

NESHAMINY SCHOOL DISTRICT  
Langhorne, Pennsylvania

PUBLIC BOARD MEETING MINUTES  
NESHAMINY BOARD OF SCHOOL DIRECTORS  
(PUBLIC MEETING)  
February 22, 2005

The Neshaminy Board of School Directors met in public session on February 22, 2005, in the Board Room of the Maple Point Middle School. The following persons were in attendance:

**BOARD MEMBERS:**

Mr. Richard M. Eccles, President  
Dr. William H. Spitz, Vice-President  
Mrs. Sue C. Barrett  
Mrs. June R. Bostwick  
Mr. Jason Bowman  
Ms. Carol A. Drioli  
Mrs. Susan Cummings  
Mrs. Kimberly A. Jowett  
Mr. Ritchie Webb

**ADMINISTRATORS:**

Mr. P. Howard Wilson  
Dr. Louis T. Muenker  
Mr. Joseph V. Paradise  
Mrs. Jacqueline Rattigan  
Mr. Bruce M. Wyatt

**SOLICITOR:**

Thomas J. Profy, III, Esquire

**SECRETARY:** Mrs. Anita E. Walls

**OTHERS:** Approximately 20 persons from the public, staff and press

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**Call to Order**

Mr. Eccles called the meeting to order at 7:00 p.m.

**Pledge of Allegiance**

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

**Announcements**

Mr. Eccles stated that this evening the Pennsylvania School Boards Association would be presenting a Safety Award to Neshaminy School District.

Mr. Gary DeFlorentis, Director of Risk Management for the PA School Board Association Insurance Trust, presented a Safety Award to Neshaminy School District for a very proactive approach which has been taken by the district for safety and loss control. Mr. DeFlorentis provided a brief history of the program noting that the program has been dormant for the past several years and Neshaminy is the first district who will be receiving an award in a number of years. Mr. DeFlorentis commended the district's insurance agent William Clark.

Mr. John Stans, Director of Loss Control for the PA School Boards Association, stated that back in April 2004 Mr. Paul Minotti contacted him to look over the playgrounds within the district. Mr. Stans took a tour of the various playgrounds and equipment and this resulted in 27 improvement recommendations. The district completed the improvements by October 2004.

Mr. DeFlorentis presented Board President Eccles with the Safety Award in recognition of the district's proactive approach to loss control and safety. Mr. Eccles accepted the award on behalf of the board and all the employees of the Neshaminy School District who are doing a great job.

### **Student Representative Report**

Mr. Dustin Worthington and Ms. Danielle Cope provided the following report:

- Music Department is performing "Into the Woods" for five nights
- Laughing Stock will be performing in the performing arts center
- Gym Night will take place on March 4<sup>th</sup> & 5<sup>th</sup>

### **Public Comment**

Mr. Solis Basin, Langhorne, PA stated that Act 72 seems to have the board, administration and community divided. Mr. Basin feels that it a poorly written act requiring much work. Mr. Basin feels that a joint meeting with the board, administration and community could possibly come up with a solution to satisfy some or most of the concerns.

Mr. Howard Lindner, Langhorne, PA stated that one of the great assets of being a teacher and coach for so many years is that you see individuals grow and become very successful in the community. Mr. Lindner advised that Mr. James Franklin, whose mother was a building aide for years at Neshaminy, was accepted as Assistant Coach of the Green Bay Packers. This is another example of Neshaminy School District's tradition of making successful individuals.

Mr. Kevin Yeingst, Feasterville, PA noted that the district is taking a big step in moving along with the \$66M renovation project. Mr. Yeingst commended the board on a job well done on fitting both sides and combining everyone's thoughts into the project to make everyone happy. Mr. Yeingst also noted that if the board decides to opt out of the Act 72, the district needs to find a way to reduce taxes for the seniors and enact an earned income tax.

Mr. William O'Connor, Langhorne, PA thanked Mr. Wilson and his staff for providing updated information onto the website regarding the Act 72 and current ATS&R plans for the high school so that the public can gather information and draw conclusions. Mr. O'Connor encouraged the district to obtain an update on the enrollment projections for the future. Mr. O'Connor is just concerned that the renovations will accommodate the district well into the future.

Mrs. Martha Lindner, Langhorne, PA stated that she is the Chairperson for CARE and founded the group against the new high school. Tonight the first steps will be taken for the reconstruction project and these actions will save more tax money than the so called property reform act known as Act 72. Mrs. Lindner noted that the voters wanted a building that would strategically and structurally last for 50 years. Safety first, a good heating and air conditioning system, new plumbing and electrical, new windows, doors and roofs. A 21<sup>st</sup> century Science wing was also wanted. The district has found a way to deliver this. Construction would like to be done in 3 ½ years and not 6-7 years. The traditional look of Neshaminy that is so loved by the community would also like to be kept. Most importantly taxpayers are saving \$30M in comparison to a new high school. The district has found a way to deliver that. The individuals on this board have found a way to make this happen and Mrs. Lindner congratulated every board member for the efforts.

### **Superintendent's Report**

Mr. Wilson announced that Maple Point collected over \$10,000 for Tsunami Relief Aid which is a very impressive figure. The district congratulated Mr. James Franklin on his position as Assistant Coach for the Green Bay Packers. Mr. Wilson also noted that the district has a candidate on American Idol. Mr. Wilson also stated that the spring play went exceptionally well and the middle school plays will be underway in March. Gym Night tickets are at a premium and if anyone is interested in attending please advise as soon as possible.

### **Approval of Minutes**

Upon motion of Dr. Spitz and seconded by Mrs. Cummings, the Board unanimously approved the minutes of the January 25, 2005 Public Meeting.

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

**Tax** – Mr. Paradise presented the following for approval:

- January 2005 Treasurer's Report, subject to audit
- Check Register – January 2005
- Escrow Fund, Capital Project Funds, Investment Funds, and New Investment
- Personal and Per Capita Tax Exonerations – January 2005

Dr. Spitz moved the January 2005 Treasurer's Report be approved, subject to audit, and the January, 2005 Check Register, Budget, Escrow Funds, Capital Project Funds, Investments Funds and Personal and Per Capita Tax Exonerations. Mrs. Cummings seconded the motion.

Mrs. Barrett questioned a check for asbestos abatement. Mr. Paradise noted that the normal course of any asbestos removal by the district has been documented long ago. In the normal course of improvements to certain facilities it may become necessary to continue further work with asbestos abatement. Hence, the necessity of certain funds being allocated for this.

The Board unanimously approved the Treasurer's Reports, subject to audit; check register (as per amendment), investments, escrow funds, and capital project funds, personal and per capita tax exonerations.

**Bids**

Mr. Paradise presented the following bids for approval:

**Bid No. 05-29 HVAC Replacement**

Bid Amount: \$110,000.00

The bid is for the installation of the final multi-zone rooftop heating/air conditioning unit at Maple Point Middle School.

**Bid No. 06-01 General School Supplies**

Bid Amount: \$168,535.23

The bid is for various classroom and office supplies for use throughout the district for the school year 2005/2006.

Dr. Spitz moved the bid be approved and Mrs. Cummings seconded the motion.

The Board unanimously approved the bids.

**Certified and Support Personnel Actions**

Mr. Wilson presented the following for approval:

- Elections of Certified Personnel
- Resignations/Leaves of Certified Personnel
- Elections of Support Personnel
- Resignations/Leaves of Support Personnel

Mr. Wilson requested approval of the personnel report as presented.

Mrs. Jowett moved the personnel report be accepted. Mr. Webb seconded the motion.

The Board unanimously approved the personnel report.

**Motion: Cooperative Purchasing Agreements**

Mrs. Bostwick presented the following motion:

WHEREAS, Section 1902 of Act 57 of May 15, 1998, (Title 62 PA C.S. 1902), known as the "Commonwealth Procurement Code," permits local public procurement units, local municipalities, and authorities to sponsor, establish, participate in, conduct, or administer a cooperative purchasing agreement for the procurement of any goods, materials, equipment or services with another local public procurement unit. A "local procurement unit" is defined as any political subdivision, public authority, educational, health, or other institution; and to the extent provided by law, any other entity, including a council of governments or an area government; nonprofit fire, rescue or ambulance company; and any nonprofit cooperative operating a charitable hospital; and

WHEREAS, it is hereby deemed to be in the best interest of the Neshaminy School District, to participate in

PACC (PA Capital City) Automotive and Equipment Contract administered by  
the City of Harrisburg, and  
Central Westmoreland Council of Government Purchasing 04-MV-004-005

NOW, THEREFORE, BE IT RESOLVED, by the members of the Neshaminy Board of School Directors that the district will participate in the above cooperative purchasing agreements by purchasing from the contract and based upon the terms and conditions of the contract and at the same prices.

BE IT FURTHER RESOLVED that Neshaminy School District will be responsible for the payment of the price directly to the contractor of said expenses directly related.

Mr. Bowman seconded the motion.

The Board unanimously approved the motion.

**Motion: Appointment of Architect**

Mr. Bowman presented the following motion:

WHEREAS, the services of an Architect are required to prepare the necessary plans and specifications to begin building renovations and re-construction of the Neshaminy High School.

NOW, THEREFORE, BE IT RESOLVED, that ATS&R be contracted to provide the necessary architectural services for this project. This appointment shall be subject to the final terms and conditions of a contract acceptable to the Business Administrator and the Solicitor, and the Board President shall be authorized to execute that contract in the name of and on behalf of the Neshaminy School District. A brief summary of the financial aspects is attached.

BE IT FURTHER RESOLVED that this new contract will provide for the termination and release of the Architectural Contract previously approved by the School Board on August 22, 2002.

ATS&R Contract

- contract shall be for a total period of 60 months
- compensation for services shall be as follows:
  - Basic Services                      4.70 % of construction cost as defined by the Contract
  - Site Visits as needed              .23 %

4.93 % Total

- outstanding invoice of \$96,792 under prior agreement has been forgiven as part of this agreement.
- a credit of \$778,087.00 which represents 50.5% of fees paid to date was applied to determine the above Basic Services rate
- reimbursable expenses shall be capped at a maximum amount of \$80,000.
- compensation is based on design plans of Option 1 as presented to the Board

Mr. Webb seconded the motion.

The Board unanimously approved the motion.

**Motion: Appointment of Construction Manager**

Mrs. Jowett presented the following motion:

WHEREAS, the services of a Construction Manager are needed in order to oversee the proposed building renovations and re-construction of the Neshaminy High School; and

WHEREAS, a construction management firm will be responsible for bid document review and packaging, pre-qualification of contractors, budget and schedule conformance, in addition to continuous and thorough inspection of the work performance of all contractors; and

WHEREAS, the Board has received proposals, presentations, and cost estimates from construction management firms to provide this important professional service for this project; and

WHEREAS, the firm of Reynolds Construction Management, Inc. was determined to provide the proposal that was most acceptable and advantageous to the District, at a not-to-exceed total cost of \$1,695,300 for complete construction management services associated with these renovations.

NOW, THEREFORE, BE IT RESOLVED, that this appointment shall be subject to the terms and conditions of a contract acceptable to the Business Administrator and Solicitor, and that the Board President be authorized to execute the contract in the name of and on behalf of the Neshaminy School District.

Mrs. Jowett seconded the motion.

The Board unanimously approved the motion.

**Motion: Approval of Financial Advisor for Forward Swap**

Mrs. Cummings presented the following motion:

WHEREAS, the Neshaminy Board of School Directors has approved a Debt Resolution to issue new debt for the renovation and re-construction of the Neshaminy High School; and

WHEREAS, utilizing Act 23, the District can now lock-in today's historically low interest rates by implementing an Interest Rate Management Agreement (IRMA) that would not commence until the issue date of the bonds; and

WHEREAS, the District will require the services of a Swap Advisor, as required by Act 23, to provide the necessary financial advice and expertise to the best advantage of our taxpayers.

NOW, THEREFORE, BE IT RESOLVED, that the firm of Public Financial Management be appointed as Financial Advisor for a fee of \$30,000.00.

Mr. Webb seconded the motion.

The Board unanimously approved the motion.

**Motion: Revision of Policies 121 and 500**

Mrs. Drioli presented the following motion:

WHEREAS, in order to keep District Board Policies updated and current, new policies and revisions 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 121 – Prohibiting Discrimination in Education

Revised Policy 500 – Non-Resident Students

NOW, THEREFORE, BE IT RESOLVED, that said policies be revised and approved by the Neshaminy Board of School Directors.

Mrs. Barrett seconded the motion.

The Board unanimously approved the motion.

**Motion: Act 192 Delinquent Tax Collection**

Mr. Eccles presented the following motion:

WHEREAS, Neshaminy School District, Bucks County, Pennsylvania, by Resolution has levied, assessed and provided for the collection of certain local taxes under and pursuant to the authority of Act 511 of the 1965 General Assembly of the Commonwealth of Pennsylvania, enacted December 31, 1965, and effective January 1, 1966, as amended; and

WHEREAS, Neshaminy School District has contracted with Berkheimer to collect said taxes levied by the District, including taxes that are or may become delinquent; and

WHEREAS, pursuant to Act 192 of the 2003-2004 General Assembly of the Commonwealth of Pennsylvania, Neshaminy School District has the right to impose a cost of collection on taxes that become delinquent and/or that remain due and unpaid.

NOW, THEREFORE, BE IT RESOLVED, that Neshaminy School District approves and adopts the Cost of Collection Schedule attached hereto and made a part of this Resolution to be imposed by Berkheimer upon any taxpayer whose taxes are or become delinquent and/or remain due and unpaid.

BE IT FURTHER RESOLVED, that Berkheimer is authorized to retain said costs of collection set forth on the attached schedule incurred in recovering delinquent taxes and assessed to the delinquent taxpayer as allowed by law. Any prior resolution or parts thereof conflicting with the provisions of this resolution are hereby repealed to the extent of such conflict.

Mrs. Jowett seconded the motion.

The Board unanimously approved the motion.

**Federal Programs**

Mr. Wilson advised that the Federal Programs are at #2.2M

**Other Board Business**

None

**Public Comment**

Mr. Howard Lindner, Langhorne, PA, congratulated the Facilities and Finance Committee for a job well done. Mr. Webb as Chairman and his committee members, Mr. Paradise and Mr. Minotti have done a fabulous job for the district and each one of you deserves to be a five star general. Mr. Lindner expressed his sincere thanks.

**Board Comment**

Mr. Webb thanked the Administration and all the members of the Facilities and Finance Committee for all their help and time in coming to this critical point.

Ms. Drioli noted that this was a process and there were differences of opinion which were resolved in a governmental and judicial process. Ms. Drioli hopes that those who had differences of opinion and were able to express same under the democrat system can now be allowed to move forward. Differences need to be forgotten. Ms. Drioli congratulated everyone and she is looking forward to the renovated building and she would like to see the best possible renovation. Differences of opinion do not make people bad.

**Adjournment**

Mr. Webb moved the meeting be adjourned and Mr. Bowman seconded the motion. The Board unanimously approved the motion. Mr. Eccles adjourned the meeting at 7:40 p.m.

Respectively submitted,

Anita E. Walls  
Board Secretary