

NESHAMINY SCHOOL DISTRICT  
Langhorne, Pennsylvania

PUBLIC BOARD MEETING MINUTES  
NESHAMINY BOARD OF SCHOOL DIRECTORS  
November 27, 2012

The Neshaminy Board of School Directors met in public session on November 27, 2012, in the Harry M. Dengler, Jr., Performing Arts Center at Maple Point Middle School. The following persons were in attendance:

**BOARD MEMBERS:**

Mr. Ritchie Webb, President  
Ms. Irene Boyle  
Mr. Scott Congdon  
Mrs. Susan Cummings  
Mr. Mike Morris  
Mr. William Oettinger  
Mr. Mark Shubin  
Mr. Anthony Sposato

**ADMINISTRATORS:**

Mr. Robert L. Copeland  
Dr. Jacqueline Rattigan  
Mrs. Barbara Markowitz  
Dr. Geeta Heble  
Mrs. Theresa Hinterberger  
Mr. Anthony Devlin

**BOARD MEMBER ABSENT:**

Mr. Kim Koutsouradis, Vice President

**OTHERS:** Approximately 50 persons from the public, staff and press

**SECRETARY:** Mrs. Jennifer Burns

**SOLICITOR:** Thomas J. Profy, III, Esquire

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Mr. Webb announced that prior to the meeting an Executive Session was held where personnel and contract issues were discussed.

**Call to Order**

Mr. Webb called the meeting to order at 7:17 p.m.

**Pledge of Allegiance**

Mr. Webb requested those in attendance join in the salute to the flag.

**Announcements**

None

**Superintendent's Report**

Mr. Copland advised the Board on the following:

- Personal and Per Capita Taxes due by December 15, 2012.
- Joseph Ferderbar Elf Fund raises over \$1,100.
- Albert Schweitzer Elementary School raises money to help victims of Hurricane Sandy.
- Pearl Buck students deck the walls at Bucks County's Pearl S. Buck House 34<sup>th</sup> Annual Festival of Trees.
- Everitt families help those in need following Hurricane Sandy.
- Lower South welcomes special guest Col. Williams home from Afghanistan.
- Neshaminy High School's Family & Consumer Science students prepared the annual Thanksgiving Feast in the today's food classes without wasting a morsel.
- Oliver Heckman helps families enjoy a Thanksgiving dinner.
- Hoover Elementary School wins 2<sup>nd</sup> place regionally in the Giant Food Corporation A+ Rewards Program.

**Public Comment**

Donna Boyle, Day Care provider, Parkland, thanked the Board for acknowledging the issue of the term "Red Skins" in relation to Neshaminy's mascot terminology. Ms. Boyle stated the people on both sides of

the issue are emotional and she asked the Board to take the time to study the issue further, so it can be dealt with rationally.

Stephen Pirritano, self-employed, Feasterville, said that the NFT recently presented the Board with 69 items for discussion regarding the proposed contract that the Board has offered, which is evident that they do not have any willingness to accept the (Council Rock) contract proposal. He asked Mr. Webb to give a summary on where the negotiations are at the present time and suggested that the Board pull the offer if the NFT does not accept it soon.

Almando Carrasquillo retired State Trooper, Middletown Township, commented that if the Board goes through with Policy 811, they should not compel children under the age of 18 to sign a contract because they are minors and under Pennsylvania law minors cannot enter into a lawfully binding contract. Mr. Carrasquillo also suggested that the Board change the Long Term Substitute policy. He said if a teacher is retired they should not be employed as a substitute teacher because there are young teachers beginning their careers that are in need of work.

Larry Pastor, business executive, Middletown Township, remarked that Neshaminy School District has lived far too long under a contract with language that was punitive to tax payers and students. Mr. Pastor stated that an administrator cannot be successful unless the language in the contract is changed to eliminate equal say, past practices, side letters, control over longevity, and the long term substitute pool. Mr. Pastor additionally advised the Board to put a limit on the present proposal if the NFT does not accept such an overly generous offer. He asked that the individuals on the Board pledge to reject any CBA that would hinder the Administration and the Board from controlling the outcome of important decisions.

#### **Approval of Minutes**

Mrs. Burns presented the minutes of October 23, 2012 and November 13, 2012. Upon motion of Mr. Oettinger and seconded by Mrs. Cummings the Board unanimously approved the minutes of the October 23, 2012 and November 13, 2012 Board Meeting Minutes. (Mr. Koutsouradis was not present.)

#### **Approval of Treasurer's Report, Check Register, and Exonerations of Personal and Per Capita Tax**

Mrs. Markowitz presented the following for approval:

- October, 2012 Treasurer's Report, subject to audit
- Check Register – October, 2012
- Personal and per capita tax exonerations for October, 2012
- Investment Summary

Mrs. Cummings moved the October, 2012 Treasurer's Report be approved, subject to audit, Check Register for October, 2012, Investment Summary, the Personal and Per Capita Tax Exonerations for October, 2012, be approved. Mr. Shubin seconded the motion.

The Board unanimously approved said reports. (Mr. Koutsouradis was not present.)

#### **Certified and Support Personnel Actions**

Mr. Copeland presented the following for approval:

- Elections – Certified Personnel
- Resignations and Leaves of Absence – Certified Personnel
- Elections – Support Personnel
- Sabbatical Leaves – Support Personnel
- Extra Curricular Staff and Salary Report

Mr. Webb made a motion to separate Item #8 on page 51 of the Extra Curricular Staff and Salary Report.

Mr. Shubin seconded the motion.

The Board unanimously approved to separate Item #8 on Page 51. (Mr. Koutsouradis was not present.)

Mr. Webb made a motion to table Item #8 on Page 51 of the Extra Curricular Staff and Salary Report.

Mr. Congdon seconded the motion

The Board unanimously approved to table Item #8 on Page 51 of the Extra Curricular Staff and Salary Report. (Mr. Koutsouradis was not present.)

Mr. Morris made a motion to separate Item #5 on Page 47.

Mr. Sposato seconded the motion.

Mr. Webb called for a roll call tally. The roll call tally indicated that the motion failed by a vote of four ayes (Mr. Webb, Mr. Morris, Mr. Oettinger, and Mr. Sposato) and four nays, (Ms. Boyle, Mr. Congdon, Mrs. Cummings, and Mr. Shubin.) (Mr. Koutsouradis was not present.)

Mr. Webb moved to accept the remainder of the certified and support personnel reports be approved and Mr. Congdon seconded the motion.

The Board approved said reports by a vote of seven ayes, and one nay, (Mr. Morris). (Mr. Koutsouradis was not present.)

**Motion: Contracted Transportation Services for 2012 - 2013**

Mr. Congdon presented the following motion:

WHEREAS, the school district transports public, private, and parochial school students in accordance with the applicable state laws; and

WHEREAS, private contractors are sometimes used if it is more practical and less expensive to do so with other than district staff and vehicles.

NOW, THEREFORE, BE IT RESOLVED, that the Neshaminy Board of School Directors authorizes the administration to enter into a private contract for the 2012-2013 school year for the transportation of certain students in accordance with state regulations as follows:

|          |                         |       |          |
|----------|-------------------------|-------|----------|
| Contract | Lakeside Youth Services |       | \$22,068 |
|          |                         | TOTAL | \$22,068 |

BE IT FURTHER RESOLVED, that the Acting Business Administrator is authorized to sign this contract on behalf of the school district.

Mrs. Cummings seconded the motion.

The Board unanimously approved said motion. (Mr. Koutsouradis was not present.)

Mr. Webb made a motion to separate Policy #811 and Policy #512.

Mr. Shubin seconded the motion.

The Board unanimously approved said motion. (Mr. Koutsouradis was not present.)

Mr. Webb made a motion to table Policy #811.

Mr. Congdon seconded the motion.

The Board unanimously approved said motion to table Policy #811. (Mr. Koutsouradis was not present.)

**Motion: Approval of Revised Board Policy #512**

Mrs. Cummings presented the following motion:

WHEREAS, in order to keep District Board Policies updated and current, revisions and new policies are recommended by the administration to the Board Policies Committee for review, and

WHEREAS, recommended policies meet the requirements of Federal Law; and

WHEREAS, after review by the Board Policies Committee, the District is ready to recommend:

Revised Policy 512 – High School Diploma

NOW THEREFORE BE IT RESOLVED, that the Neshaminy Board of School Directors approve the revised policies as recommended by the School Board Policies Committee.

Mr. Shubin seconded the motion.

Mr. Shubin asked Mr. Copeland to clarify what this policy means with regard to the Keystone Exams.

Mr. Copeland clarified that the State of Pennsylvania has determined what latitude the district uses with regard to graduation criteria and the administration has recommended using the Keystone Exams

The Board unanimously approved said motion. (Mr. Koutsouradis was not present.)

Mr. Jason Brockman, Public Financial Management, Inc. gave a presentation on the funding of the districts outstanding 2004 Bonds.

Mr. Webb clarified that Mr. Brockman is working for the district in this matter and it is Mr. Brockman's recommendation that the district move forward with this action.

Mr. Brockman responded that is correct.

Mr. Van Blunk, attorney from Stark and Stark asked that the Board consider the two resolutions - one for the 2012 issuance and one for the 2013 issuance.

**Motion: Debt Resolutions – 2004 Bonds**

Mr. Shubin presented the following motion:

WHEREAS, the Neshaminy School District (the "School District"), is granted the power by the Local Government Unit Debt Act of the Commonwealth of Pennsylvania (the "Commonwealth"), as codified by the Act of December 19, 1996, P.L.1158, No. 177, as amended (the "Act"), to incur indebtedness and to issue bonds for the purpose of financing its capital projects; and

WHEREAS, the School District has heretofore issued its General Obligation Bonds, Series of 2004 (the "2004 Bonds"), which are currently outstanding in the aggregate principal amount of \$17,270,000; and

WHEREAS, the School District has determined to undertake a refinancing program to achieve debt service savings (the "Refinancing Program") through the advanced refunding of a portion of the outstanding 2004 Bonds; and

WHEREAS, the School District has determined to finance the Refinancing Program by incurring indebtedness and issuing its Bonds, the proceeds of which shall be used for the purpose of financing the Refinancing Program and paying the expenses of issuing the Bonds; and

WHEREAS, the School District has determined to establish certain parameters under which it will accept a proposal (the "Proposal") for the purchase of the Bonds, hereinafter described, and it is in the best financial interest of the School District to secure a purchase proposal by private negotiated sale in connection with the above described financing; and

WHEREAS, the School District has received an acceptable proposal for the purchase of the Bonds from RBC Capital Markets, LLC (the "Underwriter") and desires to authorize the acceptance of such Proposal and authorize the issuance of its Bonds for the purposes set forth therein, upon the terms and conditions, within the subject to the parameters and in the form of Proposal as herein provided; and

WHEREAS, the School District desires to authorize the issuance of its General Obligation Bonds, Series of 2012, in the aggregate principal amount of up to TWELVE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$12,500,000) for the purposes set forth herein, upon the terms and conditions and in the form as herein provided (the "Bonds"), and to authorize the acceptance of the proposal for the purchase of the Bonds;

NOW, THEREFORE, BE IT RESOLVED, by the Board of School Directors of the Neshaminy School District (the "Board") and IT IS HEREBY RESOLVED, as follows:

Mr. Morris seconded the motion.

Mr. Webb called for a roll call tally. The tally indicated that the motion passed by a vote of eight ayes, (Mr. Webb, Ms. Boyle, Mr. Congdon, Mrs. Cummings, Mr. Morris, Mr. Oettinger, Mr. Shubin, and Mr. Sposato) and zero nays. (Mr. Koutsouradis was not present.)

**Motion: Debt Resolutions – 2004 Bonds**

Mr. Shubin presented the following motion:

WHEREAS, the Neshaminy School District (the "School District"), is granted the power by the Local Government Unit Debt Act of the Commonwealth of Pennsylvania (the "Commonwealth"), as codified by the Act of December 19, 1996, P.L.1158, No. 177, as amended (the "Act"), to incur indebtedness and to issue bonds for the purpose of financing its capital projects; and

WHEREAS, the School District has heretofore issued its General Obligation Bonds, Series of 2004 (the "2004 Bonds"), which are currently outstanding in the aggregate principal amount of \$17,270,000; and

WHEREAS, the School District has determined to undertake a refinancing program to achieve debt service savings (the "Refinancing Program") through the advanced refunding of a portion of the outstanding 2004 Bonds; and

WHEREAS, the School District has determined to finance the Refinancing Program by incurring indebtedness and issuing its Bonds, the proceeds of which shall be used for the purpose of financing the Refinancing Program and paying the expenses of issuing the Bonds; and

WHEREAS, the School District has determined to establish certain parameters under which it will accept a proposal (the "Proposal") for the purchase of the Bonds, hereinafter described, and it is in the best financial interest of the School District to secure a purchase proposal by private negotiated sale in connection with the above described financing; and

WHEREAS, the School District has received an acceptable proposal for the purchase of the Bonds from RBC Capital Markets, LLC (the "Underwriter") and desires to authorize the acceptance of such Proposal and authorize the issuance of its Bonds for the purposes set forth therein, upon the terms and conditions, within the subject to the parameters and in the form of Proposal as herein provided; and

WHEREAS, the School District desires to authorize the issuance of its General Obligation Bonds, Series of 2012, in the aggregate principal amount of up to ELEVEN MILLION DOLLARS (\$11,000,000) for the purposes set forth herein, upon the terms and conditions and in the form as herein provided (the "Bonds"), and to authorize the acceptance of the proposal for the purchase of the Bonds;

NOW, THEREFORE, BE IT RESOLVED, by the Board of School Directors of the Neshaminy School District (the "Board") and IT IS HEREBY RESOLVED, as follows:

Mr. Oettinger seconded the motion.

Mr. Webb called for a roll call tally. The tally indicated that the motion passed by a vote of eight ayes, (Mr. Webb, Ms. Boyle, Mr. Congdon, Mrs. Cummings, Mr. Morris, Mr. Oettinger, Mr. Shubin, and Mr. Sposato) and zero nays. (Mr. Koutsouradis was not present.)

**Solicitor's Report**

Recommendation to settle pending 2008 through 2010 Tax Year Assessment appeals of Physical Fitness Centers of Philadelphia as follows:

| <u>Physical Fitness Centers<br/>Of Philadelphia</u> | <u>Settlement Assessment</u>                                                                                                  |
|-----------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|
| 22-057-020-006                                      | \$295,750.00 – 2008 Tax Year Assessment<br>\$305,500.00 – 2009 Tax Year Assessment<br>\$315,250.00 – 2010 Tax Year Assessment |

Mr. Profy made a motion to accept pending 2008 through 2010 Tax Year Assessment Appeals of Physical Fitness Centers of Philadelphia.

Mr. Morris seconded the motion.

The Board unanimously accepted said motion. (Mr. Koutsouradis was not present.)

**Federal Programs**

Dr. Copeland advised the Board that the 2012- 2013 Active Federal Programs and Grant Allocation total is \$1,686,082.00.

**Other Board Business**

None

**Public Comment**

Larry Pastor, business executive, Middletown Township, cautioned the Board to be vigilant in keeping with the original intent of the proposed contract offer in regard to financial and control issues. He urged the Board not to allow the 69 points from the NFT to maneuver them away from the contract, which is equivalent to other surrounding school district contracts.

Almando Carrasquillo, retired State Trooper, Middletown Township, asked for clarification regarding a motion regarding the hiring of a long-term substitute at an annual salary of \$97 thousand. Mr. Carrasquillo concluded by stating that the newspapers took his comment regarding the "red skin" issue out of context. He stated that

he is sensitive to the feelings of different cultures regarding slurs and insults and the hard feelings that can be caused. Mr. Carrasquillo said that he is confident that the Board will do the right thing and they have his support.

Stephen Pirritano, self-employed, Feasterville, remarked that he too was confused by the motion regarding the long term substitute and asked for more details to be explained. Mr. Pirritano said that the NFT claims to have conceded some things, but if it is something that they did not have in the first place, then it cannot be described as a concession. He concluded by saying that he wants his elected officials to represent his interests (and that of the Neshaminy taxpayer) and not an independent arbiter.

### **Board Comment**

Mr. Copeland explained that the teaching position in question is a new position of a literary coach for a term of one year only. The person selected to fill the position is already a full-time teacher who will be moving into this position temporarily and it is not a retiree.

Mrs. Cummings said the issue of Policy 811 has been tabled and will be addressed at a meeting in January 2013.

Mr. Shubin stated that he has the utmost faith in the negotiating team and is confident that they will do their due diligence. He added that the verbiage in the old contract is archaic and he will not accept it in the new contract.

Mr. Sposato remarked that any contract that takes control away from the school district is unfavorable and he would vote against it.

Mr. Oettinger said the negotiating team is making progress and they are bearing in mind all the points that have been voiced by the public regarding the contract.

Ms. Boyle commented that the negotiating team will adhere to the wishes of the community and the issues of past practice and equal say will not be accepted.

Mr. Morris said that the Board represents the best interest of the students and the Board will not consider equal say.

Mr. Congdon asked if any other Bucks County school districts have past practice or equal say clauses in their contracts.

Mr. Webb stated there are none. He added that the superintendent cannot be held responsible if he does not have the final say. He concluded by saying the negotiating team is working in uncharted waters by taking another district's contract and making it their own; however, they are working very hard and they will not forget their promises to the community.

### **Adjournment**

Mr. Webb moved the meeting be adjourned and Mr. Shubin seconded the motion. The Board unanimously approved the motion. Mr. Webb adjourned the meeting at 8:16 p.m.

Respectfully submitted,

Jennifer Burns  
Board Secretary