

**NUTLEY BOARD OF EDUCATION  
OPEN PUBLIC MEETING  
DECEMBER 21, 2009**

The Nutley Board of Education held a Public Meeting on Monday, December 21, 2009 at the Board Conference Room, 315 Franklin Avenue, Nutley, NJ 07110.

President Casale opened the meeting at 6:13 PM.

**CALL TO  
ORDER**

**FLAG SALUTE**

**FLAG  
SALUTE**

President Casale led the assembly in the flag salute.

**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 October 8, 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.

**ROLL CALL**

**ROLL  
CALL**

Present:

Mr. James Kuchta  
Mr. Vincent Moscaritola  
Mrs. Deborah J. Russo  
Mr. Walter Sautter  
Dr. Philip T. Casale

Absent:

Mr. Angelo Frannicola (arrived 7:15 PM)  
Mr. Kenneth Reilly (arrived 6:35 PM)  
Mr. Steven Rogers (arrived 7:05 PM)  
Mr. Thomas J. Sposato

Also Present:

Mr. Joseph Zarra, Superintendent of Schools  
Mrs. Karen Yeamans, Interim Business Administrator/Board Secretary

Absent:

Mrs. Mariana Francioso, Assistant Superintendent of Schools

**EXECUTIVE  
SESSION**

**MOTION TO ADJOURN TO EXECUTIVE SESSION**

At 6:15 PM Trustee Kuchta moved and Trustee Russo 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:

Contractual  
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**

**RECONVENE**

At 8:09 PM Trustee Sautter moved, Trustee Frannicola 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.

**FLAG SALUTE & MOMENT OF SILENCE**

**FLAG  
SALUTE**

President Casale led the assembly in the flag salute & moment of silence.

**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  
Dr. Philip T. Casale

Absent: Mr. Thomas J. Sposato

Also Present: Mr. Joseph Zarra, Superintendent of Schools  
Mrs. Karen Yeamans, Interim Business Administrator/Board Secretary

Also Absent: Mrs. Mariana Francioso, Assistant Superintendent of Schools  
Ms. Stephanie Urso, Student Representative

**APPROVAL OF MINUTES**

**APPROVE  
OF MINUTES**

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

- Open Public Meeting – December 7, 2009
- Closed Executive Session – December 7, 2009
- Open Public Meeting – November 30, 2009
- Closed Executive Session – November 30, 2009
- Open Public Meeting – November 23, 2009
- Closed Executive Session – November 23, 2009
- Open Public Meeting – November 17, 2009
- Closed Executive Session – November 17, 2009

Trustee Kuchta moved, Trustee Frannicola seconded, and the Board minutes were unanimously approved.

**CORRESPONDENCE**

**CORRESPONDENCE**

None

**SUPERINTENDENT'S REPORT**

**SUPT'S REPORT A**

Mr. Zarra presented the Superintendent's Report dated December 21, 2009, Schedule A, which is appended to the minutes of this meeting, and briefly summarized its contents as well as other activities going on in the district.

Mr. Zarra introduced Mrs. Clerico, Spring Garden Principal, who gave an update on the curriculum development and the status of the 2008/2009 testing results.

A Board discussion ensued.

**BOARD SECRETARY'S REPORT**

**BOARD  
SECRETARY'S  
REPORT**

None

**COMMITTEE REPORTS**

**COMMITTEE  
REPORTS**

- Trustee Rogers – Maintenance  
Policy
- Trustee Reilly – Facilities Committee
- Trustee Kuchta – Finance Committee

**HEARING OF CITIZENS (Resolutions Only)**

None

***SUPERINTENDENT'S RESOLUTIONS***

**SUPT'S  
RESOLUTIONS**

Trustee Kuchta moved, and Trustee Moscaritola seconded, a motion that the Board approves Superintendent's Resolutions numbers 1 through 14 as listed below.

The Superintendent's Resolutions 1 through 14 were unanimously approved by roll call vote.

**RETIREMENT  
CUSTODIAN**

1. **RETIREMENT – Custodian**

BE IT RESOLVED that the Board of Education approves the acceptance of the retirement after 36 years of service of Mr. Frank Smith, custodian, effective March 31, 2010.

**LEAVE OF ABSENCE  
TEACHER**

2. **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. Denia Garcia, effective January 21, 2010, through April 2, 2010 with a return date of April 5, 2010.

**APPOINT - LEAD  
GUIDANCE COUNSELOR**

3. **APPOINTMENT – Lead Guidance Counselor**

BE IT RESOLVED that the Board of Education approves the appointment of Mrs. Jill Divilio as Lead Guidance Counselor for the 2009/2010 school year, at a stipend of \$6,000.00 effective December 22, 2009.

**APPOINT  
TEACHER SUB**

4. **APPOINTMENT – Teacher Substitute**

BE IT RESOLVED that the Board of Education approves the appointment of Miss Luz Taveras as long term substitute, for a maternity leave, effective January 1, 2010 through April 2, 2010, at a per diem rate of \$125.00.

**APPOINT  
ATHLETICS**

5. **APPOINTMENT – Athletics**

BE IT RESOLVED that the Board of Education approves the appointment of Mr. Jarrett Vick as Assistant Boys Basketball Coach for the 2009/2010 school year at the salary of \$5,164.00, Step 3 in accordance with the 2009/2010 Athletic Salary Guide.

**APPOINT ATHLETICS  
VOLUNTEER COACH**

**6. APPOINTMENT – Athletics – Volunteer Coach**

BE IT RESOLVED that the Board of Education approves the appointment of Mr. Michael DiPiano for the position of Volunteer Wrestling Coach for the 2009/2010 school year.

**APPOINT  
TEACHER SUB B**

**7. 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 2009/2010 school year.

**APPROVAL OF  
STIPENDS**

**8. APPROVAL OF STIPENDS**

BE IT RESOLVED that the Board of Education approves the following stipends for the 2009/2010 school year:

High School Testing Coordinator

Denis Williams	\$ 4,326	(includes 40 hours summer work)
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Teaching Extra Classes

Toby D'Ambola	\$12,000
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Director - Academy of Fine & Performing Arts

Michael Cundari	\$ 6,615
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Station Manager

James Kelly	\$ 6,490
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Lead Science Teacher

Kent Bania	\$ 5,000
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**APPOINT  
SUBS**

**9. APPOINTMENT – Substitutes**

BE IT RESOLVED that the Board of Education approves the following substitutes for the 2009-10 school year:

Cafeteria

Tammy Passaro

Custodial

Stephen Lotito

**EXTRA  
COMP**

**10. 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 November, 2009**

Katianne Oakley (Gratz)      \$250.00

**PAYMENT FOR TEACHING EXTRA CLASSES –  
High School- (maternity leave)**

Steven DiGregorio              \$945.00 (21 classes)  
Christopher Rosati              990.00 (22 classes)  
Gerald Ryan                      900.00 (20 classes)

**PAYMENT FOR TEACHING EXTRA CLASSES –  
High School – Special Education (extra period)**

Helen Doyle-Marino              \$630.00 (14 classes)

**PAYMENT FOR FILMING BOE MEETINGS –  
September 14, 18, October 5, 19 and November 9,  
17, 23 and 30, 2009**

Seven Gerechoff              \$ 75.00  
Angelo Lambroschino      127.50  
Erika Rigalado              127.50

**PAYMENT FOR SUMMER HOURS – Athletic Trainer**

Jaime Dickerson              \$5,600.10

**CENTRAL DETENTION COVERAGE –  
Month of November, 2009**

**High School**

Cindy Bravaco              \$ 78.00  
Vance Campbell              58.50  
Denise Mazza              58.50  
Lawrence Mitschow        19.50  
Katie O’Keeffe              78.00  
Lisa Vallo                      175.50

JHW Middle School

Joseph Cappello	78.00
Melissa Echevarria	39.00
Tracy Egan	39.00
Deanna Fredricks	19.50
Paula Greco	19.50
Jenny Lombardo	39.00
LuAnn Zullo	39.00

**SATURDAY MORNING SUSPENSIONS –  
Month of November, 2009**

JHW Middle School

Joseph Cappello	\$81.51
LuAnn Zullo	81.51

**LONGEVITY  
PAY**

**11. LONGEVITY PAY**

BE IT RESOLVED that the Board of Education approves the following longevity payments:

Jacqueline Camelia- \$3,800(prorated)Eff.Feb.1,2010 (25 yrs.)  
Addolorato Cicchino-\$2,900(prorated)Eff.Feb.1,2010 (20 yrs.)  
Joane Scoccimarro -\$1,450(prorated)Eff.Feb.1,2010 (10 yrs.)

**TRANSFER  
OF PERSONNEL**

**12. TRANSFER OF PERSONNEL**

BE IT RESOLVED that the Board of Education approves, upon the recommendation of the Superintendent of Schools, the following transfer effective January 4, 2010:

<u>Name</u>	<u>From</u>	<u>To</u>
Sophie Caprio	Superintendent's Office	Spring Garden

**SPECIAL  
CLASS PLACEMENT**

**13. SPECIAL CLASS PLACEMENT – Educationally Disabled Student**

BE IT RESOLVED that the Board of Education authorizes the attendance of a student in out-of-district special education classes for the 2009/2010 school year as follows:

<u>School</u>	<u>Student #</u>	<u>Classification</u>	<u>Eff. Date</u>	<u>Tuition</u>
Lakeview Learning Center Wayne, NJ	992579	ED	11/23/09	\$31,285.08

**SPECIAL  
CLASS PLACEMENT**

**14. SPECIAL CLASS PLACEMENT – Educationally Disabled Student**

BE IT RESOLVED that the Board of Education approves the amending of the following contract:

Revised contract for student #026752 at Phoenix Center reflecting the addition of a 1:1 aide, effective October 29, 2009 at a salary of \$26,000 pro rated.

**TESTIMONIALS**

**15. TESTIMONIAL – Vice Principal      Mrs. Anne L. Starace**

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

WHEREAS, Mrs. Anne L. Starace has tendered her resignation as High School Vice Principal, effective January 1, 2010 and has signified her intention of retiring from active service, and

WHEREAS, Mrs. Starace has served as an elementary teacher, guidance counselor, Director of Guidance and as Vice Principal in the Nutley Public Schools for a period of forty years, and

WHEREAS, through the years Mrs. Starace has exemplified the finest qualities of her profession at all times.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Education expresses to Mrs. Starace its deep appreciation of her long and faithful service and extends to her its best wishes for continued health and happiness, and

BE IT FURTHER RESOLVED, That this resolution be made a part of the minutes of this meeting and a copy presented to Mrs. Starace.

**16. TESTIMONIAL – Teacher      Miss Mari K. Konn**

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

WHEREAS, Miss Mari K. Konn has tendered her resignation as Learning Disabilities Teacher Consultant, effective January 1, 2010 and has signified her intention of retiring from active service,

WHEREAS, Miss Konn has served as an elementary teacher and as a Learning Disabilities Teacher Consultant in the Nutley Public Schools for a period of thirty-five years, and

WHEREAS, through the years Miss Konn has exemplified the finest qualities of the teaching profession at all times.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Education expresses to Miss Konn its deep appreciation of her long and faithful service and extends to her its best wishes for continued health and happiness, and

BE IT FURTHER RESOLVED, That this resolution be made a part of the minutes of this meeting and a copy presented to Miss Konn.

**17. TESTIMONIAL – Teacher**

**Mr. William L. Farkas**

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

WHEREAS, Mr. William L. Farkas has tendered his resignation as Cooperative Industrial Education teacher, effective December 1, 2009 and has signified his intention of retiring from active service, and

WHEREAS, Mr. Farkas has served as a physical education teacher and as a Cooperative Industrial Education teacher in the Nutley Public Schools for a period of forty years, and

WHEREAS, through the years Mr. Farkas has exemplified the finest qualities of the teaching profession at all times.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Education expresses to Mr. Farkas its deep appreciation of his long and faithful service and extends to him its best wishes for continued health and happiness, and

BE IT FURTHER RESOLVED, That this resolution be made a part of the minutes of this meeting and a copy presented to Mr. Farkas.

**BOARD  
SECRETARY'S  
RESOLUTIONS**

**BOARD SECRETARY'S RESOLUTIONS**

Trustee Moscaritola moved, Trustee Reilly seconded, a motion that the Board approves the Board Secretary's Resolutions numbers 1 through 25 as listed below.

Upon a roll call vote Resolutions numbers 1 through 25 were approved with the following exceptions:

1. Trustees Kuchta, abstained on check no. 081892 on the Bill List.
2. Trustee Rogers voted "No" on all cable and communications bills.
3. Trustee Russo abstained on Carmela Pontoriero in Resolution 23 – Approval of Payment.

**1. SECRETARY & TREASURER'S REPORT**

**SECY. & TREAS.    A  
REPORT                B**

BE IT RESOLVED that the Board of Education approves the acknowledgement and acceptance of the reports of the Board Secretary (Appendix A) November 30, 2009 and Treasurer of School Monies (Appendix B) dated November 30, 2009.

**2. CERTIFICATION OF MAJOR ACCOUNT FUND STATUS**

**CERTIFICATION  
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 November 30, 2009, 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**

**BILLS &  
MANDATORY        C**

BE IT RESOLVED that the Board of Education approves the payment of bills and mandatory payments dated December 21, 2009 in the total amount of \$6,538,856.51 (Appendix C).

**4. REQUESTS FOR USE OF SCHOOL BUILDINGS AND  
GROUNDS**

**USE OF BUILDINGS  
AND GROUNDS        D**

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. TRANSFER SCHEDULE**

**TRANSFER  
SCHEDULE E**

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 2009-10 budget dated November 30, 2009 in the amount of \$6,961.02 as appended (Appendix E).

**6. APPROVAL OF TRAVEL LIST**

**APPROVAL  
TRAVEL LIST F**

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

**7. APPROVAL OF FIELD TRIPS**

**APPROVAL  
FIELD TRIPS G**

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

**8. RENEWAL OF RISK MANAGEMENT CONSULTANT AGREEMENT**

**RENEW RISK  
MANAGEMENT  
CONSULTANT**

WHEREAS, the Board of Education of the Township of Nutley is a member of the Suburban Essex Joint Insurance Fund, and

WHEREAS, the Bylaws of said Fund requires that each Member appoints a Risk Management Consultant to perform various professional services as detailed in the Bylaws, and

WHEREAS, the Bylaws indicate a minimum fee equal to six percent (6%) of the Assessment which represents reasonable compensation for the services required and which was included in the cost assessed the Nutley Board of Education

NOW, THEREFORE, be it resolved that the Board of Education of the Township of Nutley does hereby approve the reappointment of the C. Walter Searle Agency of Nutley, NJ as its Risk Management Consultant in accordance with the Fund's Bylaws, for the period January 1, 2010- December 31, 2010.

**APPOINT - CUSTODIAN  
OF RECORDS**

**9. APPOINTMENT – Custodian of Records**

BE IT RESOLVED that in accordance with the New Jersey Open Public Records Act, the Board of Education designates Karen Yeaman as the person to be responsible as the Custodian of Government Records, for the 2009-2010 school year.

**APPOINT – SPELL JIF  
DELEGATES**

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

BE IT RESOLVED that the Board of Education appoints Karen Yeamans as the Delegate for the School Pool or Excess Liability Limits Joint Insurance Fund (SPELL JIF) and Bert Arifaj as alternate.

**APPOINT – SEJIF  
COMMISSIONERS**

**11. APPOINTMENTS – SUBURBAN ESSEX JOINT  
INSURANCE FUND**

BE IT RESOLVED that the Board of Education appoints Karen Yeamans as the Fund Commissioner for the Suburban Essex Joint Insurance Fund (SEJIF) and Bert Arifaj as alternate.

**APPOINT QUALIFIED  
PURCHASING AGENT**

**12. APPOINTMENT – QUALIFIED PURCHASING AGENT**

BE IT RESOLVED that the Board of Education appoints Karen Yeamans as the Qualified Purchasing Agent and approves an increase in the bid threshold to \$29,000 in accordance with NJSA 18A:18A-3.

**APPOINT P.A.C.O.**

**13. APPOINTMENT – DESIGNATION OF PUBLIC AGENCY  
COMPLIANCE OFFICER (P.A.C.O.)**

BE IT RESOLVED that the Board of Education appoints Karen Yeamans as the designated Public Agency Compliance Officer (P.A.C.O).

**DEPOSITORY OF  
SCHOOL FUNDS**

**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 2009-2010 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 December 21, 2009:

Board of Education General Account, Referendum Account and  
Capital Reserve Account

Primary Signatory

Alternate Signatory

Philp Casale, President or Angelo Frannicola, Vice President

Karen Yeamans, Board Secretary or Jean Unglaub, Manager of  
Accounts

and

David Wilson, Treasurer of School Monies

Board of Education Cafeteria Account

Karen Yeamans, Board Secretary and Jean Unglaub, Manager of  
Accounts

Board of Education Salary Account

Karen Yeamans, Board Secretary or Jean Unglaub, Manager of  
Accounts  
and

David Wilson, Treasurer of School Monies

Extended Day Account

Karen Yeamans, Board Secretary and Jean Unglaub, Manager of  
Accounts

Extended Day Care Funds

Maria Cervasio , Extended Day Care Director or Rosemary Griesbach  
and

Karen Yeamans, Board Secretary or Jean Unglaub, Manager of  
Accounts

Board of Education, N.J. Unemployment  
Insurance Trust Fund Account

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Karen Yeamans, Board Secretary

and

Jean Unglaub, Manager of Accounts

Board of Education NJ Family Leave Insurance  
Trust Fund

Karen Yeamans, Board Secretary

and

Jean Unglaub, Manager of Accounts

Board of Education Referendum Account

Authorized to wire funds  
Karen Yeamans

**DEPOSITORY OF  
SCHOOL FUNDS**

**15. DEPOSITORIES OF SCHOOL FUNDS - Unemployment Fund**

BE IT RESOLVED that the Board of Education authorizes Karen Yeamans to invest idle funds of the Unemployment Fund at any of the following institutions: Boiling Springs Savings Bank; TD Bank; Spencer Savings Bank; Capital One; and Washington Mutual (JP Morgan Chase).

**ACCEPT  
DONATION**

**16. ACCEPTANCE OF DONATION**

BE IT RESOLVED that the Board of Education approves the acceptance of a donation from Montclair State University to Spring Garden School in the amount of \$500 for "Bullying Not in my School".

**ACCEPT  
DONATION**

**17. ACCEPTANCE OF DONATION**

BE IT RESOLVED that the Board of Education approves the acceptance of a donation from Nutley Educational Foundation, Inc. to Nutley High School in the amount of \$8,000 for video projectors.

**ADOPTION OF  
POLICIES  
2<sup>ND</sup> READING**

**18. ADOPTION OF POLICIES (Second Reading)**

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

Policy - 1220 Employment of Chief School Administrator

Policy - 2467 Surrogate Parents and Foster Parents

Policy - 3159 Teaching Staff Member/School District Reporting Responsibilities

Policy - 5512.01 Harassment, Intimidation and Bullying

Regulation - R 5512 Reporting Procedure – Hazing and or Harassment, Intimidation or Bullying

Policy - 8421 Crisis Management Policy/Lockdown/Shelter in Place

Policy - 8760 Pupil Accident Insurance

**ADOPTION OF  
POLICIES  
1<sup>ST</sup> READING**

**19. ADOPTION OF POLICIES (First Reading)**

BE IT RESOLVED that the Board of Education adopts the following policies (first reading) on file in the Business Office :

- 2415.03 - Highly Qualified Teachers
- 2423 - Bilingual and ESL Education - Policy
- 2423 - Bilingual and ESL Education - Regulation
- 2560 - Live Animals in School - Policy
- 2560 - Live Animals in School -Regulation
- 3126 - Provisional Teacher Program - Policy
- 3126 - Provisional Teacher Program - Regulation
- 3240 - Professional Development - Policy
- 3240 – Professional Development - Regulation
- 3431.3 New Jersey's Family Leave Insurance Program –  
(Teaching Staff) - Policy (New)
- 4431.3 - New Jersey's Family Leave Insurance Program –  
(Support Staff) - Policy (New)

**APPROVE PARTIAL  
PAYMENT  
GPC, INC.**

**20. APPROVAL OF PARTIAL PAYMENT TO GPC, INC.**

BE IT RESOLVED that the Board of Education approves partial payment, Application 5, in the amount of \$260,292.90 to GPC, Inc. for the Spring Garden School Project as per the recommendation of the Board's Engineer and Construction Manager.

**ACCEPT CHANREE  
CONSRUCTION CO.  
WORK**

**21. ACCEPTANCE OF CHANREE CONSTRUCTION CO. INC.  
WORK**

WHEREAS, the Board of Education passed Resolution No. 7 on December 7, 2009 accepting the recommendation of its Construction Attorney to enter into a settlement agreement with Chanree Construction Co., Inc., and did therein authorize and approve the settlement subject to preparation and review of settlement documents by the Construction Attorney, and execution thereof by the Board Administrator/Board Secretary; and

WHEREAS, the Board's Construction Attorney has further recommended that the Board pass a Resolution formally accepting the work of Chanree Construction Co., Inc. on the Franklin Middle School Project in order to facilitate the consummation of the settlement,

NOW, THEREFORE, BE IT RESOLVED that for the purposes provided in N.J.S.A. 2A:44-142.b, the board hereby accepts the work performed by Chanree Construction Co. Inc. under the Contract for General Construction of the Additions & Alterations to the Franklin Middle School, which contract was dated November 21, 2005.

**APPROVE CHANGE  
ORDER**

**22. APPROVAL OF CHANGE ORDER – ADDITIONS & 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 install copper flashing material in lieu of aluminum flashing for the Additions and Alterations at Spring Garden Elementary School to GPC, Inc.

Change Order No. 2 – \$ 2,861.00

**APPROVE  
PAYMENT**

**23. APPROVAL OF PAYMENT**

BE IT RESOLVED that the Board of Education approves the payments to the following individuals opting out of their insurance coverage for the period of July 1, 2009 to December 31, 2009:

<b>Last Name</b>	<b>First Name</b>	<b>Waiver Amount</b>
Arifaj	Berat	\$ 1,500.00
Battaglia	Erin	\$ 1,500.00
Battaglia	Robert	\$ 1,500.00
Bolcato	Donna	\$ 1,500.00
Budinick	Sherri	\$ 1,500.00
Byrne	Maura	\$ 1,500.00
Capalbo	Lora	\$ 1,500.00
Cappetta	Alan	\$ 1,500.00
DiVincenzo-Root	Kim	\$ 1,500.00
Duxbury	Roberta	\$ 1,500.00
Ferrara	Natale	\$ 1,500.00

Fochesato	Frank	\$	1,500.00
Frost Guzzo	Jane	\$	1,500.00
Graham	Jamie	\$	1,500.00
Guida	Dyan	\$	1,500.00
Hill	Hillary	\$	1,500.00
Ippolito	Doretta	\$	1,500.00
Jones	Patricia	\$	1,500.00
McGarty	Barbara	\$	1,500.00
Pontoriero	Carmela	\$	1,500.00
Rizzi	Michele	\$	1,500.00
Shohen	Lauren	\$	1,500.00
Stoffers	Michael	\$	1,500.00
Strus	Theresa	\$	1,500.00
Vicidomini	Layne	\$	1,500.00
Zarra	Donna	\$	1,500.00
	TOTAL	\$	39,000.00

**RESCIND AGREEMENT  
E-RATE CONSULTING  
SERVICES**

**24. RESCIND AGREEMENT FOR E-RATE CONSULTING  
SERVICES**

BE IT RESOLVED that the Board of Education approves the rescinding of Resolution 12 on September 22, 2008 -Agreement with Thomas Communications & Technologies, LLC, now known as Tetra Tech Architects & Engineers, for E-Rate Consulting Services for Funding Year 2010 in the amount of \$3,500.

**APPROVE AGREEMENT  
E-RATE CONSULTING  
SERVICES**

**25. APPROVE AGREEMENT FOR E-RATE CONSULTING  
SERVICES**

BE IT RESOLVED that the Board of Education approves the Agreement between Nutley School District and E-rate Partners, LLC for Priority 1 E-rate Services as follows:

Funding Year 2010	\$3,000
Funding Year 2011	\$3,000

**HEARING OF CITIZENS**

None

**HEARING OF  
CITIZENS**

**OLD BUSINESS**

None

**OLD BUSINESS**

**NEW BUSINESS**

Trustee Rogers acknowledged the Radcliffe School Staff present at the meeting and commended Mr. Kearney, Radcliffe School Principal for a job well done.

Trustee Rogers stated that he and Ian Viemeister met with Commissioner Tucci regarding the township communications.

Trustee Kuchta spoke about the status of the website design.

Trustee Sautter asked what the amount of the savings was for the district when employees opt out of their health insurance.

**NEW BUSINESS**

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 9:00 pm on a motion by Trustee Kuchta seconded by Trustee Reilly, and unanimously approved by voice vote.

**ADJOURN**

Respectfully submitted,

Karen Yeamans  
Interim Board Secretary