

Lehigh Area School District
1000 Union Street
Lehigh, PA 18235
Monday, December 20, 2021 7:00 PM
SPECIAL BOARD MEETING - AGENDA



1. Opening Exercises

A. Opening Exercises

Opening exercises included the Pledge of Allegiance and a moment of silence.

B. Call to Order

Board President, J. Beers called the Board Meeting to order at 7:06 PM.

C. Announcements

A Board Member Training was held on December 15, 2021 at 2:45 PM for New Board Member Orientation.

An Executive Session was held on December 20, 2021 at 6:00 PM for personnel and legal discussions.

An Executive Session will be held on December 20, 2021 after the Board Meeting for personnel and legal discussions.

The next regularly scheduled Board Meeting will be held on Monday, January 24, 2022.

D. Roll Call

PR/AB

PR	Ms. Joy Beers	PR	Mr. Nathan Foeller	PR	Mrs. Kerry Sittler
PR	Mr. Richard R. Beltz	PR	Mr. Jeremy Glaush	PR	Mrs. April Walker
PR	Ms. Barbara Bowes	PR	Mr. Brian Shaner	PR	Mr. Walter Zlomsowitch

Also Present:

Mr. Edward Rarick, Business Administrator

Ms. Janine Partenio, Recording Secretary

John Corby, Christina Haupt, Janice Bowman, Janice Collins, Ryan Bowman and David Bradley.

E. Purpose of Special Meeting

Request for Meeting regarding General Business

F. Public Comment

J. Corby introduced himself. He said he was excited to be at Lehigh Area School District. He mentioned how he was originally from Carbon County and worked in Palmerton and Tamaqua. He said he had a lot of experience working with transitions of Superintendent and Assistant Superintendent. He said the District has good students that excel in art, sports, music, etc. He wanted to concentrate on working together until a new Superintendent is transitioned to the District. He mentioned that his door will always be open and never hesitate contacting him. He thanked the Board for their faith in him.

C. Haupt wanted clarity in regards to public comment. She mentioned that two Board Members denied comments on item Q on December 8th and asked them to reinstate the rules of Public comment referring to Policy 903. She agreed that the comments should be kept succinct and mentioned how numerous times others have been allowed to speak out during the meetings; however, only during item Q people were silenced. She said it seemed odd. J. Beers said the Board is interested in seeing the information from the community and felt they needed to curtail the comments back onto track. C. Haupt asked if it was a new motion if that allowed for public comment. B. Bowes explained that it does warrant a public comment and referred to the Board policy regarding public participation at Board Meetings. J. Partenio reminded B. Bowes that the Board removed policy 903 regarding public participation at meetings on November 22, 2021 by Board vote.

J. Bowman said she was working on books and curriculum and will give a report in January. She mentioned the Health and Safety plan and allowing parents the opportunity to make changes. She discussed PGM electric and felt concerned about government connections and shut downs or the company going bankrupt.

J. Collins said she sent a link to the board discussing lawsuits due to fraud. She said she was hoping to get the kids back to normal and back to being kids. She said they should be allowed to touch each other and should get rid of contact tracing. She felt the government was monitoring everyone and the Schools just needed to be worried about education. She did not believe that vaccine clinics belonged in the schools and discussed the deaths from vaccines that were being reported to VAERS.

R. Bowman wished everyone a Merry Christmas and Happy New Year. He said he looked forward to having Mr. Corby in the District. He said Mrs. Haupt, Mr. Shaner and he wanted to have their input heard on item Q. He mentioned his interest to serve on the Academic Affairs Committee.

2. General Business

A. Certificate of Occupancy for the Elementary Center

J. Beers presented information for the Occupancy Permit for the Elementary Center. She gave an update from Loren at Fox Rothschild who did a study and found the District did promise to construct a traffic light. She said the cost was estimated at about \$182,000 at the time. She stated he said the cost was moot but the promise was made and the District was responsible to construct and maintain a traffic light. She said they were working to break the signal away from the occupancy permit project. She said they were working on the language and waiting on the exhibit to put together for the agreement. She stated that as soon as the agreement was drafted a special board meeting could be called in January. J. Glaush said he was shocked that it took a new solicitor to get this completed. He felt it was one reason why they have a new solicitor.

B. Bowes discussed the budget transfers in May and June for \$444,000 out of the construction fund. She asked if that's why it was in there. E. Rarick said he could not answer that. He said the funds were in there but he could not comment if that was why it was in there. B. Bowes questioned if the occupancy permit was held up because this was in the punchlist and was not completed. E. Rarick stated the only punchlist he found did not contain that on there so he did not think that it would have held up the occupancy permit.

W. Zlomsowitch questioned if there was language for a second traffic study. J. Beers asked the Board to email her questions for the solicitor to answer. N. Foeller recommended not adding any language to the new agreement that would be adding additional liability to the District.

B. Health and Safety Plan

Discussion on possible revisions to the District's current Health and Safety Plan, including COVID Tracker. B. Bowes reviewed the edits on the Health and Safety Plan and agreed with the changes. The Board discussed the COVID tracker on the District website. J. Partenio explained that the tracker could be updated twice a week. She said the information comes from the nurses who collect input from parents who submit information about positive students. She mentioned that the updates are always in arrears due to the timing of the test since the positive date used is the date of the test. J. Beers mentioned how the nurses asked to speak with the Board regarding the increasing cases and possible mitigation. She said a potential meeting could be this week.

J. Collins said the PCR test is no longer being used after December 31. R. Bowman asked if it would be an open meeting with the nurses. J. Beers said it would be an informational meeting for the Board.

C. Food Service Transfers

MOTION by N. Foeller, SECONDED by B. Bowes, to make the following transfers from the General Fund to the Food Service Fund as per the Reimbursements from the Commonwealth:
\$92,211.07 for September 2021.

VOTE: YES - 9 NO - 0 ABSENT - 0 ABSTENTIONS - 0

D. Per Capita/Occupational Tax Exemptions

MOTION by B. Bowes, SECONDED by A. Walker, to approve the attached exemptions from Per Capita and/or Occupational Tax.

B. Shaner asked if Joanne Lynn was being reimbursed for the most recent year only. B. Bowes said she would be reimbursed for what she had applied for. J. Beers mentioned that many people forget about this tax.

VOTE: YES - 9 NO - 0 ABSENT - 0 ABSTENTIONS - 0

E. Tax Refunds

MOTION by J. Glaush, SECONDED by K. Sittler, to refund the following:

Real Estate Tax for year 2021 in the amount of \$1,024.52 to John & Susan Schneider.

Occupation & Per Capita Taxes for year 2020 in the amount of \$148.50 to Jean Lazarus; - Added 12/20/2022

Occupation Tax for year 2020 in the amount of \$125.00 to Denise Rhyder - Added 12/20/2022

VOTE: YES - 9 NO - 0 ABSENT - 0 ABSTENTIONS - 0

F. HT Lyons

MOTION by B. Bowes, SECONDED by N. Foeller, to approve the unbudgeted expenditure for the repair to the Elementary Center HVAC system proposed cost of \$56,921 with HT Lyons.

E. Rarick gave a description that two Elementary Center boilers were in need of 3-way valves for water flow resulting in damage to the system. He said it was a change to the project in 2018 and had not been completed. He mentioned that it was an issue with the contractor and HT Lyons would be the best course to salvage the system. He said HT Lyons was confident that they would last 20 years if fixed. J. beers asked if there was recourse to follow up with the original contractor. E. rarick stated the District withheld payment for this contractor for work not completed and a legal letter was received about voiding the manufacturer's warranty with any work done on the system. R. Bowman felt it should be looked at by the solicitor. W. Zlomsowitch asked if the District had access to these funds. E. Rarick said yes; however, it was not a budgeted item. R. Bowman asked if the District paid for a maintenance package and if this would null & void the liability for the contractor. W. Zlomsowitch felt anything done to protect the systems would not void it. N. Foeller believed it should be fixed and then pursue liability later. B. Bowes explained that the District withheld the funds because the contractor walked off of the job.

VOTE: YES - 9 NO - 0 ABSENT - 0 ABSTENTIONS - 0

G. PJM Capacity Market Demand Response Program

MOTION by N. Foeller, SECONDED by R. Beltz, to participate in the PJM Capacity Market Demand response Program at no cost to the District.

A presentation was given by Business Administrator, Edward Rarick on December 8, 2021 at the Special Board Meeting. E. Rarick explained that the power is purchased through the Borough and the District would not be switching suppliers. He said the District does not have a choice of suppliers. A. Walker had concerns with it being linked with the federal government. E. Rarick stated he was not sure what the concerns would be. He said the agreement could be for one year and the Board approval would be to start the participation. He mentioned a formal agreement would be coming later for the Board to approve or deny.

VOTE: YES - 9 NO - 0 ABSENT - 0 ABSTENTIONS - 0

H. Activities Funds

MOTION by B. Bowes, SECONDED by J. Glaush, to approve the Lehigh Area High School and Lehigh Area Middle School Activities Funds for 2021

VOTE: YES - 9 NO - 0 ABSENT - 0 ABSTENTIONS - 0

I. Reports

MOTION by W. Zlomsowitch, SECONDED by N. Foeller, to approve the following Reports:

December 2021

1. Condensed Board Summary
2. Expenditure Report
3. Revenue Report
4. Treasurer's Report

VOTE: YES - 9 NO - 0 ABSENT - 0 ABSTENTIONS - 0

J. Payment of Bills

MOTION by N. Foeller, SECONDED by W. Zlomsowitch, to approve the following Payment of Bills:

December 2021:

General Fund:

--Non-Negotiable	\$ 0.00
--Regular Checks	\$ 518,150.40
--Credit Card	\$ 0.00

Debit Card: \$ 1,955.41

Food Service Fund: \$ 71,474.37

Total: \$ 591,580.18

VOTE: YES - 9 NO - 0 ABSENT - 0 ABSTENTIONS - 0

K. Student Activity Club

MOTION by B. Bowes, SECONDED by J. Glaush, to approve and establish the requested student activities as attached.

S. Howland stated how this was a new club in which District students would compete with other schools throughout the CLIU #21 in Esport. She mentioned the advisor has volunteered at this time. She explained that this is a new trend of "gaming" and Jim Thorpe currently has a team competing. She said there is currently a high interest for this club and it would consist of non-violent games. She explained how there are offerings of scholarships with esports and some schools view this as a sport right now, not just a club. She said they could discuss contractual changes in the future. N. Foeller thanked Mr. Gurkha for volunteering his time.

VOTE: YES - 9 NO - 0 ABSENT - 0 ABSTENTIONS - 0

L. Girls on the Run Program

A presentation regarding the Girls on the Run Program was given by Carry Kenny, Social Worker, as well as Elizabeth Fones, Council Director, and Jessica Yonker, Program Manager of Girls on the Run. The link below will show a short video about the program.

https://www.youtube.com/watch?v=9bB38VWkZ_M.

E. Fones and J. Yonker explained how the program was more than just a Track Program. They said the girls get so much more out of it than just running. They mentioned that Carbon County has just been brought on board and would like to start offering the program here after 15 years of being in Lehigh County. They were hoping to get back to regular numbers by 2022/2023. They explained the program meets two times per week for 10 weeks. There are girls on the run for grades 3-5, heart and soul for grades 6-8 and summer camp. They mentioned the culminating event was the 5K for the spring and fall sessions. N. Foeller mentioned he was able to work with girls on the run through Pocono. He was happy to see they were available in Carbon County now.

M. Use of School Property

MOTION by K. Sittler, SECONDED by J. Glaush, to approve Use of School Property for the following requests:

1. **FTAA (Michael Birnbaum)** – January 11, 2022–5:30-8:30 PM – January 20, 2022–5:30-8:30 PM – February 5, 2022–8:30AM-12:30PM - Middle School Cafeteria – FTAA Baseball and Softball signups
2. **Girls on the Run (Carrie Kenny)** - March - May 2022 after school (weather permitting)- Middle School & Elementary Center Gym, Outside Fields and Hallway/outside area - Sessions/Practices
3. **LAHS Drama Club (Laurel Zimmerman)** - May 1, 2022 - 1:00-3:00 PM - High School Auditorium and Stage - Strike Set of Crazy for You and Clean Up
4. **LAHS Drama Club (Laurel Zimmerman)** - High School Auditorium - Rehearsals for LAHS Drama Club - Crazy for you at the following dates and times:

Wednesdays from 3:30 pm to 6:30 pm:

Jan. 5, 12, 19, 26, Feb. 2, 9, 16, 23, March 2, 9, 16, 23, 30 April 6, 20 of 2022

Fridays from 3:30 pm to 5:30 pm:

Jan. 7, 14, 28, Feb. 4, 18, 25, March 11, 18, 25, April 1 of 2022

Fridays from 3:30 pm to 6:30 pm:

April 8 and 22 of 2022

Saturdays from 9:00 am to 12:00 pm:

Jan. 8, 15, 29, Feb. 5, 19, 26, March 12, 19, 26, April 2, 9, 23 of 2022

Tuesday, April 26, 2022 from 3:30 to 6:30 pm

VOTE: YES - 9 NO - 0 ABSENT - 0 ABSTENTIONS - 0

N. School Enrichment Journeys

MOTION by B. Bowes, SECONDED by N. Foeller, to approve the following School Enrichment Journey requests, observing all necessary COVID-19 mitigation precautions:

1. Pre-K Counts (Susan Maloney) – December 22 or 23, 2021 – 10:00 AM-12:00 PM– Mahoning Valley Cinema to experience a Movie Theater and atmosphere.

2. LAHS Band (Bryan Buffington) - March 15-17, 2022 (Snow date of March 18, 2022) - 7:45 AM-3:00 PM (After Concert on March 17, 2022) - Jim Thorpe High School for Carbon County Band Festival.

VOTE: YES - 9 NO - 0 ABSENT - 0 ABSTENTIONS - 0

O. Early Dismissal

MOTION by A. Walker, SECONDED by N. Foeller, to approve early dismissal for students only on January 21, 2022 to accommodate a special athletic event taking place at all District buildings. District employees will use the allotted time for professional duties and will be dismissed according to regularly scheduled timelines.

E. Rarick explained that 42 schools would be coming to the District for a wrestling tournament beginning at 2:00 PM. He said it was a multi-day event and believed the logistics of getting the students out and other schools in on the 21st would be very difficult without the early dismissal. B. Shaner asked if there was any discussion on postponing the event. E. Rarick said he did not have any information on that.

VOTE: YES - 8 NO - 1 ABSENT - 0 ABSTENTIONS - 0

P. Consideration of Benefits Consultant

E. Rarick explained that BSI has been an insurance broker with the District since 2019. He said he believed there was approval for an agreement with BSI. B. Bowes said she would look for the paperwork since she had been contacted by someone interested in sharing their information. J. Beers said they were seeking potential cost savings. E. Rarick mentioned how he is reached out to on a weekly basis by numerous companies. He said insurance is very difficult. He gave a history of BSI and a history of their RFP. J. Beers asked the Finance Committee to gather more information. B. Shaner asked what they had been able to save the District. E. Rarick said he is putting something together to present to the Board.

Q. Acting Superintendent Agreement

MOTION by J. Glaush, SECONDED by B. Bowes, to approve the following REVISED Agreement between the Board of School Directors of the Lehigh Area School District and John W. Corby to assist the District as Acting Superintendent, from December 20, 2021 and ending no later than June 30, 2022, at a cost of \$600.00 per day.

J. Beers stated the revision in the agreement was to allow Mr. Corby to do some work over the holiday break.

VOTE: YES - 9 NO - 0 ABSENT - 0 ABSTENTIONS - 0

R. Deputy Right to Know Officer

MOTION by A. Walker, SECONDED by K. Sittler, to approve Janine Partenio as the Lehigh Area School District's Deputy Right to Know Officer beginning January 1, 2022 until June 30, 2022.

B. Bowes asked if there could be an office of open records training held for the Board.

VOTE: YES - 9 NO - 0 ABSENT - 0 ABSTENTIONS - 0

S. Candidates for Employment

MOTION by N. Foeller, SECONDED by J. Glaush, to approve the following candidates for employment in accordance with the respective contracts:

1. **Steven Sommers** - High School Mathematics Teacher - Date effective pending any necessary paperwork, at an annual salary of \$43,000.00, prorated for the 2021-2022 school year and **Brad Haupt** as his Mentor.
2. **Meghan Berezwick** - 12-Month Secretary for the Director of Special Services - Date effective pending any necessary paperwork, at an annual salary of \$27,328.00, prorated for the 2021-2022 school year.
3. **Gretchen Laviolette** - Math Learning Loss/Recovery Tutor, at the contracted rate of additional compensation at \$31.00 per hour for the second semester of the 2021-2022 School Year

B. Shaner asked about the hiring committee. E. Rarick explained how there is usually a group of 5 on the hiring committee which consists of administrators and teachers or staff pertinent to the position being hired. He mentioned that Gretchen Laviolette is currently a teacher with the District and this was an extra duty.

VOTE: YES - 9 NO - 0 ABSENT - 0 ABSTENTIONS - 0

T. Candidates for the Substitute List

MOTION by B. Bowes, SECONDED by N. Foeller, to approve the following list of requested candidates for the 2021-2022 Substitute List, pending any necessary paperwork:

Timothy Tkach - Substitute Teacher

VOTE: YES - 9 NO - 0 ABSENT - 0 ABSTENTIONS - 0

U. Pre-Approval of Courses/Programs of Study

MOTION by B. Bowes, SECONDED by K. Sittler, to approve the following requests for pre-approval of courses/Programs of Study for continuing education:

1. **Employee #483** - January 18-May 6, 2022/Legal Considerations-Coop Ed and Foundations of Career & Tech Ed (\$957.00)

VOTE: YES - 9 NO - 0 ABSENT - 0 ABSTENTIONS - 0

V. Acknowledgment of FMLA Leave

MOTION by W. Zlomsowitch, SECONDED by J. Glaush, to acknowledge FMLA leave for the following employees, not to exceed 12 weeks:

1. **Employee #1333** - effective January 30 - February 14, 2022

VOTE: YES - 9 NO - 0 ABSENT - 0 ABSTENTIONS - 0

W. Resignations

MOTION by B. Bowes, SECONDED by A. Walker, to approve the following resignations:

Accaylia Schaeffer - Volunteer Cheerleading Coach

VOTE: YES - 9 NO - 0 ABSENT - 0 ABSTENTIONS - 0

X. Carbon County Area Vocational-Technical School Authority Representative to the Operating Committee

MOTION by B. Bowes, SECONDED by J. Glaush, to approve Walter Zlomsowitch as the Carbon Career and Technical Institute Authority Representative to the Operating Committee with a term of January 2022 until December 2026.

W. Zlomsowitch abstained from the vote due to voting for himself.

VOTE: YES - 8 NO - 0 ABSENT - 0 ABSTENTIONS - 1

Y. Carbon Career and Technical Institute Joint Operating Committee Representative Alternate

MOTION by B. Bowes, SECONDED by W. Zlomsowitch, to approve Jeremy Glaush as the Carbon Career and Technical Institute Joint Operating Committee Representative Alternate for a term of immediately until the reorganization meeting in December of 2022.

J. Glaush abstained from the vote due to voting for himself

VOTE: YES - 8 NO - 0 ABSENT - 0 ABSTENTIONS - 1

Z. Carbon Lehigh Intermediate Unit Board of Directors Representative

MOTION by B. Bowes, SECONDED by A. Walker, to approve Jeremy Glaush as the Carbon Lehigh Intermediate Unit Board of Directors Representative for a term beginning immediately until June 30, 2022.

J. Bowman was concerned about the CLIU allowing students to be trans animal where they have students using litter boxes and biting and scratching each other. She wanted to know, as a taxpayer, who put that program into place.

J. Glaush abstained from the vote due to voting for himself

VOTE: YES - 8 NO - 0 ABSENT - 0 ABSTENTIONS - 1

AA. Board Committees

MOTION by W. Zlomsowitch, SECONDED by J. Glaush, to approve the attached Board Committees for the 2022 Calendar year with the removal of A. Walker from the Personnel Committee and the removal of community members from the committees.

A. Abelovsky did not agree with having community members on the Committees. J. Beers said they would not include the community members and would verify it with the solicitor. She also mentioned that A. Walker wanted to be removed from the personnel/negotiations committee. B. Bowes mentioned that all committee meetings would be public except for the personnel/negotiations committee. They discussed the PSBA liaison.

VOTE: YES - 9 NO - 0 ABSENT - 0 ABSTENTIONS - 0

3. Communications

A. Public Comment

J. Collins was concerned about the Nuremburg Code and that the District may be liable for any injuries from vaccinations given at clinics held at the District.

D. Bradley expressed his concern about the valves for the Boiler and discussed the punchlist from the construction project. J. Beers mentioned how the punchlist was shown in the Buildings and Grounds Committee Meeting and they never saw a closed out list. D. Bradley felt it was safety related and felt it was a task for the new Superintendent to complete. E. Rarick explained that the HT Lyons tech adjusted the valves to maintain a safe cycle and they were trying to get into the building during the holiday to work on the system. N. Foeller asked how often the boilers were inspected. E. Rarick said they have a tag on there but he was not sure of the dates.

R Bowman agreed with D. Bradley. He thanked Mr. Tkach for subbing at the District. He also thanked the teachers, administration and employees for their diligence during the TikTok situation and for keeping the students safe. He welcomed Mr. Corby to the District.

J. Beers thanked T. Tkach for his years of service and was glad to see him rolling into a new type of service.

B. Adjournment

MOTION by J. Glaush, SECONDED by N. Foeller, to adjourn the Meeting.

The December 20, 2021 Special Board Meeting was adjourned at 9:02 PM

Respectfully Submitted,

Edward Rarick, Board Secretary
by Janine Partenio, Recording Secretary