

**NUTLEY BOARD OF EDUCATION
OPEN PUBLIC MEETING
SEPTEMBER 14, 2009**

The Nutley Board of Education held a Public Meeting on Monday, September 14, 2009 at the JHWMS Choir Room located at 325 Franklin Avenue, Nutley, NJ.

President Casale opened the meeting at 5:40 PM.

**CALL TO
ORDER**

MEETING NOTICE

**MEETING
NOTICE**

President Casale stated that in compliance with Chapter 231, Public Law 1975 entitled Open Public Meetings Act, adequate notice of this meeting had been provided as specified in the Act. Proper notice of this Open Public Meeting was provided in the notice of September 10, 2009. Said notice was posted at the entrance of the Board of Education offices, mailed to The Nutley Sun, The Star Ledger, The North Jersey Herald & News and The Nutley Journal and mailed to the Nutley Township Clerk.

This is an official meeting.

FLAG SALUTE

**FLAG
SALUTE**

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

ROLL CALL

**ROLL
CALL**

Present: Mr. James Kuchta
Mr. Steven Rogers
Mr. Walter Sautter
Mrs. Deborah J. Russo
Dr. Philip T. Casale

Absent: Mr. Angelo Frannicola (arrived 6:20 PM)
Mr. Vincent Moscaritola (arrived 5:45 PM)
Mr. Kenneth Reilly
Mr. Thomas J. Sposato (arrived 5:45 PM)

Also Present: Mr. Joseph Zarra, Superintendent of Schools
Mr. Michael DeVita, Business Administrator/Board Secretary
Mr. Frank Pomaco, Board Attorney

Also Absent: Mrs. Mariana Francioso, Assistant Superintendent of Schools

Trustee Moscaritola and Sposato arrived at 5:45 PM.

RECESS MEETING

RECESS

At 5:47 PM upon the suggestion of President Casale, Trustee Kuchta moved, Trustee Rogers seconded, and the Board unanimously approved by voice vote a motion to recess.

RECONVENE MEETING

RECONVENE

At 5:50 PM Trustee Kuchta moved, Trustee Russo seconded, and the Board unanimously approved by voice vote a motion to reconvene the open public meeting.

Mr. Zarra requested that Superintendent Resolution 4 – Amending Resolution – Reappointments Instructional Aides and Resolution 6 – Appointment – Instructional Aide be pulled from the agenda.

Mr. Zarra and Mr. DeVita handed out the addendums.

A Board discussion regarding clubs ensued.

Mr. DeVita addressed the temporary boilers bid.

A Board discussion ensued.

MOTION TO ADJOURN TO EXECUTIVE SESSION

**EXECUTIVE
SESSION**

At 6:20 PM Trustee Sposato 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 the following:

Legal Issues
Negotiations

BE IT FURTHER RESOLVED that the results of the discussions will be made public by inclusion on the agenda of a subsequent meeting of the Board of Education or when the reasons for discussing such matters in closed session no longer exist.

The motion was approved by voice vote.

RECONVENE MEETING

RECONVENE

At 8:06 PM Trustee Kuchta moved, Trustee Sposato seconded, and the Board unanimously approved by voice vote a motion to reconvene the public meeting.

The meeting reconvened in the JHWMS Choir Room located at 325 Franklin Avenue, Nutley, NJ.

ROLL CALL

**ROLL
CALL**

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

Also Present: Mr. Joseph Zarra, Superintendent of Schools
Mr. Michael DeVita, Business Administrator/Board Secretary

Also Absent: Mrs. Mariana Francioso, Assistant Superintendent of Schools

Mr. Zarra announced that he would not be cutting music clubs and gave an overview of what was going on throughout the district.

Mr. Devita introduced Mr. Santiago of Chartwells who gave the Board as well as the public insight as to what is being served during the lunch program throughout the district and Chartwells future plans.

HEARING OF CITIZENS (Resolutions Only)

**HEARING OF
CITIZENS**

None

Trustee Sautter suggested that the public write to their state legislators so a Hearing of Citizens could be put on the state's agenda at their meetings.

SUPERINTENDENT'S RESOLUTIONS

SUPT'S RESOLUTIONS

Superintendent Resolution 4 – Amending Resolution – Reappointments Instructional Aides and Resolution 6 – Appointment – Instructional Aide were pulled from the agenda.

Trustee Moscaritola moved, and Trustee Kuchta seconded, a motion that the Board approves Superintendent's Resolutions numbers 1 through 3, 5, 7 and 8 as listed below.

The Superintendent's Resolutions numbers 1 through 3, 5, 7 and 8 as listed below were unanimously approved by roll call vote.

AMEND APPOINT EXTENDED DAY

1. AMENDING RESOLUTION – Appointments – BOE Extended Day Program

BE IT RESOLVED that the Board of Education approves the amending of the resolution Appointments – BOE Extended Day Program, (Schedule D), approved at the August 24, 2009 Board Meeting, to reflect a change in appointment and salary for Miss Nicole Simone to a part-time Substitute Child Care Instructor at the hourly rate of \$25.00.

RESCIND /APPOINT EXTENDED DAY

2. RESCIND/APPOINT - Personnel

BE IT RESOLVED that the Board of Education approves the rescinding of the Amending Resolution – Instructional Aides approved at the August 24, 2009 Board Meeting, reinstating Miss Alyssa Zuzzio as an Instructional Aide.

BE IT FURTHER RESOLVED that the Board of Education approves the appointment of Miss Zuzzio as a permanent unassigned substitute, effective September 4, 2009 for the 2009/10 school year, at the rate of \$81 per day. This candidate met the district's requirements for the permanent unassigned substitute position which is the possession of a County Substitute certificate.

**AMEND
PERSONNEL**

3. AMENDING RESOLUTION – Personnel

BE IT RESOLVED that the Board of Education approves the amending of the Addendum Resolution Reappointments – Part-time School Aides approved at the August 24, 2009 Board Meeting to reflect the following change:

Reinstate the following Part-time School Aide:

Diane Sangemino

**APPOINT
CROSSING GUARD**

5. APPOINTMENT – School Crossing Guard

BE IT RESOLVED that the Board of Education approves the appointment of Maria Liloia as Crossing Guard at the Radcliffe School driveway at the hourly rate of \$16.01, for the 2009-10 school year.

**APPOINT
EXTENDED DAY**

7. APPOINTMENTS – BOE Extended Day Program

BE IT RESOLVED that the Board of Education approves the appointments of the School Age Extended Day Program employees listed below for the 2009-10 school year at the salaries indicated:

<u>Child Care Instructor (p/t)</u>	<u>Hourly Rate</u>
Kelli Cerniglia	\$27.00
<u>Substitute Child Care Aide (p/t)</u>	
Denise Marando	\$12.75

**APPOINT
VOLUNTEER COACH**

8. APPOINTMENT – Volunteer Coach

BE IT RESOLVED that the Board of Education approves the appointment of Mr. Brendan Whitford for the position of Volunteer Volleyball Coach for the 2009-10 school year.

**AMEND APPOINT
NON-TENURED
TEACHERS**

9. AMENDING RESOLUTION – Appointments – Non-Tenured Teachers

Trustee Reilly moved, and Trustee Sposato seconded, the following resolution. Upon being put to a roll call vote the resolution was approved.

BE IT RESOLVED that the Board of Education approves the amending of the resolution Appointment – Non-Tenured Teachers, approved at the June 16, 2008 Board Meeting to reflect the following change for Ms. Stephanie Scheick from p/t .5 (2008-09 school year) to p/t .2 (2009-10 school year) effective October 1, 2009.

Trustee Moscaritola left the room at 8:26 PM.

**APPOINT
SUB TEACHERS**

10. APPOINTMENT – Substitute Teacher

Trustee Russo moved, and Trustee Kuchta seconded, the following resolution. Upon being put to a roll call vote the resolution was approved.

BE IT RESOLVED that the Board of Education approves the appointment of Miss Danielle Franco as a substitute teacher effective September 15, 2009 for the 2009-10 school year.

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

APPROVE PARTIAL

Trustee Frannicola moved, and Trustee Kuchta seconded, a motion that the Board approves Superintendent's Resolutions numbers 1 through 5 as listed below.

The Superintendent's Resolutions 1 through 5 were unanimously approved.

**PAYMENT HILT
CONSTRUCTION CO.**

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

BE IT RESOLVED that the Board of Education approves partial payment in the amounts of \$515,972.94 to Hilt Construction Co. for the Exterior Façade Repairs at Washington Elementary School and \$320,884.34 for the Exterior Façade Repairs at Yantacaw Elementary School as per the recommendation of the Board's Engineer and Construction Manager.

**APPROVE PARTIAL
PAYMENT LEVY
CONSTRUCTION CO.**

**2. APPROVAL OF PARTIAL PAYMENT TO LEVY
CONSTRUCTION CO. INC.**

BE IT RESOLVED that the Board of Education approves partial payment in the amount of \$181,221.60 to Levy Construction Co. Inc. for the Window and Door Replacement at Lincoln and Radcliffe Elementary Schools as per the recommendation of the Board's Architect and Construction Manager.

**REJECT BID
SECURITY UPGRADES**

**3. REJECT BID – SECURITY UPGRADES FOR LINCOLN,
RADCLIFFE, YANTACAW, WAHSINGTON ELEMENTARY
SCHOOLS & NUTLEY HIGH SCHOOL**

WHEREAS bids for security upgrades for Lincoln, Radcliffe, Yantacaw, Washington Elementary School and Nutley High School were advertised on August 7, 2009.

WHEREAS sealed bids were publicly opened and read aloud on August 20, 2009 at 1:00 PM in the office of the Business Administrator/Board Secretary, and

WHEREAS the following bids were received in the following amounts:

Integrated Systems & Services, Inc. Cliffwood, NJ	\$448,824
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Open Systems Integrators, Inc. Manalapan, NJ	\$484,000
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and

WHEREAS the lowest bid substantially exceeds the cost estimates for the goods or services,

NOW THEREFORE BE IT RESOLVED that the Board of Education rejects the bids received according to 18A:18A-22 which states that a board of education may reject all bids if the lowest bid substantially exceeds the cost estimates for the goods or services.

**ACCEPT
DONATION**

4. ACCEPTANCE OF DONATION

BE IT RESOLVED that the Board of Education approves the acceptance of a donation from the Radcliffe PTO in the amount \$12,000 to be used for the purchase of three Smart Boards and a laser jet printer to be used at the school.

**APPROVE METROPOLITAN
ENGINEERING ASSOCIATES**

**5. APPROVAL OF METROPOLITAN ENGINEERING
ASSOCIATES, INC.**

BE IT RESOLVED that the Board of Education approves having Metropolitan Engineering Associates, Inc. perform forensic studies and provide litigation and claim support, assistance, and expert witness services in conjunction with and at the direction of Board legal counsel at the following hourly rates:

<u>Title</u>	<u>Hourly Rate</u>
Principals	\$ 200
Scheduling Consultant	200
J. Sullivan, P.E.	195
Associates	175-190
Graphics Staff	160
Professional Engineer	150
Mechanical Engineer	150
Registered Architect	150
Cadd Operator	90
Drafter for Mech Designer	80
CAD Drafting	80
Technical Reproduction	80
Graphics Technician	70
Support Staff	40
Digital Photographs	35 (one time fee)
Reimbursable Expenses:	Cost for outside Sub-consultant \$40/mile for travel

**APPROVE NCLB
GRANT APPLICATION**

**6. APPROVAL OF SUBMISSION OF GRANT APPLICATION
No Child Left Behind Act (NCLB) – FY 2010**

Trustee Rogers moved, and Trustee Frannicola seconded, the following resolution. Upon being put to a roll call vote the resolution was approved.

BE IT RESOLVED that the Board of Education approves the submission of the application for a FY 2010 Grant under the No Child Left Behind Act (NCLB) in the following amounts:

Title I Part A	\$ 157,655
Title II Part A	102,383
Title II Part D	1,592
Title III	20,976
Title III Immigrant	24,639
Title IV	<u>7,966</u>
	\$ 315,211

Trustee Moscaritola returned at 8:29 PM.

**APPROVE SUBMISSION
I.D.E.A.**

7. APPROVAL OF SUBMISSION OF APPLICATION I.D.E.A. PART B-Basic and I.D.E.A. B-Preschool – FY 2010

Trustee Sposato moved, and Trustee Kuchta seconded, the following resolution. Upon being put to a roll call vote the resolution was approved.

BE IT RESOLVED that the Board of Education approves the submission of application for I.D.E.A. for FY 2010 as follows:

I.D.E.A. B-Basic	\$ 846,033
I.D.E.A. B-Preschool	\$ 39,323

**REJECT BID
TEMP. BOILERS**

8. REJECT BID – TEMPORARY BOILERS AT WASHINGTON & LINCOLN ELEMENTARY SCHOOLS

Trustee Sautter moved, and Trustee Kuchta seconded, the following resolution. Upon being put to a roll call vote the resolution was approved.

WHEREAS, bids for Temporary Boilers at Washington & Lincoln Elementary Schools were advertised on August 31, 2009.

WHEREAS, sealed bids were publicly opened and read aloud on September 10, 2009 at 1:00 PM in the office of the Business Administrator/Board Secretary, and

WHEREAS, the following bid was received in the following amount:

Silva's Mechanical Services Kearny, NJ	\$469,560.00
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and

WHEREAS, the lowest bid substantially exceeds the cost estimates for the goods or services,

NOW, THEREFORE BE IT RESOLVED that the Board of Education rejects the bids received according to 18A:18A-22 which states that a board of education may reject all bids if the lowest bid substantially exceeds the cost estimates for the goods or services.

**APPROVE
EMERGENCY
CONTRACT**

9. APPROVAL OF EMERGENCY CONTRACT

Trustee Kuchta moved, and Trustee Sposato seconded, the following resolution. Upon being put to a roll call vote the resolution was approved.

WHEREAS, bids were opened for temporary boilers for Washington and Lincoln Elementary Schools on September 10, 2009 and they were substantially higher than anticipated and therefore rejected by the Board of Education.

WHEREAS, pursuant to 18A:18A-7, any contract may be negotiated or awarded for a board of education without public advertising for bids and bidding when an emergency exists affecting the health and safety of occupants of school property and requires the immediate delivery of goods or the performance of services.

WHEREAS, an immediate need exists for the delivery of supplemental heat for Washington and Lincoln Elementary Schools before October 15, 2009.

NOW, THEREFORE BE IT RESOLVED that the Nutley Board of Education approves the Business Administrator to sign an emergency contract to provide supplemental heat for Washington and Lincoln Elementary Schools.

HEARING OF CITIZENS

**HEARING OF
CITIZENS**

Resident Jeff Dieterle asked about the music program and the clubs in the schools.

Resident Marie Dieterle asked when the public would know about the clubs in the schools.

Resident and teacher Gerard Adubato read a prepared letter from the teachers of Spring Garden School in support of their principal Mrs. Clerico.

Resident Robert Rusignuolo read a prepared letter regarding Spring Garden School, his OPRA requests and speaking out.

Resident Barbara Calluori a Spring Garden parent spoke in support of Mrs. Clerico and her hands on approach.

Resident Joseph Fischer a former Spring Garden parent spoke about how Mrs. Clerico goes above and beyond her duties as Principal of Spring Garden School.

Resident Mike Russo spoke about hand sanitizers in the schools.

A resident asked about the heat in Washington and Lincoln Schools.

NEW BUSINESS

Trustee Rogers stated that he was happy to see citizens come out and speak positively about the district, administrators and teachers.

Trustees Reilly and Sautter spoke about the benefits for the perm subs.

A Board discussion ensued.

Trustee Sposato asked about a grant writer.

Trustee Sposato made a motion, Trustee Reilly seconded, to hire a grant writer.

An extensive discussion ensued among the Board regarding a grant writer.

Trustee Sposato withdrew his motion to hire a grant writer.

Trustee Sposato made a motion, Trustee Kuchta seconded, to direct the Business Administrator to go out for an RFP for a grant writer and for the Superintendent to gather information on shared services for grant writing from other Superintendents and the Nutley Township.

Upon being put to a roll call vote the motion was unanimously approved.

ADJOURNMENT

ADJOURN

There being no further business, the meeting was adjourned at 9:37 PM on a motion by Trustee Kuchta, seconded by Trustee Rogers, and unanimously approved by voice vote.

Respectfully submitted,

Michael DeVita
Board Secretary