

NESHAMINY SCHOOL DISTRICT
Langhorne, Pennsylvania

PUBLIC BOARD MEETING MINUTES
NESHAMINY BOARD OF SCHOOL DIRECTORS

January 27, 2009

The Neshaminy Board of School Directors met in public session on January 27, 2009, in the Board Room of the Maple Point Middle School. The following persons were in attendance:

BOARD MEMBERS:

Mr. Ritchie Webb, President
Mr. Kim Koutsouradis, Vice President
Mr. Joseph R. Blasch
Mrs. Susan Cummings
Mr. Richard M. Eccles
Mr. Frank Koziol
Mr. William D. O'Connor
Dr. William H. Spitz

ADMINISTRATORS:

Dr. Louis T. Muenker
Mr. Joseph V. Paradise
Dr. Sandra Costanzo
Dr. Geeta A. Heble
Dr. Jacqueline Rattigan

BOARD MEMBER NOT PRESENT:

Ms. Irene M. Boyle

SOLICITOR:

Thomas Profy, III, Esquire

SECRETARY:

Mrs. Anita E. Walls

OTHERS: Approximately 85 persons from the public, staff and press

Mr. Webb announced that prior to the meeting an Executive Session was held for Board members regarding personnel and litigation matters from 6:00 p.m. until 7:05 p.m.

Call to Order

Mr. Webb called the meeting to order at 7:08 p.m.

Pledge of Allegiance

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

Announcements

Mr. Webb announced that Ms. Boyle was hospitalized and the Board sent her well wishes.

Public Comment

Mr. Steve Rodos, Villages of Flowers Mill, Langhorne, PA, requested that Dr. Muenker receive a new contract as Superintendent for the next five years. Mr. Rodos is aware that the school district is not reimbursed for school bus transportation under one and half miles. In an effort to lessen the expenses of this type of school bus, Australia has instituted a walking school bus. Powered by legs the children walk to school by foot with an adult driver in the front and rear. The bus travels along a set route to school picking up children along the way at designated bus stops. Service is free and every child is welcome to join the bus even if their parents cannot be drivers. Mr. Rodos spoke out against the idea of closing an elementary school. Tonight, Mr. Rodos, spoke out against contracting work out to a private company in order to save funds. The statements are directed to employees in food services, maintenance and other departments not directly involved in teaching. This

proposal could present even larger deficits to the district. This could cause more monetary problems. Most of the workers live within the school district and thus, may not be able to pay their mortgages and real estate taxes. Receipts would fall further than expected. This would not solve any problems. The district should not take out the problems of the economy on the support staff.

Mrs. Maryanne O'Connor, Langhorne, PA, invited the public to attend the Neshaminy High School musical which is "FAME." It will be performed on February 11-14th at 7:00 p.m. in the Kloos Auditorium. Also, on Saturday there will be a performance at 1:30 p.m. All tickets are \$7.00 and may be purchased in advance until February 10th. Tickets can also be purchased at the door one half hour before show time. Mrs. O'Connor hopes to see all the public attend.

Mr. Michael Bittner, Feasterville, PA, stated that he was in attendance to speak about the Bucks County Intermediate Unit Asperger Support Program that currently does not have location for next school year. Mr. Bittner's son is in eighth grade at Poquessing and he is currently the only eighth grader at Poquessing and Mr. Bittner found out there are other students he could have been attending school with that they did not know existed. Asperger students find it extremely hard to make friends and associate with people and part of the support program is for them to form friendships. Over the last several weeks the other eighth grade students have received course selection materials for 9th grade at Neshaminy High school. Mr. Bittner's son has been told that he is going to receive his materials, but was not sent to the program. He is now asking why he has not received the materials. Mr. Bittner has since found out that it has not been determined where the program will take place next year. Mr. Bittner's son has been in various district's throughout his education. He is entitled to a free and appropriate education as the law requires as well as in the least restrictive environment. All courses will be filled by the time he is able to choose. Parents of other Asperger students are also wondering what is happening with the program and where will they be attending school next year. No explanation has been offered to these students. Mr. Bittner's son was taken on a tour of the Tech School. His program, however, does not take place at the Tech School. Mr. Bittner is also concerned that if his son is bused to another district what will occur with the extra-curricular activities within the district. The IU teachers have been fantastic. Mr. Bittner also commented on the alternative school program moving back to the high school environment and he does not feel that is a correct choice for that program. Mr. Bittner would like to keep his son within the district and set him up so that he can be involved in his community and get the most out of his education.

Student Representative Report

Ms. Meshal Jones, Student Council Treasurer, and Ms. Betsy Thomas, Student Council Vice-President provided the following student representative report:

- Winter Sports Season is going great. Swim teams are in first place.
- Basketball teams are both in the play-offs.
- NCAA national signing day is February 4th.
- FAME show will take place on February 11-14th.
- Student Council Pink Ball Dance in order to raise money for Breast Cancer Research.

Superintendent's Report

Dr. Muenker invited Sharon Pulford and her husband, Sgt. Gordon Pulford – Michigan National Guard, Activated Army with the 126 Calvary to the podium. Sgt. Pulford presented the district with the US Flag which was flown in Iraq while he was on a tour of duty in Iraq. Dr. Muenker provided the audience with a brief summary of Sgt Pulford's accomplishments. Sgt Pulford was on two tours of duty for the United States Army in Iraq. Sgt Pulford presented the US Flag to the district.

Dr. Muenker acknowledged Dr. Sandra Costanzo on her 35 years of service to the Neshaminy School District. Dr. Costanzo is retiring and reorganization of the cabinet was discussed this evening. Dr. Costanzo will be

missed by the district for all her outstanding work, service and devotion to the students, staff and community of Neshaminy School District.

Approval of Minutes

Mrs. Walls presented the minutes of the November 25th, December 1st, and December 8th public meetings. Upon motion of Mr. Eccles and seconded by Mr. O'Connor the Board unanimously approved the minutes of the November 25th, December 1st and December 8th Public Meetings. Ms. Boyle was absent.

Approval of Treasurer's Report, Check Registers, Investments, and Exonerations of Personal and Per Capita Tax

Mr. Paradise presented the following for approval:

- November and December, 2008 Treasurer's Reports, subject to audit
- Check Register – November and December, 2008
- Investment Summary
- Personal and Per Capita Tax Exonerations – November and December, 2008

Mr. Blasch moved the November and December, 2008 treasurer's reports, subject to audit, check register, investments, and exonerations of personal and per capita tax be approved. Mr. Koutsourandis seconded the motion.

The Board unanimously approved the Treasurer's Reports, subject to audit, check registers, investments and personal and per capita tax exonerations. Ms. Boyle was absent.

Budget Transfers:

Information distributed prior to the meeting. Mr. Paradise presented the following budget transfer for Board approval:

The Board unanimously approved the Budget Transfer Report No. 09-3 (Working Copy). Ms. Boyle was absent.

Certified and Support Personnel Reports

Dr. Muenker presented the following for approval:

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

Dr. Muenker pointed out that one individual is rescinding his request for sabbatical leave. Also, the 2008-2009 recommended extra curricular staff and salaries.

Dr. Muenker recommended the approval of the personnel report for certified and support personnel.

Mr. O'Connor moved the Certified and Support personnel reports be accepted. Mrs. Cummings seconded the motion.

The Board unanimously approved said reports. Ms. Boyle was absent.

Motion: School Director Recognition Month – January, 2009

Mrs. Cummings presented the following motion:

WHEREAS, the role of locally elected school officials has served the Commonwealth of Pennsylvania and local communities meeting the needs of public education since the passage of the Free School Act in 1834; and

WHEREAS, these local boards have discharged their responsibilities to public education in a manner which has placed public education in the forefront of our educational systems; and

WHEREAS, locally elected officials have distinguished themselves and their communities in this non paid, volunteer public service commitment; and

WHEREAS, the contributions of these men and women should be recognized and appreciated by those who benefit from the workings of our public school system.

NOW, THEREFORE, BE IT RESOLVED, that the Neshaminy Board of School Directors hereby proclaims the month of January as School Director Recognition Month.

Dr. Spitz seconded the motion.

The Board unanimously approved said motion. Ms. Boyle was absent.

Dr. Muenker read a proclamation to all School Board members and presented each member of the School Board with a certificate.

Motion: Appointment of Individual to School Authority

Mr. Eccles presented the following motion:

WHEREAS, the term of a certain member on the Authority presently serving the Neshaminy School District has expired; and

WHEREAS, it is necessary to appoint an individual to fill this vacancy.

NOW, THEREFORE, BE IT RESOLVED, that the following individual is appointed to the Authority listed below:

Lower Bucks County Technical School Authority for a Five Year Term

Kevin Yeingst to 1/5/14

Mr. Koutsouradis seconded same.

The Board unanimously approved said motion. Ms. Boyle was absent.

Motion: Rental Agreement for the Tawanka Facility

Mr. Koziol presented the following motion:

WHEREAS, the district will be moving the Alternative School program from its present location at the Tawanka facility; and

WHEREAS, the Bucks County Intermediate Unite #22 ha expressed an interest in utilizing the facility beginning July 1, 2009; and

WHEREAS, the I.U. has negotiated with the District for terms and conditions of a multi-year lease agreement for the use of the Tawanka facility.

NOW, THEREFORE, BE IT RESOLVED, that the Board of School Directors authorizes the Business Administrator to execute a multi-year lease agreement with the Bucks County Intermediate Unit #22, upon the review of the Solicitor.

Mr. Blasch seconded the motion.

Mr. Eccles noted that facilities are being lost for the use of our children and hopefully the I.U. will consider the community use of the facility.

The Board unanimously approved said motion. Ms. Boyle was absent.

Motion: Approval of Realtor for Neshaminy Middle School

Mr. O'Connor presented the motion:

WHEREAS, the Neshaminy Board of School Directors officially closed Neshaminy Middle School as of June 20, 2008; and

WHEREAS, the facility is now only rented on a small scale; and

WHEREAS, the school district needs to maximize alternative sources of revenue in order to keep real estate taxes as low as possible and to provide the best possible use of the facility.

NOW, THEREFORE, BE IT RESOLVED, that the Neshaminy Board of School Directors authorizes the execution of an Exclusive Agency Agreement with Binswanger of Pennsylvania and authorize the Business Administrator to execute that agreement upon review of the Solicitor.

Mrs. Cummings seconded the motion.

The Board unanimously approved said motion. Ms. Boyle was absent.

Motion: Election of Board Member to the Intermediate Unit Board

Mr. Webb presented the following motion:

WHEREAS, the Bucks County Intermediate Unit #22 is governed by an Intermediate Unit Board of Directors; and

WHEREAS, the Neshaminy School District has duly elected a Board member to participate on the Intermediate Unit Board, and Neshaminy's participation is critical to the operation of the Intermediate Unit, as well as the services afforded the Neshaminy School District, and

WHEREAS, the Neshaminy Board of School Directors has nominated Dr. William H. Spitz to serve on the IU Board to fill the unexpired term of Ms. Irene M. Boyle, whose term expires on June 30, 2011, and he is eligible to succeed himself without limitations as to the number of terms or another representative from the school district may be nominated.

NOW, THEREFORE, BE IT RESOLVED, that the Neshaminy Board of School Directors appoint Dr. William H. Spitz to serve as the representative to the Bucks County Intermediate Unit Board of Directors.

Mr. Koziol seconded the motion.

The Board unanimously approved said motion. Ms. Boyle was absent.

Motion: Approval of Revision of Policy 512 and New Guidelines to Policy #512

Mr. Webb made a motion to table said motion. Mr. O'Connor seconded the motion.

The Board unanimously approved to table said motion. Ms. Boyle was absent.

Motion: Required Notice Under Public School Code of 1949 Related to Expiration of Assistant Superintendent's Office and Contract

Mr. Profy explained that the School Code provides as to Superintendent's and Assistant Superintendent's that unless the Board of School Directors notifies the individual by taking action at a regularly scheduled board meeting, not less than 150 days prior to the expiration of the term of their office, that the office continues and the person continues in the office automatically for another like term. In the case of Dr. Muenker it is a five year term as Assistant Superintendent, it would automatically continue for five additional years after July 1, 2009. This does not mean that Dr. Muenker cannot be further considered for the office of Assistant Superintendent, but only that it is not going to automatically extend his contract and term of office for five years.

Mr. Koutsouradis presented the following motion:

WHEREAS, the School District and Louis T. Muenker, D.Ed., did, on June 29, 2004, enter into a Contract whereby Dr. Muenker was employed as Assistant District Superintendent of the School District for a five (5) year term commencing on July 1, 2004 and ending on June 30, 2009;

WHEREAS, the Public School Code of 1949, as amended, provides that the Board of School Directors at a Regular Meeting, occurring at least one hundred fifty (150) days prior to the expiration of the term of Office of an Assistant District Superintendent must by affirmative action of five (5) or more Member of the Board notify the Assistant District Superintendent that the board intends to retain him for a further term of three (3) to five (5) years, or that another or other candidates will be considered for the Office.

WHEREAS, the Code further provides that if the Board fails to take the above-referenced action within one hundred fifty (150) days prior to the expiration of the term of Office of the Assistant District Superintendent, the Assistant District Superintendent continues in Office for a further term of similar length, to that which the Assistant District Superintendent is then serving.

NOW, THEREFORE, BE IT RESOLVED, that the Board notify Louis T. Muenker, D.ED., that the Board does not intend to retain him as an Assistant District Superintendent for the further term of three (3) to five (5) years and that other candidates will be considered for the Office of Assistant District Superintendent at the expiration of the existing term.

Mr. Koziol seconded the motion.

The Board unanimously approved said motion. Ms. Boyle was absent.

Motion: 2009-2010 Proposed Preliminary Budget Available for Public Inspection

Mr. Blasch presented the following motion:

WHEREAS, Act 1 of 2006 of the Commonwealth of Pennsylvania requires the 2009-2010 Proposed Preliminary Budget of the School District to be available for public inspection at least twenty (20) days prior to its adoption; and

WHEREAS, Act 1 of 2006 of the Commonwealth of Pennsylvania requires the Board of School Directors to give public notice of its intention to adopt its 2009-2010 Proposed Preliminary Budget at least ten (10) days prior to its adoption; and

WHEREAS, School District did on January 19, 2009, publish the annexed Notice of availability for Public Inspection and Notice of Intent to Adopt Proposed Preliminary Budget of School District as required by Act 1 2006 of the Commonwealth of Pennsylvania.

NOW, THEREFORE, BE IT RESOLVED, that the Neshaminy Board of School Directors ratifies and confirms that the proposed 2009-10 Preliminary Budget of the School District was made available to the public for inspection beginning on January 19, 2009, at the District Office Reception Area and on the School District website, and that the attached Notice of Availability for Public Inspection and Notice of Intent to Adopt 2009-2010 Proposed Preliminary Budget of the School District on February 10, 2009, was duly advertised on January 19, 2009, as required by law.

Mr. O'Connor seconded the motion.

The Board unanimously approved said motion. Ms. Boyle was not present.

Motion: Tax Collectors Compensation Program

Dr. Spitz presented the following motion:

WHEREAS, the Neshaminy Board of School Directors is one of three taxing entities that utilizes the services of elected tax collectors for the collection of taxes; and

WHEREAS, the school district is required to establish a compensation plan for elected tax collectors for the four year term of office that begins in 2010.

NOW, THEREFORE, BE IT RESOLVED, that the following compensation plan, and other regulations, be adopted as follows in A through D below:

A. Compensation Schedule for the Collection of Real Estate and Per Capita Taxes

| Municipality | 2010 Year 1 | 2011 Year 2 | 2012 Year 3 | 2013 Year 4 |
|-------------------------|----------------|----------------|----------------|----------------|
| Hulmeville Borough | \$4,630 | \$4,630 | \$4,630 | \$4,630 |
| Langhorne Borough | \$4,684 | \$4,684 | \$4,684 | \$4,684 |
| Langhorne Manor Borough | \$4,630 | \$4,630 | \$4,630 | \$4,630 |
| Lower Southampton | \$26,201 | \$26,201 | \$26,201 | \$26,201 |
| Middletown Township | \$55,551 | \$55,551 | \$55,551 | \$55,551 |
| Penndel Borough | \$6,559 | \$6,559 | \$6,559 | \$6,559 |
| TOTAL | \$102,255 | \$102,255 | \$102,255 | \$102,255 |

B. Compensation for the Collection of Real Estate Taxes Only

| Municipality | 2010 Year 1 | 2011 Year 2 | 2012 Year 3 | 2013 Year 4 |
|-------------------------|----------------|----------------|----------------|----------------|
| Hulmeville Borough | \$2,330 | \$2,330 | \$2,330 | \$2,330 |
| Langhorne Borough | \$2,416 | \$2,416 | \$2,416 | \$2,416 |
| Langhorne Manor Borough | \$2,330 | \$2,330 | \$2,330 | \$2,330 |
| Lower Southampton | \$15,021 | \$15,021 | \$15,021 | \$15,021 |
| Middletown Township | \$30,995 | \$30,995 | \$30,995 | \$30,995 |
| Pennadel Borough | \$2,971 | \$2,971 | \$2,971 | \$2,971 |
| TOTAL | \$56,063 | \$56,063 | \$56,063 | \$56,063 |

C. Additional Payments

In addition to the compensation listed in A or B, the school district shall also pay \$2.03/per installment payment under the approved real estate tax installment payment program; and for each real estate interim tax bill issued, the district shall pay \$2 for the year 2010; \$3 for the year 2011; \$4 for the year 2012; and \$5 for the year 2013.

D. Other Tax Collector Regulations

1. The school district or other taxing entity shall solicit quotations for tax collector bonds in accordance with the School Code and other applicable regulations. Bonds may be placed by the tax collector with a broker of her/her choice; however, the premium paid by the school district shall be no greater than the lowest price obtainable by either the school district or the tax collector.
2. The salary paid by the school district is effective July 1, 2010; the date responsibilities begin for school district tax collection.
3. Should the Board of School Directors eliminate the personal and per capita taxes, the salary shall be in accordance with the reduced number of bills for each municipality as indicated by the salary schedule.
4. Each tax collector should seek to provide continuous improvement of the collection process to meet current standards. This should include updating office computer equipment in order to communicate and conform to updated systems used to generate tax notices, provide for recording of payments, exonerations, etc.
5. Each tax collector shall be available to respond to reporting requirements needed by the school district in order to address taxpayer inquiries.
6. Advance tax payments to the school district by collectors shall be made on a DAILY basis by wire transfer funds. There should be no more than 2 days float time for payments to clear a bank after which time the advance payment must be made to the school district.
7. A true and verified Monthly Reconciliation of all payments received must be made by the 10th of the month for the previous months' collections. The statement must be on the required written form and must be reconciled from the tax duplicates to the amount of taxes remaining to be collected.
8. In accordance with Act 169, and previously adopted Board policy, the school district shall impose a late fee of \$20 per day or portion thereof, excluding weekends and holidays, for the first six days that a statement with reconciled reports is overdue, and \$10 per day or portion thereof, excluding

weekends and holidays, for each day beyond six days, for a maximum fee payable for a single statement with reconciled reports of \$250. These fees are payable to the Neshaminy School District at the time the tardy report is filed.

9. It is understood that the school district shall prepare the original tax listings and bills for mailing in coordination with the tax collector. The dates and timing of the billings shall be at the sole determination of the school district.
10. The tax collectors must ensure that personal and per capita tax exoneration requests are submitted to the school district on a prompt and regular basis, at least monthly.
11. It is the tax collectors responsibility to ensure that Final Notices are mailed to each taxpayer who has not paid his/her real estate or per capita tax before the final date for payment.
12. The tax collectors must ensure that lists of delinquent taxpayers are filed with the applicable delinquent collectors on or before the due dates established.
13. The Business Administrator may issue additional rules and regulations concerning remittance, reconciliation, issuance of tax notices.
14. The Business administrator and/or his designee may audit the books and accounts of the tax collector at any time in accordance with generally accepted accounting principles.
15. The continued payment of the tax collectors salary is based on compliance with all aspects of this program as well as any and all other rules and regulations determined by the Business Administrator. Failure to comply with the rules and regulations as outlined with result in salary payments being withheld until the obligation is completed.

Mr. Blasch seconded the motion.

Mr. Paradise advised that the first year increase is 0%, the second year is 2% and the third and fourth year are 3%.

Mr. Eccles does not feel that the school district is setting good precedent by guaranteeing increases for the next three or four years specifically with the way the economy is right now. Businesses and governments are cutting expenses. This would be an injustice to the taxpayers. Mr. Eccles feels a 0% increase is the most efficient way to proceed. Companies are laying people off. We should not be mortgaging the future.

Dr. Spitz agrees with the intent of Mr. Eccles comments, however, we are limited by law to pass a compensation plan that lasts for four years by February 15th. The district cannot go year by year and see what the economy will do in the future. Dr. Spitz agrees that a zero percent increase in the first year sets a good precedent and he believes that the remaining increases are reasonable.

Mr. Eccles stated that the economists are saying that worse times are yet to come and for the district to consider increases at this time is not prudent.

Mr. Webb agrees with Dr. Spitz and further stated that this will become part of the district budget next year. This covers six different municipalities. Some of the smaller boroughs do not make a lot of money being tax collectors and they are self employed people. They pay their own expenses. The difference between the first year and fifth year total is approximately \$8,000.

Mr. Webb requested a roll call vote. The roll call tally indicated the motion failed by a vote of four ayes (Mr. Blasch, Mr. Koutsouradis, Dr. Spitz, Mr. Webb) and three nays (Mrs. Cummings, Mr. Eccles, Mr. Koziol). (Mr. O'Connor abstained). Ms. Boyle was not present.

Mr. Profy advised that this is a Section 508 vote because it involves the expenditure of school district funds and appointment of officers of the court so it is mandated by the school code that there be five affirmative votes.

Mr. Paradise suggested that if there is support on the Board of five members for a 0% increase that a motion be adopted tonight for keeping the column of 2010 which is 0% across the board.

Mr. Eccles made a motion that the tax collectors compensation program be modified to show 0% increase in year 2010 through 2013.

Mr. Koziol seconded the motion.

Mr. Webb requested a roll call vote. The roll call tally indicated the motion passed by a vote of five ayes (Mr. Webb, Mr. Koziol, Mr. Koutsouradis, Mr. Eccles, Mrs. Cummings). (Dr. Spitz, Mr. O'Connor, and Mr. Blasch abstained). Ms. Boyle was not present.

Update: Board Strategic Action Committee Meetings

Dr. Muenker advised that meeting #5 will be held on February 2, 2009 at 7:00 p.m. located at the high school in the Performing Arts Center.

Federal Programs

Dr. Muenker advised the Board regarding Title 1 Academic Achievement Award which was presented to Ferderbar Elementary School.

Other Board Business

None.

Public Comment

Mr. Marvin Dickler, Villages of Flowers Mills, Langhorne, PA, commended the Board on the difficult decision regarding the tax collector compensation. The bottom has not yet been felt. Teachers who are working without a contract were commended by Mr. Dickler. Children are being put first. Contractual negotiations still need to be completed and everyone must face the reality and the belt needs to be tightened. First and foremost our children need the best education they can be given and a community is straining.

Mr. Chris Graham, Langhorne Borough, PA, stated that he has not agreed with Mr. Eccles over the past few years, but this evening he stood up for the taxpayers and people of this community. Mr. Graham is disappointed with the members who voted "no" the first time around and "abstained" the second time. These are difficult times. Seniors cannot afford the taxes. Increases in pay cannot be given out. Things are going to get tough. Please understand that these are tough times and we must act accordingly.

Mr. Steve Rodos, Villages of Flowers Mills, Langhorne, PA, commended Mr. Paradise on the proposed budget. The expenses have not appeared to have risen at all. Bus route reconfiguration could save some money. Mr. Rodos would like to put an end to the statements that the teachers are not dedicated. Their dedication is not based upon the contract.

Board Comment

Dr. Spitz expressed his appreciation and thanked Dr. Costanzo for her many years of service to the Neshaminy School District. Dr. Spitz had many interactions with Dr. Costanzo for many years. The Education Development Committee was headed by Dr. Costanzo and she has done an outstanding job overseeing a variety of issues that has come before the committee and Dr. Spitz has always found Dr. Costanzo to be very receptive and responsive to inquiries before her. Dr. Spitz thanked Dr. Costanzo and wished her well on her retirement.

Adjournment of Meeting

Mr. Koziol moved the meeting be adjourned and Mr. O'Connor seconded the motion. The Board unanimously approved the motion. Mr. Webb adjourned the meeting at 8:06 p.m.

Respectively submitted,

Anita E. Walls
Board Secretary