

Lehigh Area School District

Lehigh, Pennsylvania

Regular Meeting of School Board
Monday, July 22, 2019 at 7:00 PM

Minutes

Pledge of Allegiance

Call to Order - A regular meeting of the Lehigh Area School Board was held in the Administration Building, Conference Room A, on the above date and called to order at 7:01 p.m.

Roll Call

	Present	Absent
Ms. Joy Beers, Treasurer	X	☐
Mr. Richard R. Beltz, Member	X	☐
Mr. David F. Bradley, Sr., Member	X	☐
Mr. Stephen Holland, Member	X	☐
Mrs. Gail Maholick, Member	X	☐
Mrs. Rita Spinelli, Member	X	☐
Mr. Wayne Wentz, Vice President	X	☐
Mr. Andrew Yenser, Member	X	☐
Mr. Larry Stern, President	X	☐
Ms. Patricia Denicola, Business Administrator	X	☐
Mr. Jonathan Cleaver, Superintendent	X	☐
Attorney William Schwab, Solicitor (Atty. Eric Filer)	X	☐
Mrs. Melissa Wagner, Recording Secretary	X	☐

Presentations - None

Public Comment on Agenda

1. David Bradley - Item VI. 2.

- *Under Communications, there is a Financial Report, no Treasurer's Report. Has that been removed? Are we going to have a review of our Treasurer's Report?*

Mr. Cleaver stated that he was not aware that we've ever had it under Communications.

- *Who does the Treasurer's Report that we have in our packet?*

Mr. Cleaver stated that it's from the Business Office.

- *How did this district pass an unsustainable budget? You're consuming more money than you take in. There's 5 people that voted for this. Increase is almost 10%.*

2. **Dave Hauser – Item IX., F.**

- *Resignation is on the agenda for approval tonight. Thanked the board and community for the past several years with the district. The file of 275 pages of emails, social media, transcripts, minutes, litany of documents of the false claims propaganda for the last 13 months had absolutely zero to do with the resignation. Thanked Mr. Cleaver, Mr. Tkach, Mrs. Howland, and the students personally. The district is always about putting students first.*

3. **Barbara Bowes – Item IX., D.**

- *Hiring another elementary principal but we have two? Is somebody moving?*

Mr. Cleaver stated that it is a realignment of administration staff. Moving administration around and eliminating an administrative position.

Communications

1. Superintendent's Report – *Mr. Cleaver*
 - Greater Lehigh Valley Realtor eMagazine edition has a nice article on the school district. Article can be found on the website.
 - The Morning Call posted an article about Carbon County being a hidden jewel. Talks about how positive the area is, the growth, a lot of good information on increase in house sales. The article is on the Morning Call website.
 - Update on the building projects and close-outs. Civil engineer met with Bruce Steigerwalt last month and produced a report for the district. They are completing the as-built survey. Additional information will be going to Bruce Steigerwalt for review. Received a letter from George's Transportation that we will attached the as-built that addresses the change in the bus lines. Electric, gas and water mark-outs also needed for the easement piece.
2. Finance Report – *Ms. Denicola*
 - All invoices are on for June 30, 2019. One remaining invoice we are waiting on is from the IU that is our final bill for services. The next board meeting with show this invoice.
 - We've recently advertised an RFP for athletic supplies and an RFP for janitorial supplies.

Mr. Bradley requested a copy of the bids.

Ms. Denicola stated that she can provide a bid tabulation sheet that shows each individual vendor and item and price they bid upon. The bid packages were publically posted on the website.

3. Board President's Report – *Mr. Stern*
 - There are building updates included in your packets.
4. Lehigh Memorial Library Report – *Mrs. Maholick*
 - No report.
5. Legislative Policy Committee of PSBA Report – *Mrs. Spinelli*
 - Read a statement regarding the Keystone exams in Pennsylvania. The district still needs to do them at this point.

- PDE has received tentative approval from the U.S. Department of Education for amendments to the state plan for implementation of the Federal Every Student Succeeds Act.
- October 16-18 is the PSBA Conference. Check the website.
- School code amendments have been updated.
- 6. Title I Advisory Committee Report – *Mrs. Bowman*
 - No report.
- 7. CCTI Report – *Mr. Yenser*
 - A couple of projects going on at CCTI: replacement of water main entrance in to the building, sealing of parking lots.
 - Student orientation is August 20. First day of in-service on August 21. First day for students is August 22.
 - Current enrollment is 445 and there is a waiting list.
- 8. CLIU Report – *Mr. Wentz*
 - Nothing to report from the July meeting.
 - Next meeting is set for August 19th at 6:30 p.m.
- 9. Building/Grounds Report – *Mr. Holland*
 - No meeting.
 - Our people are working very hard in our buildings and our grounds to get it ready for the upcoming school year and thanked them personally.
- 10. Academic Affairs Committee Report – *Mr. Stern*
 - Next meeting is on August 7, at 5:45 p.m.
- 11. LCCC Report – *Mr. Krause*
 - Recently passed state budget shows a 2% increase of community colleges for operating expenses.
 - LCCC is utilizing a program called Target X Communication Plan to improve responsiveness to prospective students.
 - Our staff and recruitment/retainment programs have kept LCCC enrollment numbers strong.
- 12. Policy Committee Report – *Mr. Stern*
 - No meeting held. Next meeting is in September.
- 13. Athletic Committee Report – *Mr. Wentz*
 - Fall sports are preparing for the upcoming season. Meet the Tribe night is scheduled for August 20th at the Multi-Purpose Stadium. Next meeting is August 13th at 9:00 a.m.
- 14. Wellness Committee Report – *Mrs. Maholick*
 - No meeting held.

Approval of Minutes

MOTION by Mr. Wentz, SECONDED by Mrs. Spinelli to approve the Minutes of the June 24, 2019, regular meeting.

Board members discussed the new format of minutes. No longer verbatim but a snapshot as required.

VOTE: YES - 9 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

MOTION by Mrs. Spinelli, SECONDED by Mr. Wentz to approve the Minutes of the June 27, 2019, special meeting.

Board members discussed the scheduling of the special meeting.

VOTE: YES - 9 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

Financial Matter

Activities MOTION by Mr. Yenser, SECONDED by Mr. Holland to approve the Lehigh Area High School and Lehigh Area Middle School Activities Fund for June 2019.

VOTE: YES - 9 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

Payment of MOTION by Mr. Wentz, SECONDED by Mr. Holland to approve the Payment of
Bills Bills for July 2019:

General Fund	\$ 792,807.87
--Benefits	\$ 255,897.90
--Payroll	\$ 1,564,049.03
--Debit Card	\$ 3,263.91
Food Service Fund	\$ 6,289.50
	\$ 2,622,308.21

Note: Members with questions or requesting a copy of any payment, please contact the Business Office prior to the scheduled meeting.

Mr. Bradley asked about reviewing the bills and read school code.

Board members discussed the motion.

Mr. Bradley asked for a roll call vote.

Roll Call Vote:

	Yes	No	Absent	Abstention
Ms. Joy Beers, Treasurer	X	☐	☐	☐
Mr. Richard R. Beltz, Member	X	☐	☐	☐
Mr. David F. Bradley, Sr., Member	☐	X	☐	☐
Mr. Stephen Holland, Member	X	☐	☐	☐
Mrs. Gail Maholick, Member	☐	X	☐	☐
Mrs. Rita Spinelli, Member	X	☐	☐	☐
Mr. Wayne Wentz, Vice President	X	☐	☐	☐
Mr. Andrew Yenser, Member	X	☐	☐	☐
Mr. Larry Stern, President	X	☐	☐	☐

VOTE: YES - 7 NO - 2 ABSENT - _____ ABSTENTIONS - _____
Motion carried.

Reports MOTION by Mr. Wentz, SECONDED by Mrs. Spinelli to approve the following reports:

- a. Budget/Revenue Report
- b. Expenditure by Object Report
- c. Revenue Report
- d. Treasurer's Reports
 1. General Fund
 2. Capital Reserve Fund
 3. Capital Projects Fund
 4. Food Service Fund

VOTE: YES - 2 NO - _____ ABSENT - _____ ABSTENTIONS - _____

Motion carried.

**Per Capita/
Occ. Ex.** MOTION by Mrs. Spinelli, SECONDED by Ms. Beers to approve exemptions from Per Capita and/or Occupational Tax per the attached list.

VOTE: YES - 2 NO - _____ ABSENT - _____ ABSTENTIONS - _____

Motion carried.

**Berkheimer
Resolution** MOTION by Mrs. Spinelli, SECONDED by Mr. Bradley to adopt Resolution #19/20-#01 to remove the former Business Administrator as the sole contact for Berkheimer and appoint the Business Administrator or Assistant Business Administrator as its authorized representative to make requests.

Board members discussed the motion.

VOTE: YES - 2 NO - _____ ABSENT - _____ ABSTENTIONS - _____

Motion carried.

**Fall Ticket
Sales/Game
Worker Pay** MOTION by Mr. Holland, SECONDED by Mr. Bradley to approve the 2019-2020 Game Worker Pay Scale and Fall Ticket Sales for athletic events, as recommended by the Athletic Committee.

VOTE: YES - 2 NO - _____ ABSENT - _____ ABSTENTIONS - _____

Motion carried.

**MOU for
Title III** MOTION by Mrs. Spinelli, SECONDED by Mr. Wentz to approve a Memorandum of Understanding with Carbon Lehigh Intermediate Unit #21 for the Title III Consortium for the 2019-2020 school year.

Mr. Cleaver explained the motion.

VOTE: YES - 2 NO - _____ ABSENT - _____ ABSTENTIONS - _____

Motion carried.

Janitorial Supplies MOTION by Mr. Wentz, SECONDED by Mrs. Spinelli to approve the Janitorial Supplies bids for the 2019-20 budget year in the amount of **\$64,560.58**.

Mr. Holland asked if the bids were higher or lower.

Ms. Denicola stated that compared to 2018-19, there was over a \$20,000 savings.

Mr. Bradley questioned the motion without the board reviewing the bids.

VOTE: YES - 7 NO - 2 (D. B., G.M.) ABSENT - _____ ABSTENTIONS - _____
Motion carried.

Athletic Supplies MOTION by Mr. Wentz, SECONDED by Mr. Yenser to approve the Athletic Supplies bids for the 2019-20 budget year in the amount of **\$15,238.16**.

Mr. Bradley questioned the motion.

Ms. Beers asked the comparison from what we spent in the past.

Ms. Denicola stated that the mix of supplies was different because of replenish of uniforms, etc. She couldn't make the same comparison.

Ms. Beers asked what was spent last year.

Ms. Denicola stated about \$100,000 for supplies. There may be other opportunities to get the most competitive pricing.

Mr. Yenser thanked the business office for putting out the RFP for supplies.

Mr. Bradley questioned the object number in which this is spent.

The board discussed the question.

VOTE: YES - 8 NO - 1 (D.B.) ABSENT - _____ ABSTENTIONS - _____
Motion carried.

Personnel

2019-20 Substitutes MOTION by Mr. Bradley, SECONDED by Mrs. Maholick to approve the attached list of candidates for the **2019-2020 Substitute List** pending clearances.

VOTE: YES - 9 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

Ath./Ex. MOTION by Mr. Wentz, SECONDED by Mr. Holland to approve the
Curr. Hires **Athletic/Extra-Curricular** hires for the **2019-2020** school year (per attachment).

Mr. Bradley questioned the total consumption for the hourly rate of hires.

Board members discussed the motion.

VOTE: YES - 8 NO - 1 (D.B.) ABSENT - _____ ABSTENTIONS - _____
Motion carried.

Course Approvals MOTION by Mr. Bradley, SECONDED by Mr. Holland to approve the following requests for pre-approval of courses/Programs of Study for continuing education:
1. Employee #39 – August 24, 2019/Diversity and Cultural Awareness

Mr. Bradley questioned the cost of the motion.

Mr. Cleaver explained it is East Stroudsburg rate as part of the contract.

VOTE: YES - 9 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

Act 93 Reassigned MOTION by Mr. Wentz, SECONDED by Mrs. Spinelli to approve the following reassignments and salaries for the following Act 93 Employees:
1. Floyd Brown – High School Assistant Principal – Salary **\$75,000 (prorated)**
2. Melissa Volcskai – Elementary Center Principal – Salary **\$80,000 (prorated)**

VOTE: YES - 9 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

Hires MOTION by Mr. Yenser, SECONDED by Mrs. Spinelli to approve the recommendation to hire **Melissa Haydt**, as a Certified School Nurse for the 2019-20 school year **Step 2, Bachelor's, \$44,000.00**.

Board members discussed the motion.

VOTE: YES - 8 NO - _____ ABSENT - _____ ABSTENTIONS - 1 (D.B.)
Motion carried.

Resignation MOTION by Mr. Bradley, SECONDED by Mrs. Spinelli to accept the resignation of the following employee:

1. **David Hauser** – High School Assistant Principal – Effective TBD

Board members discussed the motion.

VOTE: YES - 9 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

Miscellaneous

School Journeys MOTION by Mrs. Spinelli, SECONDED by Mr. Wentz to approve the following School Enrichment Journey requests:

1. **LAEC 4th Grade (Denise Gerber)** – September 11 & 12, 2019 (Rain date: 9/13/19) – 8:50 a.m.-2:20 p.m. –to travel to Lehigh Gap Nature Center (LAEC Budget)
2. **LAHS S.T.E.A.M. (Guy Potts)** – September 13, 2019 – 7:30 a.m.-4:00 p.m. – to travel to Maple Grove Raceway (Student Cost)
3. **LAEC 5th Grade (Sharon Focht)** – September 16 & 19, 2019 – 9:00 a.m.-2:30 p.m. – to travel to Lehigh Gap Nature Center (LAEC Budget)

VOTE: YES - 9 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

HS Handbook MOTION by Mr. Yenser, SECONDED by Mrs. Spinelli to approve revisions to the High School handbook for the 2019-2020 school year.

Mr. Bradley questioned if parents were given the draft copy to seek their input.

Board members discussed the motion.

VOTE: YES - 8 NO - 1 (D.B.) ABSENT - _____ ABSTENTIONS - _____
Motion carried.

MS Handbook MOTION by Mr. Holland, SECONDED by Mr. Yenser to approve the Middle School handbook for the 2019-2020 school year.

VOTE: YES - 8 NO - 1 (D.B.) ABSENT - _____ ABSTENTIONS - _____
Motion carried.

EC Handbook MOTION by Mrs. Spinelli, SECONDED by Mr. Holland to approve the Elementary handbook for the 2019-2020 school year.

VOTE: YES - 8 NO - 1 (D.B.) ABSENT - _____ ABSTENTIONS - _____
Motion carried.

Pre K Counts Handbook MOTION by Mr. Holland, SECONDED by Mr. Wentz to approve the Pre K Counts Parent/Student Handbook for the 2019-2020 school year.

VOTE: YES - 8 NO - _____ ABSENT - _____ ABSTENTIONS - 1 (D.B.)
Motion carried.

LAVA Handbook MOTION by Mr. Holland, SECONDED by Mr. Wentz to approve the ELearn21 Lehighton Area Virtual Academy (LAVA) Parent/Student Handbook for the 2019-2020 school year.

VOTE: YES - 8 NO - _____ ABSENT - _____ ABSTENTIONS - 1 (D.B.)
Motion carried.

Programs

Use of Sch. Property MOTION by Mr. Bradley, SECONDED by Mrs. Spinelli to approve Use of School Property for:

1. **Lehighton Area Soccer Club (James Sharpley)** - July 25, 2019-November 25, 2019 - Monday-Friday, 4:00 p.m.-8:00 p.m. and Saturdays, 8:00 a.m.-2:00 p.m. - Franklin Elementary Outside Fields - Soccer Practice & Games
2. **National Honor Society (Melissa Clark)** - October 3, 2019 - 6:00 p.m.-8:00 p.m. - LAHS Auditorium - NHS Candidate Parent Meeting
3. **National Honor Society (Melissa Clark)** - November 12 & 14, 2019 - 2:15 p.m.-3:30 p.m. - LAHS Auditorium - Inductions Practice
4. **National Honor Society (Melissa Clark)** - November 14, 2019 - 5:00 p.m.-9:00 p.m. - LAHS Auditorium - NHS Inductions
5. **SAT (Kathy Martin)** - August 24, 2019 - 7:00 a.m.-2:00 p.m. - LAHS Classrooms - SAT Testing

VOTE: YES - 9 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

Old Business for Discussion

1. Sale of Franklin

Mr. Cleaver emailed an update to the board regarding the sale of the building. There is another interested party in Franklin. Mr. Cleaver shared the process of the sale of Shull-David with the interested party.

Mr. Bradley questioned not finding a commercial realtor to sell the building.

Ms. Denicola explained that the RFP was posted and advertised and questions were answered. No realtors responded to the RFP. They were given the opportunity.

The RFP was discussed by the board.

New Business for Discussion

Timeframe Waived MOTION by Mr. Wentz, SECONDED by Mrs. Spinelli that the timeframe in the motion for sale of Shull-David Elementary School is hereby waived.

Mr. Bradley questioned the moving of the date of the sale.

Board members discussed the motion.

Audience member commented.

VOTE: YES - 8 NO - 1 (D.B.) ABSENT - _____ ABSTENTIONS - _____
Motion carried.

Sale of Shull-David Elementary MOTION by Mr. Holland, SECONDED by Mr. Wentz that Shull-David Elementary School is hereby sold to Leighton School Site, LLC for the sum of **\$402,500.00** subject to the terms and conditions in the agreement of sale.

Mr. Bradley asked about the agreement of sale and his email to postpone the auction.

Board members discussed the motion.

Roll Call Vote:

	Yes	No	Absent	Abstention
Mr. Richard R. Beltz, Member	X	☐	☐	☐
Mr. David F. Bradley, Sr., Member	☐	X	☐	☐
Mr. Stephen Holland, Member	X	☐	☐	☐
Mrs. Gail Maholick, Member	X	☐	☐	☐
Mrs. Rita Spinelli, Member	X	☐	☐	☐
Mr. Wayne Wentz, Vice President	X	☐	☐	☐
Mr. Andrew Yenser, Member	X	☐	☐	☐
Ms. Joy Beers, Treasurer	X	☐	☐	☐
Mr. Larry Stern, President	X	☐	☐	☐

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

Motion carried.

Resignation MOTION by Mr. Holland, SECONDED by Mr. Bradley to accept the resignation of the following employee:

1. **Brandi Lees** - Secondary Mathematics Teacher - Effective August 9, 2019

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

Motion carried.

Mr. Bradley asked why the motion from November 28, 2018, to change banks has not been executed.

Mr. Cleaver believed the motion was to open accounts, not a transfer of funds. The change in PSERS as of July 1 was also a concern.

Board members discussed the motion from November.

Mr. Bradley received an email from TD Bank on July 12, 2019, along with other board members asking why this did not take place.

Board members continued to discuss the motion.

Mr. Bradley asked if Mr. Cleaver has a relationship with the current vendor, Mauch Chunk.

Mr. Cleaver answered that they are a bank in the community.

Mr. Bradley asked Atty. Filer to identify his law firm relationship with Mauch Chunk Bank.

Atty. Filer declined due to attorney/client privilege.

Directors' Concerns

No Motion MOTION by _____, SECONDED by _____ to change our Keystone Exams to the PSAT or SAT.

Mr. Bradley asked if Mrs. Spinelli verified the politician statement regarding the federal funds, prior to taking this off the table or not taking it off the table.

Mrs. Spinelli stated it came from PDE.

Mr. Bradley removed letter A. from Directors' Concerns. Motion failed for lack of motion.

VOTE: YES - _____ NO - _____ ABSENT - _____ ABSTENTIONS - _____

Unblock Email MOTION by Mr. Bradley, SECONDED by Mrs. Maholick to instruct the Superintendent to unblock the email communication between board members, specifically emails from David F. Bradley, Sr.

VOTE: YES - 7 NO - 2 (R. S., W.W.) ABSENT - _____ ABSTENTIONS - _____
Motion carried.

Lack of Second MOTION by Mr. Bradley, SECONDED by _____ to seek an apology and resignation of President Larry Stern, past Treasurer Andrew Yenser, Vice President Wayne Wentz, Finance committee member Rita Spinelli, and Building and Grounds committee member Steve Holland for failing in their elected duty as required by PA School Code in that they neglected to do their duty(ies), and honor their oath of office to act with fidelity.

Motion failed for lack of a second.

VOTE: YES - _____ NO - _____ ABSENT - _____ ABSTENTIONS - _____

Mr. Bradley questioned additional topics that were sent to the administration that was missing from Directors' Concerns.

Mr. Cleaver stated that nothing would be posted that is considered personnel that could be a breach of contract and put the district in liability.

Mr. Bradley stated that blocking them from the agenda would be cause for a reprimand and would like them read in the record.

Mr. Cleaver stated that he would not put a motion item on the agenda that would be an unfair labor practice or possibility of legal action.

Courtesy of the floor / Public Comment

1. **Barbara Bowes – End of Meeting**

- Tax bills – When are we going to get them?

Ms. Denicola stated that they are currently being printed and will be delivered to the district with postage on them by the end of the month.

- How long do we have to get the 2% discount?

Ms. Denicola stated that the 2% discount has been extended due to the delay in getting the bills printed. Because we passed the budget at the very end of June, we went to the back of the line with the printers.

- Previous vaping presentation – Are the vaping objects, that were shown by Mr. Hauser, cataloged and kept in the district?

Mr. Cleaver stated that they are kept for evidence.

Mr. Bradley asked if the district is going to send a tax bill to the Lehighton Borough for the Annex Building for renting the Annex as a commercial opportunity as defined by law.

MOTION by Mr. Bradley, SECONDED by Mrs. Maholick to authorize the sending of the bill to the Lehighton Borough for their use of the Annex Building in a non-tax exempt way.

Ms. Beers questioned the Solicitor if the building should be taxed.

Mr. Filer stated that he would have to get back to her, he's not a tax law specialist. If the board wants, he will look into it. General public entities don't like starting fights with each other.

Mr. Bradley stated that there's a law that it's taxable. It's a 20-year mistake and it's about \$800,000.

Mr. Bradley questioned if Mr. Stern is on the Lehighton Water Authority board member.

Mr. Stern stated that he is not on the Water Authority and Mr. Bradley doesn't have his facts together.

Board members discussed the motion further.

Audience members commented.

Mr. Cleaver stated that we work well with the borough.

Mr. Bradley questioned the current electric rate versus the PPL rate for the elementary center.

2. **Thomas Wertman – passed on speaking**

Adjournment

Next regular scheduled meeting is Monday, August 26, 2019, at 7:00 p.m.

MOTION by Mrs. Spinelli, SECONDED by Ms. Beers to adjourn the meeting at 8:51 p.m.

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

Respectfully submitted,

Patricia J. Denicola

Patricia J. Denicola
Board Secretary

(Minutes of July 22, 2019, includes Pages 1 through 14.)