

NESHAMINY SCHOOL DISTRICT
Langhorne, Pennsylvania

PUBLIC BOARD MEETING MINUTES
(PUBLIC MEETING)
REORGANIZATION MEETING
NESHAMINY BOARD OF SCHOOL DIRECTORS
December 1, 2003

The Neshaminy Board of School Directors met in public session on December 1 2003 in the Board Room at Maple Point Middle School. The following persons were in attendance:

BOARD MEMBERS:

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

ADMINISTRATORS:

Mr. P. Howard Wilson
Dr. Raymond J. Boccuti
Mr. Joseph V. Paradise

SOLICITOR: Thomas J. Profy, III, Esquire

SECRETARY:

Mrs. Anita E. Walls

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

Call to Order

Mrs. Bostwick called the meeting to order at 7:00 p.m.

Pledge of Allegiance

Mrs. Bostwick requested those in attendance join in the salute to the flag.

Public Comment

No public comment.

Reorganization of the Neshaminy Board of School Directors – In accordance with the State Code, the Board held its reorganization meeting.

Administering of Oaths of Office

The loyalty oath of office was administered to Mrs. Susan Cummings by District Justice Susan McEwen.

The loyalty oath of office was administered to Mrs. Sue Barrett by District Justice John Kelly.

The loyalty oaths of office were administered to Mr. Richard M. Eccles, Mr. Jason Bowman and Mr. Ritchie Webb, simultaneously by District Justice John Kelly.

Election of Temporary President - Mrs. Bostwick requested nominations be presented for Temporary President for the reorganization of the Neshaminy Board of School Directors. Dr. Spitz nominated Mrs. Jowett as

temporary President and Ms. Drioli seconded the nomination. There were no other nominations. Mrs. Bostwick moved that the nominations for Temporary President of the Neshaminy Board of School Directors be closed. Mrs. Jowett acted as Temporary President.

Election of President – Mrs. Jowett requested nominations be presented for President of the Neshaminy Board of School Directors. Mr. Bowman nominated Mr. Eccles and Mr. Webb seconded the nomination.

Mrs. Bostwick stated that she cannot support Mr. Eccles due to the fact that his behavior this year has not merited this honor. Mr. Eccles for the most part either arrives late or leaves early from board meetings. Mr. Eccles has stormed out of this room enough that the newspaper has called him on that behavior. Mrs. Bostwick feels that he has not discharged his duty by being a part of the committees that he was asked to serve upon. Mr. Eccles has not attended any committee meetings this year, despite the fact that Mr. Eccles signed the committee list with every committee being his first choice. Mrs. Bostwick later found out that Mr. Eccles stated that it was a joke. Mr. Eccles has also sent a letter to the underwriters that has plunged this District into a financial morass. Mrs. Bostwick questioned perhaps that was a joke also. The District will be paying for that behavior for years to come in many different ways. Mr. Eccles has not proved himself to be a friend of the students of this District, and Mrs. Bostwick cannot support his nomination for President.

Mrs. Bostwick nominated Dr. Spitz for President. Mrs. Jowett seconded the nomination.

Ms. Drioli questioned whether Mr. Eccles and Dr. Spitz wanted the position of President. Dr. Spitz requested that the vote be taken.

Mrs. Jowett made a motion to close the nominations. Mr. Bowman seconded the motion. The Board approved the motion to close nominations with eight ayes and one nay (Ms. Drioli).

Mrs. Jowett requested a roll call vote for the first nomination of President, Mr. Eccles. The roll call tally indicated that Mr. Eccles was elected President of the Neshaminy Board of School Directors with six ayes, Mrs. Barrett, Mr. Bowman, Mrs. Cummings, Ms. Drioli, Mr. Eccles, Mr. Webb and three nays, Mrs. Bostwick, Mrs. Jowett and Dr. Spitz.

Election of Vice-President – Mr. Eccles requested nominations be presented for Vice President of the Neshaminy Board of School Directors. Mrs. Jowett nominated Dr. Spitz and Mrs. Cummings seconded the nomination. There were no other nominations for Vice-President. Mr. Eccles moved the nominations for Vice President of the Neshaminy Board of School Directors be closed and Ms. Drioli seconded the motion. The Board approved the motion to close nominations with nine ayes. Dr. Spitz was elected Vice President of the Neshaminy Board of School Directors with nine ayes.

Motion: Approval of Board Meeting Calendar

Ms. Drioli suggested the November meetings, Work Session and Public meeting, be combined to be held on November 9, 2004, however, leave the third Tuesday available if it is absolutely necessary for the Board to meet.

Mrs. Jowett made a motion to amend the 2004 School Board Meeting Calendar to have a combined Work Session/Public Meeting to be held on November 9, 2004. Mr. Bowman seconded the motion. The Board unanimously approved the motion to amend the 2004 School Board Meeting Calendar.

Mr. Profy noted that November 16th would be advertised as an action meeting subject to cancellation by the Board.

Mrs. Cummings inquired whether there would be Board consensus to have all meetings begin at 8:00 p.m. Ms. Drioli noted that the rationale is that Work Sessions begin at 7:00 p.m. due to the fact that Work Sessions require more time.

Mr. Eccles presented the following motion:

WHEREAS, the Board of School Directors must adopt and publish a schedule of Public Meetings for 2004.

NOW, THEREFORE, BE IT RESOLVED, that the attached 2004 School Board Meeting Calendar be adopted by the Neshaminy Board of School Directors.

Dr. Spitz seconded the motion.

The Board unanimously approved the 2004 School Board Meeting Calendar.

Other Board Business

Mr. Eccles noted that in light of the transactions that have taken place over the last few months it is imperative that a meeting take place prior to the end of the year to set goals and agendas for the upcoming year. Mr. Eccles suggested December 9th, 10th, 16th, or 17th.

Mr. Wilson suggested that the meeting be considered an Open Workshop/Public Meeting for Board members and cabinet members to speak about goals.

Mrs. Jowett made a motion to have an Open Workshop/Public Meeting on December 9, 2003 at 7:00 p.m. Mr. Webb seconded the motion. The Board approved the motion by a vote of eight ayes and one nay (Ms. Drioli).

Dr. Spitz made the following motion regarding the appointment of the Solicitor. Dr. Spitz was under the understanding that when the Solicitor was appointed there was no end date associated with that appointment. However, it is customary to appoint a Solicitor to ensure that the District is legally able to obtain advice from the Solicitor.

Dr. Spitz made a motion to reappoint Thomas J. Profy, III, Esquire as Solicitor under the same terms and conditions as his appointment in the Spring, 2003. Ms. Drioli seconded the motion.

Mr. Profy suggested that the appointment be the law firm of Begley, Carlin & Mandio.

Mr. Wilson noted that the appointment would run from December, 2003 to December, 2004. Mr. Wilson stated that legally that does not need to occur. Ms. Drioli noted that past practice has been that this Board has voted on a Solicitor concurrently with school board reorganization.

Mr. Eccles inquired what direction Mr. Profy was operating under. Mr. Profy stated that it is an open ended appointment made in May, 2003. Mr. Profy noted that it is customary as part of the reorganization to have the appointment or reappointment of the firm acting as Solicitor. Solicitor serves at the pleasure of the Board.

Mr. Bowman inquired whether the Board was dealing with general solicitor or special education and labor counsel as well.

Mr. Profy advised that his firm does not do the special education and labor work for the District. Mr. Profy advised that the hourly rate is \$120.00 per hour with no retainer.

Mrs. Barrett questioned what is the average number of hours per month. Mr. Profy advised that it has averaged between \$4,500 - \$7,000. These amounts would include tax assessment appeal work.

Ms. Drioli noted the legal services become higher when various individuals bring lawsuits against the District, i.e., harassment, student discipline, employment practices.

Mr. Eccles restated the motion:

To appoint the law firm of Begley, Carlin & Mandio for a term of one year to act as Solicitor for Neshaminy School District.

Mr. Eccles requested a roll call vote be taken. The roll call tally indicated that the law firm of Begley, Carlin & Mandio was appointed Solicitor for a term of one year by a vote of five ayes, Mrs. Bostwick, Mrs. Cummings, Ms. Drioli, Mrs. Jowett, Dr. Spitz and four nays, Mrs. Barrett, Mr. Bowman, Mr. Eccles, Mr. Webb.

Mr. Bowman commented that it was not anything personal against Mr. Profy or his law firm; however, Mr. Bowman did not feel it was necessary to lock the position of Solicitor for a term of one year. Ms. Drioli noted that this has been done this way for the past ten years and there is nothing inconsistent being done.

Ms. Drioli stated that it has been a very contentious election year. People have run and people have won. In order for the District to move forward the Board needs to learn to work together. Ms. Drioli stated that this Board holds the future of the students of Neshaminy. Ms. Drioli sees differences of opinion, however, she does not see bad people. Ms. Drioli would like to see the past set aside and move forward.

Mrs. Barrett would like to see microphones for each Board member when the meetings are held in the Board Room of the District offices.

Mr. Eccles noted that these are some of the items that will be discussed at the Workshop on December 9, 2003.

Correspondence

No correspondence.

Public Comment

Mr. William O'Connor made the following statement:

"I want to extend my sincerest congratulations and best wishes to the new School Board and I encourage you to take immediate action concerning the condition of Neshaminy High School.

If referendum is inevitable, then new construction will likely be voted down for two key reasons:

1. The public at large chooses to remain ignorant of the facts surrounding this issue and they will undoubtedly react against a large expenditure no matter how justified it may be.
2. That letter from last October signed by four of you. Regardless of your intent of that letter, it sent a message to the public that this issue is being dictated by behind-the-scenes politics that we have no control over. Numerous people have told me that there is no reason to fight for a new high school anymore because decisions are being made by people we don't even know and faces that we never see.

If referendum on new construction fails, then a referendum on renovation will also fail as that has support from neither side in this issue. Remember that during the Act 34 meeting, renovation finished 3rd place in a two-horse race, as more people favored doing nothing than supporting renovation.

This Board and this Community are faced with the very real possibility that by this time next year, absolutely NOTHING will be accomplished. Hoping to avoid that, I have several suggestions for your consideration.

- i. As a new and united Board, confirm the cost and scope of both new construction and renovation plans. Many erroneous numbers were thrown around during election time, and it would be helpful if you could all agree and reaffirm what those numbers truly are.
- ii. Remove any non-high school expenditure plans from the High School bond issue. Other buildings are in desperate need of repair, and you should fund those repairs immediately without the delays of referendum.
- iii. Make a united recommendation from this Board as to what you feel is the best choice for the District.
- iv. Lastly, state your intentions on what you will do if both new construction and renovation plans fail at referendum. And please don't say that you'll cross that bridge when you come to it. This District and our children need your leadership.

Again, congratulations and good luck to all of you. Happy Holidays!"

Board Comment

Dr. Spitz congratulated the outgoing Board members who served with honor and distinction. Dr. Spitz congratulated and welcomed Mr. Bowman, Mrs. Barrett, Mrs. Cummings and Mr. Webb. Dr. Spitz noted that they will find this a very challenging job, but to keep in mind the most important goal is to provide a high quality public education for the children of this community, and they will find it to be very rewarding. Dr. Spitz congratulated Mr. Eccles on his election as President. Dr. Spitz looks forward to working with Mr. Eccles in a spirit of openness and cooperation, particularly regarding the important issue of what to do with the high school. Dr. Spitz will take Mr. Eccles on his word that he is strongly in favor of building a new high school, and looks forward to his leadership in persuading a majority of residents all around this community to vote in favor of making the required investment for a new building when the issue is put up for referendum next spring. From both an educational and financial standpoint, the case for building new instead of renovating is clear. In addition to Mr. Eccles, a solid majority of this new Board has already indicated their support for a new building. With Mr. Eccles spearheading the effort to build a new high school Dr. Spitz is confident that the District will get the community support in the Spring to move forward with that vision. Dr. Spitz looks forward to working with Mr. Eccles.

Mr. Eccles thanked everyone for attending this evening's reorganization meeting. Mr. Eccles noted that although the last several months have been a very trying time for the Neshaminy School District, Mr. Eccles believes that there is a competent group of individuals on this Board to move this District forward. Our community has been divided recently on the impending high school issue. It is now up to this Board to bridge that gap and move forward. This Board will seek as much community involvement as possible to ensure that the task can be accomplished. Mr. Eccles thanked the Board for the opportunity to serve as President, and

looks forward to working with each and every Board member. Together, the Board can generate constructive ideas that will enable the Board to deal with the difficult issues facing this District.

Adjournment

Mr. Eccles moved the meeting be adjourned and Dr. Spitz seconded the motion. The Board unanimously approved the motion. Mr. Eccles adjourned the meeting at 7:40 pm.

Respectfully submitted,

Anita E. Walls
Board Secretary