustee Russo moved, Trustee Kucinski seconded, a motion that the Board approves the Board Secretary's Resolutions numbers 1 through 26 as listed below.

Upon a roll call vote Resolutions numbers 1 through 26 were approved with the following exception:

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 August 29, 2011 in the total amount of \$3,216,459.30 (Appendix A).

2. 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 B), that conform to the rules and regulations set by the Board of Education.

3. 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 2010-2011 budget dated June 30, 2011 in the amount of \$1,063,579.34 and the transfers in the 2011-2012 budget dated July 31, 2011 in the amount of \$16,416.37 as appended (Appendix C).

4. APPROVAL ESSEX REGIONAL EDUCATIONAL SERVICES COMMISSION

BE IT RESOLVED that the Board of Educational 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 2011-2012 school year at a fee of \$9,700.00.

**5. APPROVAL ESSEX REGIONAL EDUCATIONAL SERVICES COMMISSION
ADDENDUM AGREEMENT FOR CHAPTERS 192-193 NONPUBLIC SCHOOLS FOR
SCHOOL YEAR 2011-2012**

BE IT RESOLVED that the Board of Education approves the addendum agreement for Chapters 192-193 Nonpublic Schools for school year 2011-2012 with Essex Regional Educational Services Commission.

**6. 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.

7. JOINT TRANSPORTATION AGREEMENT

BE IT RESOLVED, that the Nutley Board of Education approves the following Joint Transportation Agreement with the Belleville Board of Education to provide transportation for Special Education students from Belleville to the following schools, effective September 1, 2011 through June 30, 2012.

Subject to approval of the County Superintendent of Schools.

RT#	# OF STUDENTS	SCHOOL	COST PER DIEM
02	02	John H. Walker Middle School 325 Franklin Avenue, Nutley	\$ 50.00
12	01	ECLC of New Jersey 21 Lum Lane, Chatham	\$ 84.00

An additional charge of \$10 per diem will be added for each additional student on an established route.

8. JOINT TRANSPORTATION AGREEMENT

BE IT RESOLVED, that the Nutley Board of Education approves the following Joint Transportation Agreement with the Bloomfield Board of Education to provide transportation for Special Education students from Bloomfield to the following schools, effective September 1, 2011 through June 30, 2012.

Subject to approval of the County Superintendent of Schools.

RT#	# OF STUDENTS	SCHOOL	COST PER DIEM
09	16	Essex County Vocational West Caldwell (am & pm routes)	\$179.00

An additional charge of \$10 per diem will be added for each additional student on an established route.

9. APPROVAL OF CHANGE ORDERS – HVAC UPGRADES FOR RADCLIFFE & YANTACAW SCHOOLS

BE IT RESOLVED that the Board of Education approves the following Change Orders, for ESR Mechanical Contractors, Inc., as follows:

Change Order HVAC-3- Radcliffe School - Total \$1,415.67
Provide washable filters for all equipment. (Acct.#30-999-405-450-04-330)

Change Order HVAC-5- Yantacaw School - Total \$1,852.89
Provide washable filters for all equipment. (Acct.#30-999-405-450-07-330)

10. APPROVAL OF PARTIAL PAYMENT TO ESR MECHANICAL – Yantacaw School

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 13 – 2nd Half of Change Order 2 - \$8,229.37 (Acct.#30-999-405-450-07-330)

11. APPROVAL OF PARTIAL PAYMENT TO ESR MECHANICAL – High School

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 15 - \$386,757.00 (Acct #: 30-999-405-450-01-000)

12. APPROVAL OF FINAL PAYMENT TO SAVIC CONSTRUCTION CORP – High School

BE IT RESOLVED that the Board of Education approves final payment to Savic Construction Corp in the amount of \$28,700.00 for asbestos abatement as per the recommendation of the Board's Architect. (Acct #: 30-999-405-450-01-000)

13. AUTHORIZATION OF REIMBURSEMENT FOR FINGERPRINTING

BE IT RESOLVED that the Board of Education authorizes reimbursement of individual members of the Board for the cost of the criminal history background investigations required by NJ Assembly Bill 444 enacted on May 26, 2011.

14. DEPOSITORY OF SCHOOL FUNDS – TD Bank

BE IT RESOLVED that the TD Bank be designated as the official depository for the following accounts of the Nutley Board of Education for the 2011-2012 school year, and

BE IT FURTHER RESOLVED that the following officers of the various accounts be authorized to sign checks drawn on the accounts effective August 23 , 2011:

Nutley High School Athletic Account – Acct. #3450340379

Two of the following signatures required:

Joseph Piro
Edward Barry
Gina Russell

School Accounts:

Spring Garden School Acct. #: 021200957	Laurie LaGuardia and Sophie Caprio
Nutley High School Account Acct. #: 110001880	Edward Barry and Jacqueline Camelia

BE IT FURTHER RESOLVED that TD Bank be authorized to accept facsimile signatures of the check signing machine.

15. 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 be established in the amounts listed:

High School	(Edward Barry, Custodian)	\$500
Spring Garden School	(Laurie LaGuardia, 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.

16. APPOINTMENTS – SCHOOL POOL FOR EXCESS LIABILITY LIMITS JOINT INSURANCE FUND (SPELL JIF)

BE IT RESOLVED that the Board of Education appoints Jesenia Gomez as alternate for the School Pool or Excess Liability Limits Joint Insurance Fund (SPELL JIF).

17. APPOINTMENTS – SUBURBAN ESSEX JOINT INSURANCE FUND

BE IT RESOLVED that the Board of Education appoints Jesenia Gomez as alternate for the Suburban Essex Joint Insurance Fund (SEJIF).

18. 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.

19. NORTHWEST ESSEX COMMUNITY HEALTH CARE NETWORK, INC. -SCHOOL FOOD SERVICE AGREEMENT - 2011-12 School Year

BE IT RESOLVED that the Board of Education approves the Food Service Agreement with the Northwest Essex Community Health Care Network, Inc., Belleville, NJ for the 2011-12 school year.

20. WESTBRIDGE ACADEMY FOOD SERVICE AGREEMENT - 2011-2012 School Year

BE IT RESOLVED that the Board of Education approves the Food Service Agreement with the Child Development Center, Bloomfield, NJ for the 2011-2012 school year.

21. CAFETERIA PRICES - 2011-12 School Year

BE IT RESOLVED that the Board of Education approves the cafeteria prices for the 2011-12 school year as per Appendix D.

22. TOILET ROOM FACILITIES FOR EARLY INTERVENTION – Pre-Kindergarten and Kindergarten Classrooms

BE IT RESOLVED that our school district elects to use the alternate method of compliance in accordance with N.J.A.C. 6A:26-6.3(h)4ii, by providing toilet rooms adjacent to or outside the classroom in lieu of individual toilet rooms in each classroom. Assigned teacher aides will assist the teachers regarding toileting of students.

23. ACCEPTANCE OF DONATION

BE IT RESOLVED that the Board of Education accepts the donation of \$250 from Staples to the JHWMS through Staples employee and Nutley parent Lois Pannella.

24. ACCEPTANCE OF DONATION

BE IT RESOLVED that the Board of Education accepts the following equipment donation to the JHWMS from the Liquid Church:

- DaLite Professional Electric Screen (including installation)
- Digital Light Control Surface (Upgrade the stage lights from analogue to digital)
- Stage Power (Six new circuits installed for sound)

25. BIDS FOR LEASE PURCHASING FINANCING – SCHOOL BUS

WHEREAS, bids for the Lease Purchasing Financing – School Bus were advertised on August 10, 2011 and

WHEREAS, sealed bids were publicly opened and read aloud on August 24, 2011 at 2:00 PM in the office of the Secretary/Business Administrator, and

WHEREAS, the following bids were received in the following amounts:

Respondent	Index Federal Reserve H-15 Like term Multiplier	Purchase Option Penalty (% of outstanding principal balance)	Rate Bid	Additional Fee	Recommend
Global Strategic LLC, CA	1.23%/2.1382	None	2.63%	None	Recommend for Award
Municipal Leasing Consultants, VT	1.22%. Alt. 65% of 5 yr. swap rate	1%	2.87%	\$250.00 Document Fee	

and

WHEREAS, the base bid of TD Equipment Finance Inc. meets all specifications, and is therefore the lowest responsible bidder, and

WHEREAS the Middlesex Regional Educational Services commission recommended that the Board accept the bid of Global Strategic, LLC.

NOW, THEREFORE, BE IT RESOLVED that the Nutley Board of Education accepts the recommendation of the Middlesex Regional Educational Services commission and approves the award of the Lease Purchase Financing – School Bus to Global Strategic, LLC.

26. APPROVAL OF DECLARATION OF OFFICIAL INTENT

BE IT RESOLVED that the Board of Education approves the Declaration of Official Intent as follows:

Lessee: **Nutley Board of Education**

Principal Amount Expected To Be Financed: **\$98,021.50**

WHEREAS, the above Lessee is a [political subdivision]¹ of the state of New Jersey (the "State") and is duly organized and existing pursuant to the Constitution and laws of the State.

WHEREAS, pursuant to applicable law, the governing body of the Lessee ("Governing Body") is authorized to acquire, dispose of and encumber real and personal property, including, without limitation, rights and interests in property, leases and easements necessary to the functions or operations of the Lessee.

WHEREAS, the Governing Body hereby finds and determines the execution of one or more lease-purchase agreements ("Equipment Leases") in the principal amount not exceeding the amount stated above ("Principal Amount") for the purpose of acquiring the property generally described below ("Property") and to be described more specifically in the Equipment Leases is appropriate and necessary to the functions and operations of the Lessee.

Brief Description of Property: **(1) 2012 - 29 passenger school bus**
(1) 2012 - 20 passenger with wheelchair lift school bus

WHEREAS First Niagara Leasing, Inc. ("Lessor") is expected to act as the Lessor under the Equipment Leases.

WHEREAS, the Lessee may pay certain capital expenditures in connection with the property prior to its receipt of proceeds of the Equipment Leases ("Lease Purchase Proceeds") for such expenditures and such expenditures are not expected to exceed the Principal Amount.

WHEREAS, the U.S. Treasury Department regulations do not allow the proceeds of a tax-exempt borrowing to be spent on working capital and the Lessee shall hereby declare its official intent to be reimbursed for any capital expenditures for Property from the Lease Purchase Proceeds.

NOW, THEREFORE, Be It Resolved by the Governing Body of the Lessee:

Section 1. The Lessee hereby determines that it has critically evaluated the financing alternatives and that entering into the Equipment Leases and financing the acquisition of the Property thereby is in the best interests of the Lessee. Such evaluation shall be available as a public record.

Section 2. The Lessee is hereby authorized to acquire and install the Property (the "Project") and is hereby authorized to finance the Project by entering into the Equipment Leases. Any action taken by the Lessee in connection therewith is hereby ratified and confirmed.

Section 3. Either one of the Business Administrator or Superintendent (each an "Authorized Representative") acting on behalf of the Lessee is hereby authorized

to negotiate, enter into, execute, and deliver one or more Equipment Leases in substantially the form set forth in the document presently before the Governing Body, which document is available for public inspection at the office of the Lessee. Each Authorized Representative acting on behalf of the Lessee is hereby authorized to negotiate, enter into, execute, and deliver such other documents relating to the Equipment Lease (including, but not limited to, escrow agreements) as the Authorized Representative deems necessary and appropriate. All other related contracts and agreements necessary and incidental to the Equipment Leases are hereby authorized.

Section 4. By a written instrument signed by any Authorized Representative, said Authorized Representative may designate specifically identified officers or employees of the Lessee to execute and deliver agreements and documents relating to the Equipment Leases on behalf of the Lessee.

Section 5. The aggregate original principal amount of the Equipment Leases shall not exceed the Principal Amount and shall bear interest as set forth in the Equipment Leases and the Equipment Leases shall contain such options to purchase by the Lessee as set forth therein.

Section 6. The Lessee's obligations under the Equipment Leases shall be subject to annual appropriation or renewal by the Governing Body as set forth in each Equipment Lease and the Lessee's obligations under the Equipment Leases shall not constitute general obligations of the lessee laws of the State.

Section 7. It is hereby determined that the purpose of the Project is an object or purpose permitted under the laws governing the Lessee.

Section 8. The Governing Body of Lessee anticipates that the Lessee may pay certain capital expenditures in connection with the Property prior to the receipt of the Lease Purchase Proceeds for the Property. The Governing Body of Lessee hereby declares the Lessee's official intent to use the Lease Purchase Proceeds to reimburse itself for Property expenditures. This section of the Resolution is adopted by the Governing Body of Lessee for the purpose of establishing compliance with the requirements of Section 1.150-2 of Treasury Regulations. This section of the Resolution does not bind the Lessee to make any expenditure, incur any indebtedness, or proceed with the purchase of the Property.

Section 9. As to each Equipment Lease, the Lessee reasonably anticipates to issue not more than \$10,000,000 of tax-exempt obligations (other than "private activity bonds" which are not "qualified 501(c)(3) bonds") during the calendar year in which each such Equipment Lease is issued and hereby designates each Equipment Lease as a qualified tax-exempt obligation for purposes of Section 265(b) of the Internal Revenue Code of 1986, as amended (the "Code").

Section 10. The Authorized Representative is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the Equipment Leases authorized by this resolution as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Code.

Section 11. This Resolution shall take effect immediately upon its adoption and approval.

HEARING OF CITIZENS

Resident Melanie Mitrano Duffy spoke about the NA/AA meetings and the neighborhood issues.

Reverend Jill Fenske, the Franklin Reformed pastor, spoke about the six meetings a week that the church hosts and their desire to join together in finding a solution to whatever problems might occur.

Resident Robert Rusignuolo concurred with Ms. Duffy and is concerned with the parking issues that might occur in the neighborhood.

Resident Terry Quirk, representative for the Nutley Parent Advocacy Network (NPAN), addressed the Board with a parent and stated that NPAN filed due process on behalf of the Votech students. She spoke in support of the program.

OLD BUSINESS

None

NEW BUSINESS

None

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:15 PM on a motion by Trustee Kucinski seconded by Trustee Scalera and unanimously approved by voice vote.

Respectfully submitted,

Karen A. Yeamans
Board Secretary