

NESHAMINY SCHOOL DISTRICT
Langhorne, Pennsylvania

SPECIAL PUBLIC BOARD MEETING MINUTES
NESHAMINY BOARD OF SCHOOL DIRECTORS
(WORK SESSION/PUBLIC MEETING)
August 22, 2006

The Neshaminy Board of School Directors met in public session on August 22, 2006, in the Board Room of the Maple Point Middle School. The following persons were in attendance:

BOARD MEMBERS:

Mr. Richard M. Eccles, President
Mrs. Sue C. Barrett, Vice President
Mr. Joseph R. Blasch
Mr. Jason Bowman
Ms. Irene M. Boyle
Mrs. Susan Cummings
Mr. Frank J. Koziol
Dr. William H. Spitz
Mr. Ritchie Webb

ADMINISTRATORS:

Mr. Paul J. Kadri
Dr. Sandra Costanzo
Mr. Joseph V. Paradise
Ms. Jacqueline Rattigan
Mr. Bruce Wyatt

SECRETARY:

Mrs. Anita E. Walls

SOLICITOR:

Thomas Profy, III, Esquire

OTHERS: Approximately 25 persons from the public, staff and press

1. Call to Order

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

2. Pledge of Allegiance

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

3. Public Comment

Mr. William O'Connor, Langhorne, PA, spoke regarding information published in the Courier Times regarding the PSSA scores for the area schools and a cost per student being spent throughout the district and the state. Mr. O'Connor noted that schools that were spending more were scoring less on the PSSA tests. Mr. O'Connor thought someone could possibly look into the matter and see why that trend was occurring. Mr. O'Connor was concerned about the grievance filed by the NFT regarding the discipline code changed this June by the Board. Some of the issues discussed had to do with the zero tolerance concept. Mr. O'Connor stated that there are published articles that state the harm that the zero tolerance policies cause to the students within school districts. The study was completed by the American Psychological Association along with Texas A & M University. The study concluded that some students could be caused harm by this type of discipline. The study also draws attention to the impact zero tolerance can have on performance within the school. Some districts have been easing up on the zero tolerance policies in order to promote better academic achievement. No one is advocating poor behavior, but what is being asked for is discretion. The PSSA scores show that in grades 3, 5 & 8 the district is above average and the 11th grade proficiency is below average. The high school environment is sometimes a difficult environment and does not always foster a good learning environment which has an impact on test scores. Mr. O'Connor asks that the district continues to work in conjunction with the NFT to resolve this matter as soon as

possible, but at the same time continue on the path to maintain discipline within the schools but allow for some flexibility by the Administration. Mr. O'Connor feels this is the right step to take.

Mr. Steve Rodos, Langhorne, PA, welcomed Mr. Kadri to the district and thanked him for agreeing to speak to the residents of Flowers Mill in October. Mr. Rodos is concerned about the closing of a middle school and the closing of the Tawanka facility. Mr. Rodos felt it might be a good idea to put classrooms at the high school facility for the Tawanka students. Mr. Rodos does not agree to move the students to a middle school and then to the high school. This would be very disruptive to both students and parents. Mr. Rodos commented that test scores reflect that the smaller the class size the better the students do in testing. Also, the test scores decrease in the higher grades. This is not because the teachers are not doing a good job, but to some extent it is the parents not doing a good job with monitoring what is occurring with their children. There should be more emphasis on everyone going to college. Years ago a high school diploma could get a person somewhere in this world, today a college degree is necessary to get you an interview. More emphasis should be placed on the parent's role in the student's education.

4. Announcements

No announcements.

5. Items for Discussion

a) Act 1 Tax Relief Act

Mr. Paradise advised that this Act 1 Tax Relief Act is a follow up to laws that have not been successful in the past. There are many similarities to Act 50 and Act 72. It is mandatory. There will be a three step process:

1. Index
2. Exceptions
3. Ballot

An index will be announced each year by the Department of Education which will show the amount that the tax base can grow. It has not yet been announced for the coming year. Once the index is announced the district must look at its budget development process which will be accelerated. Ten exceptions will be allowed under the law. They are similar to the exceptions allowed under Act 72. If the district must raise taxes beyond the index it will need to be brought in front of the taxpayers on the ballot during the Spring primary elections.

b) Appointment of Local Tax Study Commission

Mr. Paradise advised that the law provides that the district appoint a local Tax Study Commission by September 14, 2006 with either 5, 7 or 9 members. One member may be a Board member. The commission must be reflective of the socio-economic age and occupational diversity of the district with the extent possible. The Board can decide on what type of application should be completed by applicants.

The commission's job will be to present a recommendation to the Board within 90 days of the appointment. That recommendation should be whether the tax burden should be shifted from property to earned or personal income. The law requires that the district remain revenue neutral.

The Board has the ability to accept or reject the recommendation that the Tax Study Commission provides. The Board has until March 13, 2007 to decide to adopt a Tax Referendum Resolution as to whether or not it would be placed on the ballot.

c) Proposal from Public Financial Management (PFM)

Mr. Paradise advised that it is the recommendation of the Administration that the services of PFM be utilized to provide the independent analysis of all the data that the Tax Study Commission will need in order to complete the task.

Mr. Eccles inquired whether there was another firm other than PFM. Mr. Paradise advised that Parker/Hunter was the other firm. Dr. Spitz informed that both firms were reputable, however, Parker/Hunter needed to hire many new employees to meet their work load. Mr. Eccles is uncomfortable looking at only one company. Mr. Paradise advised that he and Mr. Kadri attended the presentations and recommends the use of PFM. Mr. Paradise advised that Neshaminy is more familiar with PFM and their employees. Mr. Paradise presented three service options from PFM for Bucks County Districts to consider. After Board discussion it was decided to use Option "B" where PFM will prepare and present materials to member Districts during two individual meetings on Act 1. The total costs for the two individual meetings as outlined would be \$4500 per district. Beyond the two individual meetings, PFM would be available to work with individual Tax Study Commissions/Districts on a per meeting basis for a fee of \$1500 plus expenses or a reduced price if done via tele-conference.

Discussion ensued and the Board decided to appoint 9 members to the Tax Study Commission with three members from each region and not include a Board member on the committee. The Board reviewed the application form and decided to make the financial income information optional. Mr. Profy advised that the information on the form will be kept confidential.

Mr. Profy advised that the appointment of the nine members should be done by formal motion. The Board will need to place an advertisement in order to solicit applicants and screening of the applicants will also be necessary.

d) Construction Update (NHS & Poquessing)

Mr. Paradise suggested this topic be discussed during Item 7.

6. Items for Approval

a) Overnight Trips

- i) Neshaminy High School Wrestling Team to King Mountain Tournament, Lockhaven, PA - December 15-16, 2006
- ii) Neshaminy High School Girls Basketball Team to the Wildwood Basketball Tournament, Wildwood, NJ - December 26-27, 2006
- iii) Neshaminy High School Wrestling Team to Manheim Tournament, Lancaster, PA - December 28-30, 2006
- iv) Neshaminy High School Wrestling Team to the Conestoga Wrestling Tournament, Berwyn, PA - January 19-20, 2007
- v) Neshaminy High School Foreign Language Trip to Quebec - April 11-15, 2007

Mr. Wyatt stated that these trips are being presented at the current time in order that fundraising for the individual trips can proceed.

There was Board consensus for the above trips.

b) Sweet, Stevens, Tucker & Katz Agreement for 2006-2007

Mr. Paradise advised Board members that a Legal Services Consultation Agreement has been provided to the District by Sweet, Stevens, Tucker & Katz. This Agreement would provide for a fixed

fee of \$20,000 per year as opposed to an hourly rate. Mr. Paradise advised that IDEA money can be used to pay for the services.

Mr. Kevin Kane advised that by entering into this agreement the district would save approximately 50% of the legal fees which were incurred in the past for special education services.

c) Tax Year 2007 Assessment Appeals

Mr. Paradise provided correspondence from Begley, Carlin & Mandio regarding Tax Year 2007 Assessment Appeals. Mr. Profy's office has identified two businesses that are under assessed and the Board's permission will be required in order to file an appeal.

7. Construction Items for Approval

Mr. Paradise advised that the project has been a pleasure. A consulting engineer was used and the building looks wonderful. The exterior is dramatically improved. The building will be ready for the school opening. The completion date is August 30th. The project is under budget and there is approximately \$300,000 left in the contingency fund that has not been spent.

Mr. Paradise advised that the high school project is going well. The "C" wing is completely gone as is the lower "A" wing. The contractors are moving earth. Mr. Paradise handed to Board members a monthly report from Reynolds Construction and asked Damion Spahr to go through the high school project in greater detail.

Mr. Damion Spahr introduced the Senior Project Manager, Mr. Mike Kosoff, Mr. Ryan Brennan is the Project Manager and Mr. Jerry Yaninas is the Site Superintendent. They are watching the contractors and are working with Mr. Minotti and Mr. Menio to make sure the project is moving forward.

Mr. Damion Spahr advised the Board of the following:

- Asbestos abatement has been cleared
- Traffic patterns are being developed for safe movement
- Project status provides for what each contractor is presently working on
- Requisition summary is provided for the district
- Change management log is provided
- CFO will be received before school begins
- Draft Schedule is based on the bid schedule

Mrs. Cummings suggested that Section 2, Summary could be placed on the Neshaminy channel for the public review.

a) Poquessing change order for water pipes PDE Form 2074b

Mr. Paradise advised that this matter was discussed with the Finance Committee. Mr. Minotti suggested a way to save approximately \$140,000. The Board must approve the state form this evening for the purchase of the materials to deal with the emergency presented. During the renovation of the building the contractor exposed the domestic water piping. It was found to be badly corroded and leaking. Without immediate attention the school would not have domestic water available for the start of school in September.

b) Highway Occupancy Permit (HOP) Proposal for the High School

Mr. Paradise directed the Board to the handout. Mr. Paradise advised that an agreement is supplied for Gilmore & Associates, Inc. to provide the services. The proposal is based upon the agreement

between the School District and Middletown Township. The Highway Occupancy Permit (HOP) requirements are quite extensive as shown in the scope of services section of this proposal.

Dr. Spitz inquired regarding certain conditions of the contract and Mr. Gullick from Gilmore responded to the inquiry.

c) Recommendation for Testing Agency for NHS

Mr. Paradise advised that the range of prices received were from just under \$100,000 to over \$155,000. The low firm was not a PA firm. Based on Gilmore's experience with the project, their responsiveness and likely desire to negotiate a contract for these professional services it has been negotiated on Neshaminy's behalf to obtain a plan for them to complete a required scope at just under \$100,000. Of the five firms responding, Gilmore & Associates provided a proposal that appeared to be well qualified and responsive.

d) High School Modular Classroom Lease Agreement

Mr. Paradise advised that a formal leasing agreement is necessary for the 14,400 square foot modular classroom facility for 24 months for a total cost of \$882,514 provided by Wells Fargo Equipment Finance, Inc.

Dr. Spitz inquired whether modulares could be purchased at the end of the lease. Mr. Koziol had inquiries regarding the lease agreement and Mr. Profy responded to the questions posed.

8. Items for Information

9. Superintendent's Report

Mr. Kadri announced that a letter has been received from the Pennsylvania Department of Education, Division of School Facilities, stating that PlanCon F Construction Documents have been approved. Said letter is attached hereto and made a part hereof (Attachment I).

a) Staff Achieving Tenure

b) ASBO Certificate of Excellence in Financial Reporting

Mr. Kadri praised Mr. Paradise and staff for being recognized for the excellence in financial reporting. It is not a common practice for districts to receive this recognition.

Mr. Kadri announced that Mrs. Lyn Wallace has been selected as the volunteer coordinator of SAGE. Mr. Kadri read a press release regarding Mrs. Wallace. Anyone interested in being part of the SAGE program should contact the district.

Mrs. Barrett provided an update for the SAGE program. Mrs. Barrett advised the following:

- A volunteer coordinator was needed
- 4 schools (2 elementary and 2 middle schools) will participate
 - Maple Point and Neshaminy Middle
 - Elementary schools will be decided at a later date
- SAGE met with Mr. Kadri and Dr. Constanzo

Mr. Kadri announced that Maple Point Middle School received a grant to participate in a Fresh Fruit and Vegetable Program valued at approximately \$100,000. Focus will be put on student nutrition and the importance of nutrition in the learning environment.

Mr. Kadri provided an update on the vandalism which took place at the high school. Law enforcement has brought the three individuals on the path to the appropriate process within society. The repairs have been completed.

10. Committee Reports

a) Board Policies

Mr. Bowman advised that there was no report.

b) Educational Development

Dr. Spitz advised that there was no report.

c) Finance/Facilities

Mr. Webb advised that the first meeting will take place at Poquessing.

d) IU Board

Dr. Spitz advised that the board met last Tuesday. Informative report was given regarding annual special education therapy event for students involved in life skills, learning support and multiple disability support programs. Dr. Coe is retiring at the end of the school year.

Mr. Paradise stated that the district through the county has put together a natural gas bid which will save the district approximately \$400,000. The district is lucky that the boilers within the district are dual fuel boilers and the heat will be able to be provided using natural gas.

e) Education Foundation

Mrs. Cummings reported that the Fall Fundraiser will take place on October 13, 2006 at Kings Caterers from 7:00 p.m to 11:00 p.m. Tickets are \$30.00. Raffle baskets and cash bar will be available. All proceeds benefit the grant program.

f) Technical School

Ms. Boyle advised that the next meeting will take place on August 28, 2006 and labor negotiations are still taking place.

g) Technology

Mr. Koziol advised that the committee has not met during the summer; however, a meeting will take place in September. All districts in Bucks County have joined the consortium. All tech schools have joined. Bucks County Community College has joined and they will be the hub for the network.

11. Future Topics

12. Agenda Development for the August 22, 2006 Public Meeting

13. Other Board Business

14. Adjournment of Meeting

Mr. Webb moved the meeting be adjourned and Mr. Blasch seconded the motion. The Board unanimously approved the motion. Mr. Eccles adjourned the meeting at 8:55 p.m.

PUBLIC MEETING

Call to Order

Mr. Eccles called the meeting to order at 9:00 p.m.

Approval of Minutes

Mrs. Walls presented the minutes of the June 20, 2006 and June 28, 2006 public meetings. Upon motion of Dr. Spitz and seconded by Mr. Bowman, the Board approved the minutes of the June 20, 2006 and June 28, 2006 public meetings. The Board unanimously approved the minutes.

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

Mr. Paradise presented the following for approval:

- June, 2006 and July, 2006 Treasurer's Reports, subject to audit
- Check Register – June, 2006 and July, 2006
- Investments for Approval

Mr. Koziol made several inquiries regarding the Financial Report and check register. Mr. Paradise responded to Mr. Koziol questions.

Mr. Bowman moved the June, 2006 and July, 2006 Treasurer's Reports, subject to audit, Check Registers for June, 2006 and July, 2006, and Investments be accepted. Mr. Webb seconded the motion.

The Board unanimously approved the Treasurer's Reports, subject to audit, check registers, and investments.

Certified and Support Personnel Reports

Mr. Kadri 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

Mr. Kadri introduced Mrs. Joann Clark-Holland who is the Acting Principal at Tawanka Learning Center.

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

Dr. Spitz moved the personnel report be accepted. Mr. Bowman seconded the motion. The Board unanimously approved the personnel report.

Mr. Kadri presented the 2006-2007 Recommended Extra Curricular Staff and Salaries for Board approval. Mr. Blasch moved the Extra Curricular Staff and Salaries be accepted. Mrs. Cummings seconded the motion. The Board unanimously approved the Extra Curricular Staff and Salaries.

Motion: Legal Services Consultation Agreement during the 2006/07 School Year

Mr. Bowman presented the following motion:

WHEREAS, the law firm of Sweet, Stevens, Tucker and Katz provided legal advice and consulting services for Special Education and other student services; and

WHEREAS, our present method of payment is at an hourly rate for services rendered; and

WHEREAS, a "Consultation Agreement" can provide the same services at a reduced annual cost.

NOW, THEREFORE, BE IT RESOLVED, that the Business Administrator be authorized to execute the attached agreement upon review and approval of the Board Solicitor. The agreement provides for services and commitments for the sum of \$20,000 per year.

Dr. Spitz seconded the motion.

The Board unanimously approved the motion.

Motion: Tax Year 2007 Assessment Appeals

Mr. Eccles presented the following motion:

WHEREAS, the Tax Year 2007 Assessment Appeals for the following properties have been recommended by the School District Solicitor and George R. Sengpiel, MAI, SRA, Appraiser for the School District; and

WHEREAS, said appeals must be filed by the School District with the Board of Assessment Appeals of Bucks County, as required by law.

Midatlantic Wheeler Ind. LLC Tax Parcel No. 22-021-066-005

Piazza Family L.P. Tax Parcel No. 22-048-004, 22-048-005; and 22-048-005-001

NOW, THEREFORE, BE IT FOR RESOLVED, that the Neshaminy Board of School Directors approve the filing of the above listed 2007 Tax Year Assessment Appeals with the Board of Assessment Appeals of Bucks County.

BE IT FURTHER RESOLVED, that the Board authorizes the Business Administrator and Solicitor to file said appeals, and ratifies all actions taken by the Board President and Solicitor in connection with those appeals, and to take all such other action as required by law.

Ms. Boyle seconded the motion.

The Board unanimously approved the motion.

Motion: Pennsylvania Department of Education Form 3074(b) Poquessing Middle School Renovations

Mr. Blasch presented the following motion:

WHEREAS, the School District is presently in the midst of a major renovation of Poquessing Middle School; and

WHEREAS, additional work is necessary in order to ensure domestic water availability for the facility.

NOW, THEREFORE, BE IT RESOVLED, that according to PA Department of Education regulations, the attached form PDE-2074(b) be approved and submitted as required.

Mrs. Barrett seconded the motion.

The Board unanimously approved the motion.

Motion: Highway Occupancy Permit Proposal for the High School

Mrs. Barrett presented the following motion:

WHEREAS, the School District is proceeding with the Project designated as Additions and Alterations to the Neshaminy High School; and

WHEREAS, these services are required in accordance with the Agreement with Middletown Township pertaining to Land Development Approvals for the Project, as approved by the Board of School Directors on June 8; and

WHEREAS, the Board must not enter into an agreement to provide survey services for the Highway Occupancy Permit (HOP) Plan Design and Services for Traffic Impact Study, Drainage Impact, Pavement Design, Traffic Signal Design, Flashing School Zone Speed Limit Design, and the PennDOT approval process, in accordance with all PennDOT requirements and regulations.

NOW, THEREFORE, BE IT RESOLVED, that the Board of School Directors approve the attached agreement with Gilmore and Associates, Inc., at a not to exceed cost of \$38,000.

BE IT FURTHER RESOLVED, that the Business Administrator be authorized to execute the Agreement after review and approval of the Board Solicitor.

Mr. Koziol seconded the motion.

The Board unanimously approved the motion.

Motion: Recommendation for Testing Agency for Neshaminy High School

Mrs. Cummings presented the following motion:

WHEREAS, the School District is proceeding with the Project designated as additions and Alterations to the Neshaminy High School; and

WHEREAS, the soft costs included in the construction estimate allocated funds for required testing services during the three-year period of construction in accordance with estimate attached.

NOW, THEREFORE, BE IT RESOLVED, that the Board of School Directors approve an Agreement with Gilmore and Associates, Inc., at a not to exceed cost of \$100,000, for the testing services needed during the course of construction.

BE IT FURTHER RESOLVED, that the Business Administrator be authorized to execute the Agreement after review and approval of the Board Solicitor.

Mr. Bowman seconded the motion.

The Board unanimously approved the motion.

Motion: High School Modular Classroom Lease Agreement

Ms. Boyle presented the following motion:

WHEREAS, the School District is proceeding with the Project designated as Additions and Alterations to Neshaminy School District; and

WHEREAS, the Project requires that the School District lease sixteen (16) modular classrooms during the construction of the Project; and

WHEREAS, the School District proposes to lease sixteen (16) modular classrooms from Wells Fargo Equipment Finance, Inc. for an initial term of twenty-four (24) months for a Total Basic Rent of Seven Hundred Fifty-four Thousand Four Hundred Fifty and 32/100 (\$754,450.32) Dollars as set forth in and subject to the conditions contained in the annexed Equipment Lease No. 0186929-100 dated as of June 23, 2006 ("Lease"), which Lease contains the option for the School District to purchase the sixteen (16) modular classrooms for a total cost of Eight Hundred Eighty-two Thousand Five Hundred Fourteen (\$882,514.00) Dollars, including the Total Basic Rent payments; and

WHEREAS, this transaction was effectuated through the Competitive Purchasing Program of Pennsylvania Joint Purchasing Council.

NOW, THEREFORE, BE IT RESOVLED, that the Board of School Directors approves Equipment Lease No. 0186929-100 dated as of June 23, 2006 with Wells Fargo Equipment Finance, Inc., in the form attached to this Resolution; and

BE IT FURTHER RESOLVED, that the Director of Facilities is authorized to execute and to release to Wells Fargo Equipment Finance, Inc. the Equipment Lease and related transactional documents after their review and approval by the Board Solicitor.

Mr. Blasch seconded the motion.

The Board unanimously approved the motion.

Motion: Approval of Tax Study Commission

Dr. Spitz presented the following motion:

WHEREAS, the Neshaminy Board of School Directors desires to have the Tax Study Commission consist of nine (9) persons, one of which may be a Board member.

Mr. Webb seconded the motion.

The Board unanimously approved the motion.

Federal Programs

Mr. Kadri noted that federal programs are on target.

Other Board Business

Mrs. Cummings advised the phone number for the purchase of Fall Fundraiser tickets is as follows: (215) 752-6428.

Mr. Webb noted that school will be opening on time.

Public Comment

Mrs. Marianne O'Connor, Langhorne, PA, expressed concern with the type of trips that are being taken by the students. Some of the trips are extremely costly. Three of Mrs. O'Connor's children have gone on cruises which range from \$1200 to \$1500. Mrs. O'Connor is concerned about the limits to the price of the trips. Should there be more guidelines so parents are not expected to expend an enormous amount of money. Special trips could be taken; however, there should be guidelines. Are the competitions on the accurate level?

Decisions on the trip should not be made a few months prior to the trip. It should be made at the beginning of the school year. Research should be done. Trips in the past have been a disaster. Flights need to be scheduled in a more timely fashion, not in the middle of the night.

Board Comment

Mrs. Barrett commented that the first day of school is September 7, 2006.

Adjournment of Meeting

Mr. Bowman moved the meeting be adjourned and Dr. Spitz seconded the motion. The Board unanimously approved the motion. Mr. Eccles adjourned the meeting at 9:24 p.m.

Respectively submitted,

Anita E. Walls
Board Secretary