

NESHAMINY SCHOOL DISTRICT  
Langhorne, Pennsylvania

PUBLIC BOARD MEETING MINUTES  
NESHAMINY BOARD OF SCHOOL DIRECTORS  
October 25, 2011

The Neshaminy Board of School Directors met in public session on October 25, 2011, 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  
Mr. Kim Koutsouradis, Vice President  
Ms. Irene M. Boyle  
Mr. Scott Congdon  
Mrs. Susan Cummings  
Mr. Richard M. Eccles  
Mr. Mike Morris  
Mr. William D. O'Connor  
Mr. William Oettinger

**ADMINISTRATORS:**

Dr. Louis T. Muenker  
Mrs. Barbara Markowitz  
Mrs. Theresa Hinterberger  
Dr. Geeta Heble  
Mr. Anthony Devlin  
Dr. Jacqueline Rattigan

**BOARD MEMBER ABSENT:**

**OTHERS:** Approximately 75 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 7:16 p.m.

**Pledge of Allegiance**

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

**Announcements**

Mr. Webb stated that parents have been receiving phone calls from an NFT member claiming that the district has \$21 million dollars in uncommitted funds that are available. Mr. Webb declared that this information is completely false. He said that the NFT President has stated that this comment came from a misunderstanding and the \$21 million dollars is actually referring to a proposed savings to the district that is in the NFT's latest proposal. Mr. Webb said that the NFT's proposal will actually cost the district an additional \$9 million dollars if accepted. Mr. Webb emphatically stated that he cannot allow such an outrageous claim without setting the record straight – there is no \$21 million dollar fund of unallocated money in the district.

Dr. Heble introduced Mr. Brian Suter who will give a report on teaching and learning science in elementary classrooms.

Mr. Brian Suter, lead teacher for the elementary science curriculum, gave a presentation on the new curriculum for the science program. Mr. Suter stated that Inquiry Science is the practice of science versus textbook science. He stated that the program is divided into two programs, Standards and Content and Nature of Science (Science Inquiry). Mr. Suter stated that the challenge for science education is to create an educational system that exploits the natural curiosity of children so that they maintain their motivation for learning not only during their school year but throughout life.

**Superintendent's Report**

Dr. Muenker advised the Board on the following:

- Neshaminy High School's Interact and Drama Clubs are sponsoring a Halloween Costume collection. Drop off locations are in the Main Office area and costumes will also be accepted at the Drama Club's production of Spooky and Kooky on Wednesday, October 26th. Any donation of new and gently used costumes, costume pieces or props will be accepted through November 4<sup>th</sup>.
- 19th Annual Neshaminy High School Kaleidoscope of Bands Saturday, October 29, 2011, 7:00 p.m.
- Neshaminy School District will present its 2<sup>nd</sup> annual Community Forum, November 8, 2011, 8:00 a.m. to 11:00 a.m.
- Congratulations went out to the boys and girls soccer teams.

### **Public Comment**

Matt Doyle, 8<sup>th</sup> grade student at Maple Point Middle School, invited the public to celebrate Veterans Day on Thursday, November 10<sup>th</sup>, at a Veterans Day ceremony at Maple Point Middle School at 11:00 a.m.

Cara DeLorenzo, Neshaminy High School teacher, Washington Crossing, thanked both sides for their part in the negotiation process. She also hopes that the momentum of these talks continues to grow and progression can happen and come closer to a resolution. Ms. DeLorenzo stated that too many distractions hamper the negotiation process and the district needs to stay focused.

Tony Sposato, business owner, Levittown, thanked those teachers that, in spite of these arduous times, are still trying to do their very best. Mr. Sposato stated that we all have a stake in bringing Neshaminy back to being the best school district in the state of Pennsylvania. He said that he found the results of the PSSA report disturbing and said that we need to find a way to improve the educational system in Neshaminy. Mr. Sposato stated that it is everyone's responsibility, parents and teachers alike, to prepare Neshaminy students to go out into the world ready to meet the challenges that they will encounter.

Stephen Pirritano, self-employed, Feasterville, read a list of questions, which he had submitted to the Board on September 27, 2011, and he advised the public that the response from the Board to his questions was that there is no record to be found regarding these inquiries. (For a listing of the questions, see attachment A).

Eric Longden, 10<sup>th</sup> grade student at Neshaminy, Langhorne, stated that while there are some good and professional teachers in the district, he is totally against the tactics of the union leadership and those teachers who are following these tactics. He said that the greed of these teachers will impact where he goes and how he will succeed in life. He asked the teachers how they expect the district to be able to make the needed building repairs and update technology if they (the teacher's union) are taking all the funds.

Steve Rodos, semi-retired, Villages of Flowers Mill, said that the current blogs and public comments thrive on conflict and serve no purpose but to place blame and devalue the public perception of teachers. He stated that the true issue is how public education will determine the future of our children. Mr. Rodos said that Neshaminy needs a brand new contract that contains reform for both sides at a price that is affordable to the district.

Almando Carrasquillo, private investigator, Langhorne, suggested that teachers who chaperone field trips should be subject to background checks and drug screening. Mr. Carrasquillo said that as a parent he would be willing to agree to a background check as a chaperone and he would feel better if all chaperones, including teachers, would be required to do so. He stated that when an overnight field trip is planned, there are certain procedures that should be followed, including assessing the area, the hotel, and making sure that a security/safety plan is in place.

### **Items for Approval Tonight**

#### **a) Overnight Trip**

Dr. Rattigan advised the Board on the following:

1. Neshaminy High School Cheerleading to a National Competition at the Ocean City Convention Center in Ocean City, Maryland on February 25<sup>th</sup> and 26<sup>th</sup>, 2012.

Dr. Rattigan advised the Board that the transportation for the students for the cheerleading competition to Ocean City, Maryland will be provided by their parents, no students will be driving themselves.

There was Board consensus for said trip.

### **Approval of Minutes**

Mrs. Burns presented the minutes of the September 27, 2011 Public Board Meeting. Upon motion of Mrs. Cummings and seconded by Mr. Eccles the Board unanimously approved the minutes of the September 27, 2011 Public Board Meeting.

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

Mrs. Markowitz presented the following for approval:

- September, 2011 Treasurer's Report, subject to audit
- Check Register – September, 2011
- Personal and per capita tax exonerations for September, 2011

Mr. Eccles moved the September, 2011 Treasurer's Report be approved, subject to audit, Check Register for September, 2011, and the Personal and Per Capita Tax Exonerations for September, 2011 be approved. Mr. Koutsouradis seconded the motion.

Mr. Morris asked Mrs. Markowitz if the \$1.3 million dollars for Blue Cross Blue Shield was for the certified staff.

Mrs. Markowitz responded that approximately \$1 million dollars is for the certified staff.

The Board approved said reports by a vote of eight ayes, and one nay, (Mr. Morris.)

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

Dr. Muenker presented the following for approval:

- Elections – Certified Personnel
- Resignations and Leaves of Absence – Certified Personnel
- Elections – Support Personnel
- Resignations and Sabbatical Leaves – Certified Personnel

Dr. Muenker advised the Board that on page 33, candidate number one withdrew their interest for that position; therefore, the Board will not be voting on that position.

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 approved. Ms. Boyle seconded the motion.

Mr. Morris asked if someone is out on sabbatical leave they still maintain their health insurance.

Dr. Muenker answered they do.

Mr. Morris asked how long a person could be out on sabbatical leave.

Dr. Muenker responded sabbaticals can be a half or full year.

The Board approved said reports by a vote of eight ayes, zero nays, and one abstention (Mr. Morris abstained for the reason that individual number one and two should not be approved for sabbatical leave at this time.)

**Motion: Declaration of American Education Week**

Mr. Eccles presented the following motion:

WHEREAS, public schools are the backbone of our democracy, providing young people with the tools they need to maintain our nation's precious values of freedom, civility, and equality; and,

WHEREAS, by equipping young Americans with both practical skills and broader intellectual abilities, public schools give them hope for, and access to, a productive future; and,

WHEREAS, public education employees, be they substitute educators, custodians, teachers, bus drivers or librarians, work tirelessly to serve our children and communities with care and professionalism; and,

WHEREAS, public schools are community catalysts, bringing together adults and children, educators and volunteers, business leaders and elected officials in a common enterprise;

NOW, THEREFORE, BE IT RESOLVED, that the Neshaminy Board of School Directors hereby proclaims November 13 – 19, 2011, as the 90th annual observance of American Education Week.

Mr. O'Connor seconded the motion.

The Board unanimously approved said motion.

**Motion: School Lane Charter School**

Mr. Koutsouradis presented the following motion:

WHEREAS, on November 15, 2010, School Lane Charter School-Neshaminy submitted a Charter School Application to the Neshaminy School District in accordance with Act 22 of 1997, seeking a charter for the 2011-2012 School Year; and

WHEREAS, on February 22, 2011, the Neshaminy School District Board of School Directors adopted a Resolution rejecting the Charter School Application; and

WHEREAS, the Applicant resubmitted their Application in accordance with Act 22 of 1997; and

WHEREAS, School Lane Charter School-Neshaminy advised the District that it was willing to negotiate with the District regarding a Lease and or Purchase of the Eisenhower Elementary School as a potential site for the Charter School and School Lane Charter School-Neshaminy requested that the facts regarding the Eisenhower Elementary School being a potential site for the school for the Charter be entered into the record; and

WHEREAS, the District's approval of the Charter School was contingent upon and conditioned upon School Lane Charter-Neshaminy entering into a Lease Agreement for the location of the Charter School to be at the Eisenhower Elementary School; and

WHEREAS, School Lane Charter-Neshaminy has now advised the District that it will not lease the Eisenhower Elementary School and has unilaterally deleted that condition/contingency from being part of the Charter between itself and the School District;

NOW, THEREFORE, be it resolved that the approval of the Neshaminy School District Board of School Directors of the School Lane Charter School-Neshaminy Application dated July 19, 2011 is rescinded.

Mrs. Cummings seconded the motion.

Mr. Webb recommended that the approval of the School Lane Charter School Neshaminy be rescinded due to the fact that the charter school does not have a definite location for the facility within Neshaminy's borders.

Mr. O'Connor asked Mr. Webb to clarify what a yes vote means versus a no vote.

Mr. Webb indicated that a yes vote would agree with the motion to rescind the application.

Mr. Webb requested a roll call tally. The roll call tally indicated the motion passed by a vote of eight ayes, (Ms. Boyle, Mrs. Cummings, Mr. Eccles, Mr. Koutsouradis, Mr. Morris, Mr. O'Connor, Mr. Oettinger, and Mr. Webb, and one nay, (Mr. Congdon.)

### **Federal Programs**

Dr. Muenker advised the Board that there were two grant allocations for the month of October. E.L.E.C.T. Initiative, Teen Pregnancy and Moms Grant in the amount of \$236,053.00, and the E.L.E.C.T. Teen Pregnancy Fatherhood Grant in the amount of \$69,484.00, which brings the total to \$1,080,733.00 to date.

### **Other Board Business**

Mr. Profy presented a recommendation by the Solicitor to settle the 2011 Tax Year Assessment Appeal of Penguin Cabot, LP, as follows: Penguin Cabot, LP, 22-057-008-006. Settlement Assessment \$851,562.00 – 2011 Tax Year Assessment.

Mr. Congdon made a motion for the recommendation to settle pending 2011 Tax Year Assessment Appeal of Penguin Cabot, LP and Mr. Webb seconded the motion.

The Board unanimously approved said motion.

### **Public Comment**

Larry Pastor, business executive, Middletown, announced that Thursday, October 20, 2011 a group of parents/tax payers held a press conference to inform the community of the truth behind the impasse of the last four years and to dispel the myths and distortions presented by the NFT propaganda. Mr. Pastor advised the public that the information can be found on [www.neshaminytaxpayers.com](http://www.neshaminytaxpayers.com), [www.getrealneshaminy.com](http://www.getrealneshaminy.com) and the email address of [neshaminystudentsfirst@gmail.com](mailto:neshaminystudentsfirst@gmail.com) where anyone can send an email to learn how they can get involved and help to understand what has been going on during the impasse.

Stephen Pirritano, self-employed, Feasterville, stated that the matter of the side-bar policy that formulated the early retirement incentive is extremely important to him because he considers it an appalling wrongdoing to Neshaminy taxpayers. He thanked the Board for being forthcoming and for changing the side-bar agreements going forward. He asked Mr. Eccles to address the questions that he presented to him.

Almando Carrasquillo, private investigator, Langhorne, declared that he is against the teachers wearing the union tee shirts in the classroom. He said it is unprofessional and it intimidates the students. He asked the teachers to be more professional and to keep politics out of the classroom.

Steve Rodos, semi-retired, Villages of Flower Mills, posed the question regarding the medical opt-out clause in the current contract asking why the district is still paying opt-out fees since the clause was to have expired.

Hua, hospital employee, Langhorne, stated that she was shocked at the recent low rating of Neshaminy High School in the PSSA report. She questioned why the union does not understand that the district does not have the money in the budget to pay for the union demands. She said because of the difficult economy, her family has cut back their budget for non-essentials, so obviously the district must do the same.

Kathy McConnell, business owner, Lower Southampton, stated that she received a phone call from an NFT member at her work. She said that she resents the fact that these phone calls misrepresent the truth, but it is also totally uncalled for to call parents at their place of employment.

Gail Thibodeau, self-employed, Langhorne, asked Dr. Muenker what can be done to stop NFT members from calling parents with their propaganda. She said the numbers are blocked, but they are calling from the schools, which is supposed to be forbidden. She said that the NFT claims that the phone numbers were obtained from a voter's registration list, but she does not believe that to be the truth because work phone numbers would not be on a voters list.

### **Board Comment**

Ms. Boyle said that as a member of the finance and negotiating committees she is acutely aware that the district does not have the funds to accommodate the NFT proposed demands. She emphatically stated that there cannot be any retroactive payments. Ms. Boyle stated that the insurance bill is a critical factor for a balanced budget and it is only fair that the NFT agrees to the same percentage contribution as the other district employees. Ms. Boyle added that she has the utmost respect for the majority of the certified staff, but she finds the reprehensible tactics of the NFT leadership very disturbing. Ms. Boyle assured the public that as long as she is a Board member she will not take part in any back room deals. She declared that the Board is united in the objective of settling on a fair contract to everyone. Ms. Boyle concluded by recommending to members of the NFT who agree and want to see the contract settled, to talk to their leadership and urge them to bring an end to this process.

Mr. Congdon said that he believes that there are many teachers in the district that are committed and are excited about teaching. He said that in the recent phone message that is being presented by the NFT they made the statement that once the contract is settled they can get back to what they love doing. Mr. Congdon said he thinks this statement presents a disservice to the teachers who are, and have been, doing a good job all along.

Mr. O'Connor thanked Mr. Suter for his presentation on the new elementary science curriculum. He commended the science program for encouraging young minds about science technology and innovation. Mr. O'Connor asked Dr. Muenker to please make sure that Mr. Carrasquillo gets an answer to his questions regarding class trips. Mr. O'Connor stated that due to fiscal discipline the Board has been able to minimize or eliminate tax increases in recent years and build up reserves to a healthy level. He said that he would like to see the Board authorize the use of reserve funds toward the implementation and support of an elementary school computer curriculum beginning with the school year of 2012-2013. A caveat to this suggestion is that the reserve funds can only be used for this purpose as long as the district remains without a new CBA with the teachers. After a new contract has been reached the funds must come from the new operating budget. He said that another consideration for a successful elementary school computer program is the length of the school day. Mr. O'Connor asked that the next Board give serious consideration to these issues when the new budget is set in June 2012.

Mr. Morris said he wants the NFT to show him where the alleged \$21 million dollars is and what programs they are planning to cut according to that.

Mr. Eccles responded to Mr. Pirritano's questions stating that he has consulted with a prior Board President and was advised that any side-bars required a vote from the Board. Mr. Eccles suggested that Mr. Pirritano research the Public School Board Meeting minutes from that time and the votes should be part of the public record. Mr. Eccles declared that there were no side-bar agreements during his term as School Board President.

Mr. Oettinger commended the student who spoke, Eric Longden, stating that he did a great job.

Mr. Webb remarked that while Cara DeLorenzo's comments were reasonable and well-spoken, the reality of the matter is that the NFT uses the legal system to strengthen their own position. He explained that a recent grievance filed by a former teacher was upheld by an arbitrator even though it overturned a past practice of the district. The past practice stated that the number of family members covered by insurance for a retired teacher could not be increased after the teacher was no longer employed. Due to the presentation of a mysterious alternate version of the

side-bar letter from 2001, the arbitrator disregarded the past practice of the district and found in favor of the teacher. The cost to the district to add another person to the healthcare of a retired teacher is approximately \$88 thousand dollars over the next 5 years. Mr. Webb said that the School District has cut expenses in every way possible and yet they are now faced with this new expenditure that will not be used for anything having to do with education. Another maneuver by the NFT was to file an Unfair Labor practice against the Board for recommending an 8<sup>th</sup> grade student to participate in a cyber math school program, which was done in the best interest of the child. Mr. Webb remarked that the NFT obviously does not want to settle the contract, they would rather engage in unwarranted conflicts. In response to Mr. Rodos's inquiry about the medical opt-out expense, Mr. Webb said that, according to the attorney, this falls under "status quo" and that is why it still has to be paid. Mr. Webb said that in order for the Board to put a stop to the teachers calling parents they must first have proof that the calls are coming from the schools and that the lists were obtained dishonestly.

### Adjournment

Mr. O'Connor moved the meeting be adjourned and Mr. Congdon seconded the motion. The Board unanimously approved the motion. Mr. Webb adjourned the meeting at 8:44 p.m.

Respectfully submitted,

Jennifer Burns  
Board Secretary

Stephen Pirritano's questions to the Board dated September 27, 2011:

1. When was the act of following these so labeled "side bar agreements" set and implemented?
2. Who were the individuals that served on the Board at that date in time that supported this action of allowing "side bar agreements" and when was it first done?
3. Was the implementation of this act a change in Board policy or a change in Board Bylaws of Governance?
4. Who, if any, rendered a legal opinion to the Board of that date in time condoning such action(s) may be implemented?
5. When the action letter dated March 2, 2001 from Mr. Steve Schoenstadt to Mr. Kevin Knowles was committed who in the serving Board at the time and/or the Neshaminy School Administration was involved in its conception and or negotiation?
6. Is there any existence of notes or minutes from any Neshaminy School Board Executive Session or Public Meeting of the serving Board of that date in time that pertain to the discussion of and/or the negotiation of this agreement; The Neshaminy Voluntary Retirement Plan or by any other name it may have been known as?
7. Do any financial calculations exist on file or held by those that served at that time that estimated what the cost of implementing the provisions of the Neshaminy Voluntary Retirement Plan would be to the School District?
8. Was at any time before this agreement was implemented (the NVRP) was in but in front of the full sitting Board for their opinion or to vote on its approval?