

Photo by Roman Uschak

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rts we sell, the more

they’re affected overseas,” said Red-
stone referring to troops deployed
overseas. He said his military contact
for getting the shirts over to soldiers in
Iraq is a U.S. Army chaplain with the
Special Forces Fifth Group based out
of Fort Campbell, which is located in
Kentucky and Tennessee.

“We started selling the shirts last
Monday, and we’ve raised close to
\$2,000,” said Redstone, who said most
of the sales have been to Nutley fire-
fighters and police officers, including
the chiefs of both departments. Red-
stone said the public is also encour-
aged to purchase the T-shirts.

In his first day of selling T-shirts,
Redstone said he was able to raise
more than \$500.

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Lawsuit against BOE will go to mediation

Mediation set for beginning of August

By Daniel Hooks
Managing Editor

The Nutley Board of Education will head into court-ordered mediation with former Food Service Director Linda Scarpa on Aug. 1, according to attorneys for both sides.

Essex County Superior Court Judge Dennis Carey ordered both parties into mediation in a Feb. 2 ruling, during which he dismissed all but one count, a Conscientious Employee Protection Act claim, in Scarpa’s lawsuit against the district.

In that count, Scarpa claims she was fired because she made public the board’s intention to renew a contract with Pomptonian Food Management Service that would harm the district because of mismanagement by Pomptonian.

Mark Wenczel, of Gaccone, Pomaco and Malanga, is representing the board, and said that even though his client will keep an open mind going into mediation, “They’re not making any offers because we’ve yet to see any evidence that we did anything wrong.”

Scarpa has new counsel in the case, and is being represented by David Zatuschni of Zatuschni and Associates, a firm that specializes in employment law.

Zatuschni said he plans to amend the complaint in the case to include a First Amendment claim on Scarpa’s behalf.

In a recent phone interview, Zatuschni said that Scarpa’s First Amendment rights were violated because she was fired for speaking out.

The First Amendment claim is similar to the CEPA claim filed by Scarpa’s previous attorney, Arthur Carmano, according to Zatuschni.

Zatuschni would not say what damages he will seek during mediation, saying that he will discuss it with Scarpa.

Scarpa said from her home in

Bergen County that she is “open to resolving” the case, but that Nutley has to budge on what it is offering; which is currently nothing.

Scarpa said she is currently working for a brokerage house on Long Island, and has taken a major pay cut from her position with the district.


“I don’t want the town to get hurt,” said Scarpa, “I’m looking for a resolution for this case.”

The court-appointed mediator, John Bailey, will have no authority to order the parties into an agreement. Discovery in the case will continue leading up to the mediation, and neither party is obligated to avoid trial, according to both attorneys in the case.

Scarpa first filed suit against the board last September, three months after her contract with the school district first expired. The board did not renew Scarpa’s contract; a move she alleges was based on retribution for her vocal disapproval of a renewed contract with Pomptonian.

Scarpa alleges School Superintendent Joseph Zarra and Board Administrator Robert Green told her in a meeting that her job was secure prior to her objections. Wenczel calls Scarpa’s claims “without merit.”

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