

**NUTLEY BOARD OF EDUCATION
OPEN PUBLIC MEETING
MARCH 14, 2016**

The Nutley Board of Education held a Public Meeting on Monday, March 14, 2016 in the JHWMS Choir Room located at 325 Franklin Avenue, Nutley, NJ.

President Kucinski opened the meeting at 6:00 PM.

FLAG SALUTE

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

MEETING NOTICE

President Kucinski 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 January 5, 2016. 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 and Star Ledger on January 14, 2016 and posted on the district website.

This is an official meeting.

ROLL CALL

Present: Mr. Salvatore Balsamo
Mr. Daniel A. Carnicella
Mr. Salvatore Ferraro
Mr. Ryan Kline
Mr. Fredrick Scalera
Ms. Brenda Sherman
Mr. Charles W. Kucinski

Absent: Mrs. Lisa Danchak-Martin
Ms. Deborah J. Russo

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

:

MOTION TO ADJOURN TO EXECUTIVE SESSION

At 6:02 PM President Kucinski moved, Trustee Scalera 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 legal and 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 7:12 PM Trustee Scalera moved, Trustee Carnicella seconded, and the Board approved by voice to reconvene the meeting.

ROLL CALL

Present: Mr. Salvatore Balsamo
 Mr. Daniel A. Carnicella
 Mrs. Lisa Danchak-Martin
 Mr. Salvatore Ferraro
 Mr. Ryan Kline
 Ms. Deborah J. Russo
 Mr. Fredrick Scalera
 Ms. Brenda Sherman
 Mr. Charles W. Kucinski

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

SUPERINTENDENT'S REPORT

Mr. Lazovick spoke about the settlement resolution, kindergarten registration, increased test scores and academic and athletic activities throughout the district.

BOARD SECRETARY'S REPORT

Mrs. Yeamans spoke about 2016-2017 Tentative Budget, the litigation settlement and the funds available from the 2006 Referendum.

HEARING OF CITIZENS (Resolutions Only)

None

ACADEMIC - Resolutions 1-2

Trustee Sherman moved and Trustee Danchak-Martin seconded a motion that the Board approves Academic Resolutions 1-2 as follows:

Upon a roll call vote Academic Resolutions 1-2 were unanimously approved.

1. APPROVAL OF FIELD TRIPS

BE IT RESOLVED that the Board of Education approves the field trip list and all expenses as follows:

SCHOOL	TEACHER/PROGRAM	DATE	LOCATION
Radc ffe Schoo	Ms. Cocch o a	4/4/16	Fa rv ew Lake YMCA Camp, St water, NJ
Wa ker M dd e Schoo	Mr. V cch ar e o	4/21/16	Chatham M dd e Schoo , Chatham, NJ
Nut ey H gh Schoo	Ms. Yasso	4/27/16	C ara Maass Hosp ta , Be ev e, NJ
Nut ey H gh Schoo	Mr. Ma e o	5/1/16	Luna Stage, West Orange, NJ
Nut ey H gh Schoo	Ms. Yasso	5/16/16	C ara Maass Hosp ta , Be ev e, NJ
Nut ey H gh Schoo	Mr. Ke y	5/26/16	Hyatt, Morr stown, NJ
Radc ffe Schoo	Ms. Napo	6/13/16	Ocean Inst tute, Sandy Hook, NJ
Wash ngton Schoo	Ms. Cr sson	6/17/16	Wor d of W ngs, Teaneck, NJ

2. APPROVAL OF PROFESSIONAL DEVELOPMENT DAYS/TRAVEL REIMBURSEMENT

BE IT RESOLVED that the Board of Education approves the travel list and all expenses per as follows:

EMPLOYEE/BOARD MEMBER	PROGRAM NAME	DATE	LOCATION	COST
Bresnan, Susan	Dr. Grav ty Go dberg: Sess on #4	2/22/16	Nut ey, NJ	\$0
Tr o o, Meghan	Schoo V s tat on: A enda e	2/24/16	Brooks de Schoo , A enda e, NJ	\$0
Lev ne, Andrew	D str ct Test Coord nator and D str ct Techno gy Coord nator-2016 PARCC Tra n ng	3/8/16	Monroe, NJ	\$0 + trave
Sher dan, Er n	Substance Abuse Issues w th M dd e and H gh Schoo Spec a Needs Students	3/18/16	Shepard Schoo , K nne on, NJ	\$0 + trave
Mehta, Pers s	DTC EOC B o gy Tra n ng	3/22/16	Sadd e Brook, NJ	\$0
DeWad, Joshua Po yn ce, Rebecca	Amer can Young Vo ces Teacher Workshop	4/4/16	Newark, NJ	\$0

Doy e-Mar no, He en V t e o, Apr	Educators Exchange	4/5/16	Montc a r State Un vers ty, Montc a r, NJ	\$0 + trave
D v o, J	Essex County D rector s Roundtab e	4/28/16	Mount St. Dom n c, Ca dwe , NJ	\$0
Lazov ck, Russe V an , G na	34 th Annua NJASA/NJAPSA Spr ng Leadersh p Conference	5/11/16-5/13/16	At ant c C ty, NJ	\$525.00/each + \$1,065.00 hote , park ng, to s, mea s + trave
Bender, Caro DeWad, Joshua Po yn ce, Rebecca Strúb e, Pame a	Curriculum Writing (Music)	6/1/16 (AM)	Nutley, NJ	\$0
Behrens, Pater Crup , Joanne Go dberg, Dawn Lapostato, Theresa R zz , M che e	Curr cu um Wr t ng (Art)	6/1/16 (PM)	Nut ey, NJ	\$0

ADMINISTRATION – Resolutions 1-4

Trustee Scalera moved and Trustee Russo seconded a motion that the Board approves Administration Resolutions 1-4 as follows:

Upon a roll call vote Administration Resolutions 1-4 were unanimously approved.

1. APPROVAL OF HARASSMENT, INTIMIDATION & BULLYING (First Reading)

BE IT RESOLVED that the Board of Education affirms the Superintendent of Schools' recommendation for disciplinary consequences and/or remedial actions as required by the State of New Jersey under the Anti-Bullying Rights for the following reports:

- 2016-03-04 HIB Report to the Board
- 2016-03-11 HIB Report to the Board

2. APPROVAL OF HARASSMENT, INTIMIDATION & BULLYING (Second Reading)

BE IT RESOLVED that the Board of Education affirms the Superintendent of Schools' recommendation for disciplinary consequences and/or remedial actions as required by the State of New Jersey under the Anti-Bullying Rights for the following reports:

- 2016-01-29 HIB Report to the Board
- 2016-02-05 HIB Report to the Board
- 2016-02-12 HIB Report to the Board
- 2016-02-26 HIB Report to the Board

3. APPROVAL OF ADOPTION OF POLICIES (First Reading)

BE IT RESOLVED that the Board of Education adopts the following bylaws, policies and regulations.

2436 Activity Participation Fee Program – Pay to Participate

4. APPROVAL OF ADOPTION OF POLICIES (Second Reading)

BE IT RESOLVED that the Board of Education adopts the following bylaws, policies and regulations.

1240	Evaluation of Superintendent
3223	Evaluation of Administrators, Excluding Principals, Assistant Principals
3223R	Evaluation of Administrators, Excluding Principals, Vice Principals and Assistant Principals
3224	Evaluation of Principals, Vice Principals and Assistant Principals
3224R	Evaluation of Principals, Vice Principals and Assistant Principals
5337	Service Animals

FINANCE - Resolutions 1-8

Trustee Ferraro moved and Trustee Carnicella seconded a motion that the Board approves Finance Resolutions 1-8 as follows:

Trustee Scalera asked the status of the Pay-to-Participate revenue in the budget. He stated that even with Pay-to-Participate in our budget this year several athletes are in need of matching helmets and not the mismatched helmets that our athletes are wearing now. He asked that the board restore the Pay-to-Participate in the upcoming budget.

Trustee Sherman asked if there is a safety issue with the helmets our athletes are wearing.

Mr. Lazovick stated that no athlete is playing a sport that is not safe. He also mentioned that Mr. Piro has a rotating budget to allocate funds for uniforms and equipment.

Trustee Danchak-Martin asked how the cut in Pay-to-Participate would help other departments.

Trustee Ferraro said the athletic budget includes an additional \$10,000 for supplies. He also stated that the revenue cut did not detrimentally impact any one department.

Trustee Carnicella maybe the district should have a better aligned fee.

After the discussion it was agreed upon by President Kucinski and the board to revisit the budget.

Upon a roll call vote Finance Resolutions 1-8 were approved with the following exception.

1) Trustee Scalera abstained on Resolution 6 – Approval of 2016-2017 Tentative Budget.

1. 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, that conform to the rules and regulations set by the Board of Education as follows:

REQUESTS	PURPOSE OF USE	FACILITIES	DATE	TIME	FEES	NO. OF EVENTS
Mar e Ha nes L nco n Schoo PTO	L nco n Schoo Trcky Tray Wrap a Thon	L nco n Schoo Cafeter a	3/12/16 & 3/19/16	8:00 am 5:00 pm	Fac tes: None Custod an: None	2
<u>Chery Sc sc ane</u> NHS Crew Booster C ub	<u>NHS Crew Booster C ub</u> <u>Meet ng</u>	<u>H gh Schoo</u> <u>Cafeter a</u>	<u>3/14/16</u>	<u>6:00 10:00 pm</u>	<u>Fac tes:</u> <u>None</u> <u>Custod an:</u> <u>None</u>	<u>1</u>
Audrey Chaves PT Counc	PT Counc Meet ng	Spr ng Garden Schoo L brary	3/21/16	7:00 9:00 pm	Fac tes: None Custod an: None	1
Tracy McGrath NHS PTO	NHS Pre Graduat on Meet ng	NHS Cafeter a	3/22/16	7:00 9:00 pm	Fac tes: None Custod an: None	1
Me ssa Brady NHS Student Counc	NHS Student Counc ALS Presentat on	NHS Aud tor um	3/22/16	2:45 4:30 pm	Fac tes: None Custod an: None	1
Rob Santor e o NHS Baseba Booster C ub	K ckoff D nner for NHS Baseba Season	NHS Cafeter a	3/31/16	5:00 8:30 pm	Fac tes: None Custod an: None	1
Laura Harb son Nut ey H gh Schoo	NHS Women's Act v sm C ub	NHS Cafeter a	4/6/16	5:30 pm 9:00 pm	Fac tes: None Custod an: None	1
Jean ne V te o Radc ffe Schoo PTO	Radc ffe Schoo 6th Grade Fundra s ng Meet ngs	Radc ffe Schoo Mus c Room	4/19/16 5/17/16 6/7/16	7:00 8:30 pm	Fac tes: None Custod an: None	3
Theresa V nc Nut ey Parks & Recreat on	Park & Recreat on Pre K Summer Program	Radc ffe Schoo C assrooms	6/27/16 7/22/16	9:00 11:30 am	Fac tes: None Custod an: None	19
Total Use of Property Represented By The Above						30

2. TRANSPORTATION SERVICES AGREEMENT

BE IT RESOLVED that the Nutley Board of Education approves the Board Secretary to be authorized to enter into transportation agreements with contractors, other school districts or the Essex County Educational Services Commission for the transportation of Special Education students for the 2016-2017 school year if deemed necessary, and

BE IT FURTHER RESOLVED that any agreements be presented for ratification at the next succeeding meeting of the Board of Education.

3. APPROVAL OF SHARED SERVICES AGREEMENT BETWEEN THE NUTLEY BOARD OF EDUCATION AND THE TOWNSHIP OF NUTLEY FOR PHYSICIAN SERVICES

WHEREAS, N.J.S.A. 40A:61-1, et seq. the Uniform Shared Services and Consolidation Act (“Act”) authorizes and empowers local units to enter into agreements with other local entities regarding shared services and;

WHEREAS, the Township and the Board of Education recognize the value of inter-local cooperation as a way of reducing duplication and overlap of services; and

WHEREAS, the Township and the Board of Education have previously entered into such an Agreement in order to define the respective rights and obligations of the Township and the Board of Education regarding the employ of a physician/school physician to provide health services;

NOW, THEREFORE BE IT RESOLVED, that the Township of Nutley and the Nutley Board of Education wish to extend the existing Shared Services Agreement for Physician/School Physician Services for the period September 1, 2015 through August 31, 2016 for which the Township will be compensated \$7,000.00, to be paid in ten equal installments of \$700.00.

4. ACCEPTANCE OF DONATION

BE IT RESOLVED that the Board of Education accepts the following donation:

\$ AMOUNT	FROM
500.00	Donation of books to Spring Garden School regarding the water damage incident from Ardelio Valdes our Scholastic representative.

5. BUS PURCHASE

BE IT RESOLVED that the Board of Education approves the purchase of one (1) 2017 54-passenger Vision Diesel Engine School Bus through the Middlesex Regional Educational Services Commission Co-Op awarded Bus Bid #10/14/2015 to Hoover Truck Centers at their purchase price of \$84,789.24.

BE IT FURTHER RESOLVED that the Board of Education authorizes the Business Administrator to enter into a tax exempt lease purchase financing agreement with Middlesex Regional Ed Services Commission Co-Op Awarded Bid #10/14/2015 for the purchase of said school busses.

6. APPROVAL OF 2016-2017 TENTATIVE BUDGET

BE IT RESOLVED that the Board of Education approves the tentative budget for the 2016-2017 school year in the amount of:

General Fund	\$ 62,425,570
Special Revenue Fund	1,429,353
Debt Service Fund	<u>3,484,415</u>
Total Budget	\$ 67,339,338

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

General Fund Tax Levy	\$ 53,153,362
Debt Service Tax Levy	<u>2,759,559</u>
Total Tax Levy	\$ 55,912,921

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 2016-2017 budget in the newspaper.

7. 2016-2017 BUDGET SCHOOL DISTRICT TRAVEL MAXIMUM

WHEREAS school district By-Law 0147 Board Member compensation and Expenses, Policy 3440 Teaching Staff Members Job Expenses and Policy 4440 Support Staff Members Job Expenses, and NJAC 6A:23b-1.2(b), provide that the Board of Education shall establish in the annual school budget a maximum expenditure amount that may be allotted for such travel and expense reimbursement for the 2016-17 school year, and

NOW BE IT RESOLVED that the Board of Education hereby establishes the school district travel maximum for the 2016-2017 school year in the sum of \$65,950 as contained in the appropriate budgetary accounts, and

ALSO BE IT FURTHER RESOLVED that the Board Secretary/Business Administrator shall track and record these costs to insure that the maximum amount is not exceeded.

8. SETTLEMENT PROPOSAL

WHEREAS, the Nutley Board of Education has been a party to the action captioned: Michael Bloom v. Nutley Board of Education v. DCM Architecture, Inc. and DCM Architecture & Engineering, LLC. (collectively “DCM”) v. Michael Bloom, Docket No. ESX-L-1368-13 (the “Bloom Litigation”); and

WHEREAS, settlement conferences were held by the Hon. Dennis M. Carey, P. J. Civ., on December 17, 2015 among counsel for the parties, and on March 9, 2016 among counsel and representatives for the parties, resulting in a settlement proposal at the Court’s suggestion; and

WHEREAS, the settlement proposal consisted of the payment by DCM will pay the Board \$100,000 in satisfaction of the Board’s claims against DCM and the Board will pay \$200,000 to Michael Bloom in satisfaction of Michael Bloom’s claims, and all remaining claims in the Bloom Litigation are dismissed with prejudice and without costs, and the parties to the Bloom Litigation shall exchange mutual general releases; and

WHEREAS, the settlement proposal set forth above was placed on the record with the Court on March 9, 2016 with the condition that it was subject to the approval of the Board by formal Resolution at the Board’s next regular meeting;

NOW, THEREFORE, BE IT RESOLVED that the Board accepts the payment of \$100,000.00 by DCM and approves the payment of \$200,000.00 to Michael Bloom, provided that the documents necessary in the opinion of legal counsel to the Board are executed, filed and exchanged.

PERSONNEL – Resolution 1

Trustee Kline moved and Trustee Carnicella seconded a motion that the Board approves Personnel Resolution 1 as follows:

Upon a roll call vote Personnel Resolution 1 was unanimously approved.

1. PERSONNEL AGENDA REPORT

BE IT RESOLVED that the Board of Education approves the Personnel Agenda Report dated March 14, 2016.

HEARING OF CITIZENS

None

MOTION TO ADJOURN TO EXECUTIVE SESSION

At 7:38 PM Trustee Scalera moved, Trustee Danchak-Martin 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 property acquisition and student 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 10:06 PM Trustee Scalera moved, Trustee Danchak-Martin seconded, and the Board approved by voice to reconvene the meeting.

ROLL CALL

Present: Mr. Salvatore Balsamo
Mr. Daniel A. Carnicella
Mrs. Lisa Danchak-Martin
Mr. Salvatore Ferraro
Mr. Ryan Kline
Ms. Deborah J. Russo
Mr. Fredrick Scalera
Ms. Brenda Sherman
Mr. Charles W. Kucinski

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

ADJOURNMENT

There being no further business, the meeting was adjourned at 10:08 PM on a motion by Trustee Ferraro, seconded by Trustee Kline, and unanimously approved by voice vote.

Respectfully submitted,

Karen A. Yeamans
Board Secretary