

NESHAMINY SCHOOL DISTRICT  
Langhorne, Pennsylvania

PUBLIC BOARD MEETING  
PUBLIC WORK SESSION MINUTES  
NESHAMINY BOARD OF SCHOOL DIRECTORS  
November 13, 2007

The Neshaminy Board of School Directors met in public work session on November 13, 2007, in the District Offices Board Room in 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 Blasch  
Mr. Jason Bowman  
Ms. Irene Boyle  
Mr. Frank Koziol  
Dr. William H. Spitz  
Mr. Ritchie Webb

**ADMINISTRATORS:**

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

**BOARD MEMBER NOT PRESENT:**

Mrs. Susan Cummings

**OTHERS:** Approximately 30 persons from the public, staff and press

**SECRETARY:** Mrs. Anita E. Walls

**SOLICITOR:**

Thomas J. Profy, III, Esquire

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**1. Call to Order**

Mr. Eccles called the meeting to order at 7:15 p.m. Mr. Eccles advised that an Executive Session took place prior to the meeting regarding a personnel and legal issue.

**2. Pledge of Allegiance**

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

**3. Announcements**

No announcements.

**4. Public Comment**

Mr. Solis Basen, Langhorne, PA, congratulated the newly elected Board members. Mr. Basen thanked Sue Barrett and Jason Bowman for their devotion to the Neshaminy School District and community. The Superintendent and Board are faced to present a proposed budget the first week in January. With this mind please think of not only the students, but the seniors who are in a crisis period. Within the last few months prices are rising. Gasoline is \$3.10. Oil heat is costing \$700-\$800 to fill the tank. Many of the workers in supermarkets and department stores are seniors. They are working because they need too. Medical and pharmaceutical products are skyrocketing.

Mr. Howard Lindner, Langhorne, PA, congratulated Rick Eccles, Ritchie Webb. Mr. Lindner noted that Sue Barrett has been a credit to the Board and he is sorry to see that she will no longer be a part of the Board. Mr. Lindner stated that he spent 34 years within Neshaminy School District from positions of teacher, coach, administrator, etc. Mr. Lindner loves Neshaminy and defends Neshaminy. Everything is not always test scores. Good fathers, good mothers, good students are important. Graduates are praising Neshaminy, great teachers, great coaches, citizen's contributions, school board members who care. Experience is necessary to understand the teaching profession. School Districts are dealing with individual lives. Mr. Lindner does not agree with No Child Left Behind because circumstances for each individual student are different. Communities and home life of students vary immensely. Mr. Lindner has trouble with an Administrator dealing with a public school situation without having

gone through the steps of being a teacher, guidance counselor, assistant principal, principal. This is occurring in Neshaminy. Mr. O'Connor will sit on the Board and he has attended almost every meeting. Mr. Lindner is in favor of an oversight committee. There are times you must fight for what is right. This district has a great reputation from support staff to certified staff, bus drivers, hall aides, cafeteria workers, etc. Mr. Lindner feels that certain positions and jobs should be consolidated. Mr. Lindner feels that an oversight committee is necessary and it is not meant to take away any power, but to double check. Board members are voted by the people. The Board members have an obligation to the people; not only your district, but the entire Neshaminy district. Mr. Eccles and Mr. Webb stressed the oversight committee on their political literature. They won with the votes of the people who believe in an oversight committee. The newspaper thinks it is positive. The Board should have the opportunity to see for themselves. No one person should have too much power. Checks and balances need to be in place and questions need to be asked. Transcripts should be reviewed. Mr. Lindner thanked all the members and urged them to continue the good work.

Mr. Steve Rodos, Villages of Flowers Mills, Langhorne, PA, thanked Mrs. Barrett for all her support and efforts related to the SAGE program within the Neshaminy School District. Mr. Rodos congratulated Mr. Eccles and Mr. Webb for retaining their seats. Mr. Rodos urged the Board to get back to basics. Listen to the Board members who outline specific areas in which the budget might be cut. Listen to Board members who advocate closing specific schools based upon the study which has been completed earlier this year. Listen to the Superintendent when he asks for guidelines and parameters. Listen to the people with suggestions on how to make the school district a better place. Mr. Rodos hopes that the Pennswood Village agreement to be voted upon this evening will be in the best interests of the district and not at the expense of the taxpayers. Mr. Rodos thanked the parents who are in support of full day kindergarten.

#### 5. Items for Approval

##### a) **High School Improvement Plan**

Mr. Menio provided Board members with documentation regarding the High School Improvement Plan for their review.

Mr. Menio stated that two documents will be necessary to file with the PA Department of Education with respects to the School Improvement Plan. "Getting Results" and "Corrective Action to Preparing a School Structuring Plan" are the documents. Mr. Menio advised that the high school is filing both of these plans because the AYP has not been met. All seventeen criteria have not been met. One specific subgroup did not make adequate progress. Focus of the new plan concentrates on the subgroup that has not made AYP by the traditional method.

Mr. Menio advised that the plan now focuses not only one particular subgroup, but every student at the high school. The committee began last Spring and has been identifying what needs are necessary. Student motivation became a primary issue that needed to be addressed. What we are teaching and how we are teaching are the primary focus areas. No Child Left Behind is here to stay and it needs to be treated very seriously. Mrs. Tara Gould-Huber, Mr. Dan Luongo, and Mr. Robert Boffa were very instrumental, driving forces in creation of the plan.

State standards are viable and are becoming the curriculum at the high school. Mr. Menio reviewed specific percentages with Board members and specific subgroups. It must be noted that all students are being addressed.

Mr. Menio presented the following thoughts:

- Hard Data is necessary / Analytical Data is necessary to see where students are performing well and where there are shortcomings
- Curriculum changes will need to take place
- 4Sight Testing Program
- Curriculum mapping
- Eligible Content - Curriculum changes

- Student Accountability/Mandate PSSA proficiency at the high school level
- Tutorial Support programs at the high school
- Reading specialist at the high school - Common denominator in all classes
- PSSA Tutorial program
- Differential instruction
- Co-Teaching/ Re-establish Reading & Math coaches at high school level
- Professional Development through the Bucks County IU
- Required proficiency level on the PSSA in order to Graduate

Mr. Menio noted that a student with an IEP that are not able to demonstrate proficiency, there will be other requirements established for them to demonstrate proficiency on the PSSA style testing to allow them to graduate as well. Needs of all the students will be accommodated by the district.

Dr. Spitz thanked Mr. Menio for the time spent and efforts. Dr. Spitz is concerned that the Board is being asked to approve this tonight since it is necessary to have approval by November 15<sup>th</sup>. This is the first time that any Board members have seen the Improvement Plan. Dr. Spitz feels that this is a very important document and they need to have more input and time to scrutinize same and kept abreast.

Concerns are with requiring student proficiency on the PSSA exams. Last year it was stated that such proficiency would not be mandatory. Discussions needed to take place at the Education Development Committee with that alternative approach. Mr. Menio noted that a large portion of the students in the non proficient category are in the college and honors tracking in both Math and English. Direct conversation with students has identified that students feel that there is nothing in it for them. Hence, making it a graduation requirement will provide incentive for success. Several other districts are making this change and the Director of the IU is looking at this as a positive direction. The proposal of a reading specialist, reading and math coaches, etc., however, they involve new positions and money.

Mr. Blasch inquired regarding percentages of non proficiency from 11<sup>th</sup> grade versus students in the 8<sup>th</sup> grade. It was determined that proficiency rates declined in the 11<sup>th</sup> grade.

Mrs. Barrett is concerned with the financial impact of the program.

Mr. Koziol and Ms. Boyle are concerned with the time the Board has been given to consider the document.

**MOTION: High School Improvement Plan**

Mr. Blasch presented the following motion:

WHEREAS, Neshaminy High School is required to submit a School Improvement Plan to the Pennsylvania Department of Education as a result of being a school in Corrective Action II, as designated by the Pennsylvania School System of Assessment; and

WHEREAS, a team of professionals from Neshaminy High School met over a period of three months to develop a comprehensive framework and strategies for a plan for Corrective Action; and

NOW, THEREFORE, BE IT RESOLVED, that the Neshaminy Board of School Directors approve the Neshaminy High School Improvement Plan and authorize the Administration to submit the plan to the Pennsylvania Department of Education.

BE IT FURTHER RESOLVED, that the implementation of the financial components will be dependent upon School Board approval of the annual operating budgets of the Neshaminy School District.

Mr. Bowman seconded the motion.

Mr. Profy explained that part of the program could require the engagement of a reading specialist at the high school. By approving this plan the Board is not committing to do that, but rather that will be subject to further action by the Board.

Mr. Bowman thanked Mr. Menio and the three teachers for their efforts in preparing the Improvement Plan.

The Board unanimously approved said motion. Mrs. Cummings was not present.

b) **Pennswood Village PILOT Agreement**

Mr. Paradise advised that Pennswood Village has obtained an exemption from the Bucks County Board of Assessment on the basis that Pennswood Village is a purely public charity exempt from real property taxes pursuant to General County Assessment Law, 72 P.S. 5020-204(a)(3). The Solicitors for Bucks County, Middletown Township, Neshaminy School District and Pennswood Village have cooperatively negotiated a PILOT Agreement (Payment In Lieu of Taxes) which would allow the district to continue to collect a financial payment in lieu of a direct real estate tax on the property.

The PILOT Agreement provides the following:

- \$600,000 - Fiscal year 2008-2009
- \$500,000 - Fiscal year 2009-2010
- \$400,000 - Subsequent ten years thru year 2020

This is in lieu of zero tax payments. Mr. Profy advised that there is a multiplier for years 13 through 22. Very specific parameters apply to Pennswood Village. This is not applicable to other such residential areas.

Mr. Profy advised that the Board has two alternatives this evening. Entering into the PILOT Agreement or authorize the filing of a Court appeal of the decision of the Board of Assessment Appeals. Mr. Profy noted that this Agreement was a joint undertaking of Middletown Township, Bucks County and School District Solicitors. The firms collectively recommend this PILOT Agreement. Middletown Township will be acting upon this agreement tonight also. Time sensitively is that the thirty day appeal period expires on November 15<sup>th</sup>. Mr. Profy stated that he advised the Board in Executive Session that if an appeal is taken, and the collective opinion of the three solicitors is that an appeal would not be successful, and the district does not prevail, the district gets zero.

**MOTION: Pennswood Village PILOT Agreement**

Mr. Bowman presented the following motion:

WHEREAS, Pennswood Village, a Pennsylvania nonprofit corporation owns real estate on which a continuing care retirement community is located and which consists of those certain 82.14 acres designated as Bucks County Tax Parcel Nos. 22-004-004-001 and 22-004-004-002 located within the Neshaminy School District (the "Property"); and

WHEREAS, Pennswood Village filed an Application for Exemption of the Property from real estate property taxes with the Bucks County Board of Assessment Appeals on July 30, 2007 on the basis that Pennswood Village is a purely public charity exempt from real property taxes pursuant to General County Assessment Law, 72 P.S.5020-204(a)(3); and

WHEREAS, the Bucks County Board of Assessment Appeals did, on October 16, 2007, approve the Application of Pennswood Village and grant exemption of the Property from the payment of real estate property taxes; and

WHEREAS, Pennswood Village desires to make Voluntary Payments in lieu of real property taxes to the School District pursuant to the authority set forth in the Pennsylvania Institutions of Purely Public Charity Act, 10 P.S. 371, et seq. ("Act 55"); and

WHEREAS, the School District agrees that the Property shall be exempt from real property taxes and agrees not to contest the determination of the Board of Assessment Appeals made on October 16, 2007 so long as the School District receives the payments in lieu of taxes as provided in the annexed Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Neshaminy Board of School Directors agrees not to contest the determination of the Board of Assessment Appeals made on October 16, 2007 that Pennswood Village is entitled to exemption from real property taxes and approves the annexed Agreement for payments in lieu of real property taxes ("PILOT").

BE IT FURTHER RESOLVED that the Neshaminy Board of School Directors authorizes the President, Vice President, Secretary and Treasurer to execute and deliver the PILOT annexed hereto, subject to such changes and modifications, if any, as may be approved by the President of the Board of School Directors on the advice of the Solicitor, the execution of the PILOT by the Board President to be conclusive evidence of such approval.

BE IT FURTHER RESOLVED that the President, Vice President, Secretary and Treasurer hereby authorized and directed to take such further actions to execute, attest and deliver such other documents and to do or cause to be done any and all other acts of things necessary or proper for carrying out the purposes of this Resolution.

Resolution adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

ATTEST:

NESHAMINY SCHOOL DISTRICT

\_\_\_\_\_  
Anita E. Walls, Secretary

By: \_\_\_\_\_  
Richard M. Eccles, President

Dr. Spitz seconded the motion.

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

Mr. Rodos commented that he would have liked to have seen the local counselors attempt to fight the issue of the facility being a purely public charity. Pennswood Village would have needed to prove that they were purely a public charity. Mr. Rodos believes that under the guidelines set forth in the case, within that decision, they would not qualify as a purely public charity. Once that is not fought, it is deemed waived. Mr. Rodos' opinion is that the County, School Board or Township was not given proper advice. Further, it is costing the district \$250,000.

Mr. Marvin Dickler, Langhorne, PA, agrees with Mr. Rodos. Tax relief is being given to the top (less than 1%) wealth area of the country. These residents are some of the richest people in the entire country, in their senior years and they are being given tax relief, while 25%-30% of the people in our district are struggling. More taxes will be piled on because the wealthy people are benefiting.

Mr. Paradise advised that he does not feel the Neshaminy Board of School Directors did not provide tax relief for anyone. Neshaminy Board of School Directors responded to an act that the legislature passed and the ruling of the Supreme Court of Pennsylvania. The district is just following the law. This is not within the ability to provide anyone tax relief.

Mr. Profy noted that the case sets forth the criteria and the statute establishes that if you are determined to be a 501(c) (3) and you have gotten the declaration of the tax exemption from the PA Department of Revenue

then the school district would need to rebut that presumption. This is a law which the legislature adopted which the Supreme Court has interpreted and the segments within the institution are not looked at, but the entire institution. Mr. Profy further advised that the school district in year one is getting close to 100%, year two close to 83% and the following years approximately 65% of the tax revenues. Mr. Profy feels that the public concern should be directed to the legislature which has passed the statute, and not the district which has needed to respond to same.

Mr. Eccles noted that litigation of the matter would have cost hundreds of thousands of dollars and maybe in the end the school district would not receive any payments.

Mrs. Barrett noted that if the law changes the agreement will be null and void. Mr. Profy reiterated that if the law changes the agreement is no longer valid. The state legislature would remove this exemption, the agreement would cease, and it would then become a ratable tax property.

## **6. Items for Discussion**

### **a) High School Construction Update**

- Reynolds Construction – Mr. Damion Spahr
- ATS&R - Mr. Paul Erickson
- Revised/Updated PlanCon Documents – to be approved November 27, 2007
- PlanCon I – Interim Reporting

Mr. Paradise introduced Mr. Spahr and Mr. Erickson. Mr. Spahr and Mr. Erickson provided Board members with a Construction update and pictures for the Board's review.

Mr. Spahr provided the following comments:

- Schedule is tracking as needed for completion of Phase 1
- New Gym ("J") and Band Room were turned over
- New Boiler room ("C") is on line as planned
- Units G/F/K are tracking on schedule for move-in during December and occupancy in January, 2008
- Unit F is tracking for completion in Spring, 2008
- Team is working to expedite areas in future phases where possible (Library, Auditorium)
- Gym 1/Arts Center
- Contingency funds continue to hold
- Updated major costs include Lincoln Highway work and site electric
- Continued restricted spending is recommended
- First submission of Plancon Part I, Interim Reporting, is provided for Board Approval this month

Mr. Erickson is pleased with the progress of the buildings. The contractors, construction management team and communications within the district, architect and engineers are wonderful and making for a very smooth and progressive construction project.

Mr. Eccles has toured the facility and states that it is absolutely gorgeous. Mr. Eccles suggested that an open house take place in December for the new area which will be turned over for January, 2008 occupancy.

Mr. Paradise stated that he would see if that idea could be developed.

Mr. Bowman would like to have the Board and Education Development Committee look at the program involving the shop classes. Mr. Bowman is concerned that services are being duplicated by the district and the Tech School.

There was Board consensus to look at the situation.

Mr. Kadri thanked all parties for a job which is moving along exceptionally well. All parties are proactively working and staying ahead of the curve. Rick Marotto is working with Neshaminy staff to keep the project moving smoothly.

Dr. Spitz posed some questions regarding the monthly reports and executive summary. Dr. Spitz also questioned payments to date and change orders. Mr. Spahr clarified to Dr. Spitz the numbers and reviewed the change orders. Mr. Paradise advised that every time a contractor is paid, it is only paid from a form that details the whole progression of the original bid and anything that has happened to the original contract from a change order that results in an amended contract.

Dr. Spitz questioned the \$500,000 set aside for the Old Lincoln Highway project. \$450,000 is set aside for road changes and \$50,000 for parking. A price of \$410,000 has been received to do that work, however the final from PennDot has not been received. If the final is good, the pricing is good. Mr. Spahr noted that the \$500,000 is not included in the contingency at this time. Dr. Spitz is concerned with the exposure. Dr. Spitz is concerned the district will go over. Other expenses will be associated with this project. Gilmore Associates has a service contract with the district. The district has paid them to date \$140,000. Mr. Spahr advised that from the onset of the project projections are made and a contingency study was performed. A very small amount of the contingency is in the new construction. Much of the contingency existed in the site work. Site work is well under way. The amount of contingency exposure is very small.

Mr. Paradise advised that the lead architect, local architect, school district personnel and construction manager sat down and looked at plans and came up with some exciting new ideas for the balance of the project. Opportunities have become available to increase reimbursement from the state in the balance of the project. The Board will later this month approve modified or updated PlanCon documents in an effort to increase reimbursements. Very few modifications in the balance of the plan will cost the district a maximum of \$75,000 in a change order, but the district can yield a minimum of \$500,000 in additional subsidies by making those changes. Changes will take place in certain subsidized areas. Mr. Paradise reviewed some of these type areas with Board members.

Mr. Paradise advised that PlanCon I, Interim Reporting, which will take place approximately every other month.

**b) Data Warehouse and Research Program**

Mr. Kadri thanked Mr. Bowman and Mrs. Barrett for their service on the Board. Mr. Kadri congratulated Mr. Eccles and Mr. Webb on their reelection to the Board and congratulated Mr. O'Connor and Mr. Koutsouradis on their new appointments to the Board.

Mr. Kadri provided Board members with a slide packet entitled "Neshaminy, The Innovative Leader - Board and Administration Working to Support this Effort."

Mr. Kadri's goal for the presentation was to highlight the complexities of the environment, outline what success looks like and the serious challenges the district faces.

Mr. Koziol questioned the expenditure numbers in relation to specific data. Mr. Kadri advised that the numbers need to be tackled. Mr. Kadri is focusing on operating expenditures. It does not include debt service. Mr. Kadri will provide a copy of the spread sheet to Board members.

Mr. Blasch complimented Mr. Kadri for his great detail and efforts. Mr. Koziol feels that the website upgrades are not up to standard at the present time. Things are still lacking and many pages are still under construction.

A true and correct copy of the slide presentation is attached hereto and made a part hereof. (See Attachment A).

**7. Items for Approval**

**a) Overnight Trips**

1. Neshaminy High School AE students to Rome/Florence/Paris - April 3 - April 10, 2009

Dr. Heble noted the AE trip to Europe is being planned a year and a half in advance to give interested students an opportunity to save \$1600 for the trip. The trip is designed to enhance the AE Curriculum.

Mr. Joe Pimble advised that approximately 30 students will participate with five chaperones. The trip is being sponsored and planned by the AE Teachers; however, any high school student can attend. Fundraising will take place for the trip. There will be no cost to the district. All money raised will be divided evenly between the students attending. If there is greater interest it could actually be 40-50 students.

Mr. Pimble noted that an instructional unit will be applied to this trip. It is not just a vacation like trip.

Mr. Koziol is concerned once again with the tremendous cost of the trip and the ability for students to participate due to financial concerns. Mr. Pimble advised that due to increased pricing the cost of the trip has risen to approximately \$1800. Parents can pay a minimal deposit of \$200.00 now and the rest of the money due ninety days before the trip or they have an Easy-Pay where the tour company debits \$137.00 per month up until the time of the trip. The district has no involvement with the collection of the costs for the trip.

There was Board consensus for this trip.

**b) Contracted Transportation Services for 2007 -08**

Mr. Paradise advised that the two contracts will be put on the Board agenda at the end of the month for approval:

Lakeside Youth Services and Middle Earth Academy

**c) Revised 2007-08 School Calendar**

Mr. Kadri stated that it is proposed that February 27<sup>th</sup> become a full day off for students and a full day of professional development for staff. By reviewing the numbers it is not necessary to have the half-day and those types of days seem to be not so desirable. The Administration is recommending that change.

**d) Bids/Budget Transfers**

Mr. Paradise advised that there are no budget transfers. Mr. Paradise advised that there is one bid:

No. 09-12

Poquessing Auditorium & Library Air conditioning

Bid was for new air conditioning at Poquessing Middle School auditorium plus alternates to add library and library offices and extended 5-year warranties. Mr. Paradise noted that the total bid would be \$346,200 for both. The bid can be awarded for just the auditorium which would be \$211,000 or both would be \$306,200.

The balance of the money would come out of the balance in the \$25M capital reserve fund. There is approximately \$4M left in the capital reserve fund. Mr. Paradise advised by making these improvements to Poquessing it brings the facility in line with the other Neshaminy Middle schools. It is currently the only auditorium and library that are not air conditioned in the middle schools.

The Facilities and Finance Committee recommend that the \$306,200 be awarded in order to air condition both the library and auditorium. An air conditioned auditorium can be rented more often and at a higher rate.

This Bid will be presented for Board approval at the November 27<sup>th</sup> public meeting.

**8. Superintendent's Report**

**a) Draft of the 2008 Public Board Meeting Calendar**

Mr. Kadri advised that the Public Board Meeting calendar will shift in the spring to having Board meetings on the first and third Tuesday's of the month. Mr. Kadri noted that the calendar is published and any changes should be discussed and decided upon in the near future.



Mr. Kadri advised that the Advance of Bucks County is allowing the students of the Playwickian to write for the Advance. The students are actively writing for the paper and Mr. Kadri thanked the Advance for this wonderful opportunity for the students.

**9. Committee Reports**

a) **Board Policies**

Mr. Bowman advised that the next meeting will take place on Tuesday, November 27<sup>th</sup> at 6:00 p.m.

b) **Educational Development**

Dr. Spitz advised that a meeting will take place in the near future.

c) **Finance/Facilities**

Mr. Webb announced that the next meeting date will be announced shortly.

d) **IU Board**

Dr. Spitz had no report.

e) **Education Foundation**

No report.

f) **Technical School**

Ms. Boyle noted that a meeting is scheduled for November 26<sup>th</sup>.

g) **Technology**

Mr. Blasch advised that a meeting took place on October 15<sup>th</sup>. County wide system is in place.

**10. Future Topics**

None.

**11. Agenda Development for the November 27, 2007 Public Board Meeting**

**12. Other Board Business**

Mr. Blasch requested that since Policy #126 has been redone a committee be now formed and proceed with the Facilities dedication and naming process.

**13. Adjournment**

Mr. Blasch moved that the meeting be adjourned and Mr. Bowman seconded same. Mr. Eccles adjourned the meeting at 10:30 p.m.

Respectively submitted,



Anita E. Walls  
Board Secretary