

NESHAMINY SCHOOL DISTRICT
Langhorne, Pennsylvania

PUBLIC BOARD MEETING MINUTES
NESHAMINY BOARD OF SCHOOL DIRECTORS
(PUBLIC MEETING)
January 25, 2005

The Neshaminy Board of School Directors met in public session on January 25, 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
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
Dr. Sandra Costanzo
Mr. Joseph V. Paradise
Mrs. Jacqueline Rattigan

BOARD MEMBER NOT PRESENT:

Mrs. June R. Bostwick

SOLICITOR:

Thomas J. Profy, III, Esquire

SECRETARY: Mrs. Anita E. Walls

OTHERS: Approximately 13 persons from the public, staff and press

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

No Announcements.

Public Comment

Mr. Vincent DeVelleco, Langhorne, PA, advised that he is a Neshaminy graduate and that his company does tremendous upgrades to public access channels. Mr. DeVelleco advised that it would be free of charge to the governing bodies. Sponsorships are obtained to cover the costs. Mr. DeVelleco stated that he would like to provide the Board with a short presentation of the upgrades but unfortunately he is unable to set up the presentation at this time due the time limitations and that he would attempt to do same at a different venue.

Mr. Sam DeFalco, Langhorne, PA, advised that he has some issues with his son regarding school and he would like some recommendations from the Board on how to move forward regarding the district's zero tolerance policy. Mr. DeFalco advised that his partner of thirty years and himself have

two boys and they live in Laurel Oaks. The oldest boy is a fourth grader at Pearl Buck and about three years ago, in school for Mother's Day, the teacher was aware that he has a birth mother in Russia and that he has two dads. The teacher had more than twenty years teaching experience and she was aware when certain holidays arose how to address certain cards. At this point she asked his son to sit down and write about how much he loved his mother. After the situation was addressed the teacher apologized for months about how she set back the self esteem that we were trying to put into my son's life about his family and background. Mr. DeFalco noted that for any teacher not to be familiar with diversity and how to handle diversity in a classroom bothers Mr. DeFalco. Mr. DeFalco advised that about one year ago his son was preparing a Christmas card and as it was printing two boys ripped it up because they laughed at it because he has two gay dads. Another investigation was conducted regarding the zero tolerance policy. Ms. Franke spoke with the child and the parents and the matter was resolved. Mr. DeFalco's son has now questioned him whether he is going to be gay like himself and papa. Mr. DeFalco answered that he did not think so. Mr. DeFalco's son stated that the kids in school continuously tease him about this and if you tell the teacher the kids will just make more fun of me.

Mr. DeFalco works for the State of New Jersey, Department of Personnel, an equal opportunity office and his job is to oversee all the state's department, agencies, college and universities issues and complaints regarding diversity initiatives, handling of diversity complaints, negotiation settlements and mediations. Mr. DeFalco's partner is a Director of Human Resources for a pharmaceutical company in South Jersey. Mr. DeFalco just conducted a bias training seminar which spoke about two boys who committed suicide because of words that were said in their school district that were untrue. Mr. DeFalco stated that the last thing he wants to do ten years from now is stand up and speak to students about his son being one of those victims because things are not being done in this school district which are supposed to be done. Mr. DeFalco went to the Superintendent at the time when the incident first occurred. Mr. DeFalco asked, "What do you do within your school district to educate your teachers in handling issues such as mine?" He answered that some things were done. At that time Mr. DeFalco offered his services and his partner's services free of charge to come into the school and talk to the teachers about diversity and handling diversity. According to the district's zero tolerance policy Mr. DeFalco's son should be guaranteed an education and a place to go where he feels safe. Mr. DeFalco brings it to the Board since it has occurred three times in three years.

Mr. Eccles recommended that Mr. DeFalco contact the Administration. Mr. Wilson noted that his office or Elementary Education would be in contact. Ms. Drioli recommended that he attend a Policy Committee meeting.

Mr. DeFalco also noted that when he called the number to confirm the meeting for this evening the number was for Maple Point and there was no information provided regarding the meeting.

Student Representative Report

Ms. Stacy Mosley, Student Council Treasurer, provided the following report:

- Tsunami efforts are well under way at the high school
- Gym Night practices will be starting in two weeks and it will take place on March 3rd & 4th
- School musical will be running in few weeks
- Student Council would like to thank the Board for helping with the co-curricular parking lot
- Valentine's Day activities include love lines, roses, etc.
- Fundraiser for the American Cancer Society is also taking place

Superintendent's Report

Mr. Wilson announced that at the February 8, 2005 Board meeting Mr. Paul Erickson from ATS&R will speak to the Board regarding the three options for renovations at the high school. Mr. Wilson stated that on March 8, 2005 the district will have someone provide a short presentation regarding delinquent tax collections and a program that is being put together across the Commonwealth. Mr. Wilson stated that the district has 56 students from the music program that have been invited to County.

Approval of Minutes

Upon motion of Mrs. Jowett and seconded by Mr. Bowman, the Board unanimously approved the minutes of the November 9, 2004 and December 6, 2004 Public Meetings. Mrs. Bostwick was not present.

Approval of Treasurer's Report, Bills for Payment, Investments, and Exonerations of Personal and Per Capita Tax – Mr. Paradise presented the following for approval:

- November 2004 and December 2004 Treasurer's Report, subject to audit
- Bills for payment Check Register – November 2004 and December 2004
- Escrow Fund, Capital Project Funds, Investment Funds, and New Investment
- Budget Transfer Report No. 05-2 (Working Copy), which includes ten transactions
- Personal and Per Capita Tax Exonerations – November 2004 and December 2004

Ms. Drioli moved the November 2004 and December 2004 Treasurer's Report be approved, subject to audit, and the November 2004 and December 2004 bills for payment, Budget, Escrow Funds, Capital Project Funds, Investments Funds and Personal and Per Capita Tax Exonerations. Dr. Spitz seconded the motion.

Mr. Eccles commented regarding a check for Saul Ewing (Act 72 Bond Analysis) for \$19,750.00. Mr. Paradise responded that this was as a result of a Board motion (Debt Resolution Motion) approved in August taking the district forward in the Act 72 process and taking the next step regarding the bond issue. Mr. Eccles questioned whether this is the total amount that will be spent with Saul Ewing. Mr. Paradise advised that it will be the total amount that will be spent regarding the Debt Resolution Motion. If the Board goes forward with the bond issue the district will need Bond counsel. Mr. Paradise noted that he has an itemized bill from August 2, 2004 through October 20, 2004.

Mr. Profy stated that he has not reviewed the Saul Ewing bill, however, the services that Begley, Carlin provided regarding this matter are included in the general statements the district receives from Begley, Carlin and are extremely modest. Mr. Profy believes that the billing from Saul Ewing is consistent with other statements for similar type services that he has seen due to the novelty of the parameters financing the approval and receiving approval from the Department of Community and Economic Development.

Mrs. Barrett questioned whether the Saul Ewing invoice was paid. Mrs. Barrett raised the issue some time ago regarding paying invoices prior to Board approval and Mrs. Barrett would like to have the Board review the check register prior to payment. Mr. Paradise commented that the invoices were from November and it is now January 25, 2005. Business cannot wait two to three months to pay its bills. Discounts are lost when there is a delay in payment. Mrs. Barrett advised that this is

the second check that has been paid that she does not feel good about. Mrs. Barrett noted that the public looks to the Board members to be their watchdogs.

Mrs. Barrett would like to see the Board request Mr. Paradise to redo the way the checks are paid. Mr. Paradise advised that it could be done; however, it would involve a cost to the taxpayers in delaying payment to vendors.

Mr. Eccles asked that this matter be investigated to whether it was a Board motion or whether there was consensus by the Board to move ahead. Mr. Eccles specifically stated that he did not vote for the Act 72.

Mr. Bowman stated that a resolution was passed allowing the district to incur \$85M debt by a five to four vote. Mr. Bowman questioned whether any of the five people who voted for that resolution had any idea that the legal fees would be close to \$20,000. Ms. Drioli stated that you do not bring people of this caliber into any meeting without incurring significant costs.

Mr. Bowman stated that the Board never inquired how much the legal fees would be to prepare this resolution.

Discussions ensued further regarding the bill and it was recommended to refer to the minutes of the previous meetings.

Mr. Profy further advised that the scope of the services was somewhat novel, and discussions took place that \$20,000-\$25,000 would be the parameters for total services for the Act 72 Resolution. The issue involved was new and that is how the discussions proceeded and tight deadlines needed to be met. Mr. Profy noted that bond counsel is premium legal services for which relatively high fees are incurred.

Ms. Drioli made a motion to amend the motion. Mr. Webb seconded the motion.

The Board approved the amended motion by a vote of seven ayes (Mr. Eccles, Mr. Bowman, Ms. Drioli, Mrs. Cummings, Mrs. Jowett, and Mr. Webb) and one nay (Dr. Spitz). Mrs. Bostwick was not present.

Mr. Bowman made a motion to approve the Check Register minus item 152818. Mrs. Cummings seconded the motion.

The Board unanimously approved the motion to approve the Check Register minus item 152818. Mrs. Bostwick was not present.

Ms. Drioli made a motion to approve the remainder of the items as reported. Mrs. Jowett seconded the motion.

The Board unanimously approved the Treasurer's Reports, subject to audit, bills for payment (as per amendment), investments, escrow funds, and capital project funds, personal and per capita tax exonerations. Mrs. Bostwick was not present

Bids

Mr. Paradise presented the following bids for approval:

Bid No. 05-27 Exterior Door Replacements at Everitt, Lower Southampton, and Heckman Elementary Schools, Tawanka Learning Center, Maple Point MS, Sandburg/Schweitzer Complex, Neshaminy MS and Operations Office

Bid Amount: \$249,000.00

The bid is for the replacement of exterior doors.

Ms. Drioli moved the bid be approved and Mrs. Jowett seconded the motion.

The Board unanimously approved the bids. Mrs. Bostwick was not present.

Certified and Support Personnel Actions

Mr. Wilson presented the following for approval:

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

Mr. Wilson provided Board members with an overview of the Addendum to Elections of Certified Personnel. Mr. Wilson noted that the situation has been covered and upon return of certain individuals all personnel will return to their previous assignments. Mr. Wilson requested approval of the personnel report as presented.

Mrs. Cummings moved the personnel report be accepted. Mrs. Jowett seconded the motion.

The Board unanimously approved the personnel report. Mrs. Bostwick was not present.

Motion: School Director Recognition Month – January 2005

Dr. Spitz 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 of 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 nonpaid, 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.

Mr. Bowman seconded the motion. The Board unanimously approved the motion. Mrs. Bostwick was not present.

Motion: Acceptance of 2003-2004 Audit Report

Mr. Webb presented the following motion:

WHEREAS, the audit for the Neshaminy School District for the fiscal year ended June 30, 2004, has been prepared by Hege Kramer Connell Murphy & Goldkamp, P.C., Certified Public Accountants.

NOW, THEREFORE, BE IT RESOLVED, that the Audit Report for the fiscal year ended June 30, 2004, be accepted in accordance with Section 24-2408 of the School Code.

Dr. Spitz seconded the motion.

The Board unanimously approved the motion. Mrs. Bostwick was not present.

Motion: Tax Collectors' Salaries

Mrs. Barrett presented the following motion:

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

WHEREAS, the school district is required to establish a compensation plan for tax collectors for the four year term of office that begins in 2006.

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

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

| Municipality | 2006 Year 1 | 2007 Year 2 | 2008 Year 3 | 2009 Year 4 |
|-------------------------|----------------|----------------|----------------|----------------|
| Hulmeville Borough | \$4,450 | \$4,450 | \$4,539 | \$4,630 |
| Langhorne Borough | \$4,502 | \$4,502 | \$4,592 | \$4,684 |
| Langhorne Manor Borough | \$4,450 | \$4,450 | \$4,539 | \$4,630 |
| Lower Southampton | \$25,184 | \$25,184 | \$25,688 | \$26,201 |
| Middletown Township | \$53,394 | \$53,394 | \$54,462 | \$55,551 |
| Penndel Borough | \$6,304 | \$6,304 | \$6,430 | \$6,559 |
| TOTAL | \$98,284 | \$98,284 | \$100,250 | \$102,255 |

B. Compensation for the Collection of Real Estate Taxes Only

| Municipality | 2006 Year 1 | 2007 Year 2 | 2008 Year 3 | 2009 Year 4 |
|--------------------|----------------|----------------|----------------|----------------|
| Hulmeville Borough | \$2,240 | \$2,240 | \$2,285 | \$2,330 |
| Langhorne Borough | \$2,322 | \$2,322 | \$2,368 | \$2,416 |

| | | | | |
|-------------------------|----------|----------|----------|----------|
| Langhorne Manor Borough | \$2,240 | \$2,240 | \$2,285 | \$2,330 |
| Lower Southampton | \$14,438 | \$14,438 | \$14,727 | \$15,021 |
| Middletown Township | \$29,791 | \$29,791 | \$30,387 | \$30,995 |
| Penndel Borough | \$2,856 | \$2,856 | \$2,913 | \$2,971 |
| TOTAL | \$53,887 | \$53,887 | \$54,965 | \$56,063 |

C. 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 his/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, 2006; the date responsibilities begin for school district tax collection.
3. The salary shall be paid as follows: 50% of the annual salary shall be paid during the first quarter of the fiscal year in bi-weekly installments (July, August, September) and 50% shall be paid during the last three quarters (October to June).
4. 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.
5. 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.
6. Each tax collector shall be available to respond to reporting requirements needed by the school district in order to address taxpayer inquiries.
7. Advance tax payments to the school district by collectors shall be made on a DAILY basis by wire transfer of 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.
8. A true and verified Monthly Reconciliation of all payments received must be made by the 10th of the month for the previous month's 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.
9. 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.

10. 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.
11. 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.
12. 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.
13. The tax collectors must ensure that lists of delinquent taxpayers are filed with the applicable delinquent collectors on or before the due dates established.
14. The Business Administrator may issue additional rules and regulations concerning remittance, reconciliation, issuance of tax notices.
15. 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.
16. 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 will result in salary payments being withheld until the obligation is completed.

Mr. Bowman seconded the motion.

The Board unanimously approved the motion. Mrs. Bostwick was not present.

Federal Programs

Mr. Wilson advised that three new grants were received and presently the total grants exceed \$2.1 M which is the largest amount that the district has ever received.

Other Board Business

Mr. Webb advised that a Facilities and Finance Committee meetings will take place on February 2nd and February 16th.

Public Comment

No public comment.

Board Comment

No Board comment.

Adjournment

Mr. Bowman moved the meeting be adjourned and Mrs. Jowett 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