

Lehigh Area School District

Lehigh, Pennsylvania

Reorganization Meeting of School Board

Resumption from

Monday, December 4, 2017, at 7:00 p.m.

and

Thursday, December 21, 2017, at 7:00 p.m.

February 26, 2018, at 7:00 p.m.

Minutes

Pledge of Allegiance

*** Moment of silence for the Florida school shooting victims.*

Call to Order - A resumption of the reorganization 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, Member	X	☐
Mr. Richard R. Beltz, Member	X	☐
Mr. David F. Bradley, Sr., Member (7:04 p.m.)	X	☐
Mr. Stephen Holland, Member	X	☐
Mrs. Gail Maholick, Member	X	☐
Mr. Wayne Wentz, Vice President	X	☐
Mr. Andrew Yenser, Treasurer	X	☐
Vacant	☐	☐
Mr. Larry Stern, President	X	☐
Mr. Brian Feick, Business Manager	X	☐
Mr. Jonathan Cleaver, Superintendent	X	☐
Attorney William Schwab, Solicitor (Atty. Eric Filer)	X	☐
Mrs. Melissa Wagner, Recording Secretary	X	☐

Resumption of Reorganization Meeting

Mr. Stern - There were two (2) motions on the floor. The first item was the removal of myself from Lehigh Area School District Board of Education. The second item was the appointment of Duane Eidem for the open school board position.

1st Item - Removal of Larry Stern from the Board of Education

Mr. Stern - At this point there will not be a vote on that particular item. Voting on that item is a violation of School Code. The only way a member of the Board of Education can be removed is via the court and we have several cases that site the examples.

Mr. Bradley – Eric, we received the letter from Larry's attorney that mentioned he can't be removed. At the bottom it says that the individual board members can be held responsible for such an act. Can you explain what coverage we have and how that works as an elected official?

Atty. Filer – What do you mean by what coverage we have?

Mr. Bradley – Apparently we have something called immunity or something as an elected official for actions as an elected official.

Mr. Feick – Liability? Can I answer that?

Atty. Filer – What type of liability are you referring to?

Mr. Bradley – What responsibility, as a board member, do we take personally? Is there any personal liability in the actions we take as school board members?

Atty. Filer – With regards to the business judgment role, any rational and informed decisions, you're usually insulated for the decisions you make but without having actual facts, I don't really know what you are asking me.

Mr. Bradley – Did you read this case by Larry?

Atty. Filer – Yes.

Mr. Bradley – Did you see where he is basically threatening a school board member for bringing such an action inside of a school board for personal liability?

Atty. Filer – I believe he's indicating that he will surcharge members who attempt to remove Mr. Stern.

Mr. Bradley – Correct. That would be civil action against individual school board members from acting inside a board room during a meeting. Does he have the right to do that?

Atty. Filer – The School Code does state specific situations where individual board members can be charged for their actions. I don't know what particular section he is referring to in that letter. It doesn't reference it.

Mr. Bradley – You are here to help us.

Atty. Filer – Correct.

Mr. Bradley – Can you explain how?

Atty. Filer – I cannot.

Mr. Bradley – Mr. Feick, can you explain how the insurance works?

Mr. Feick – We have officers' liability insurance that basically covers you as long as you are acting under the guise of the law or within the law. So, my feelings are, if you get a legal opinion and you go against that legal opinion, you are personally liable.

Mr. Bradley – His legal opinion as our solicitor?

Mr. Feick – Correct.

Mr. Bradley – Do you have access to Bill on the phone or anything? He's got 30 years experience.

Atty. Filer – Correct. But what action are you asking me whether or not you have liability for?

Mr. Bradley – What is our personal liability if we make a motion to remove this man for neglect which is listed in 318?

Atty. Filer – First off, the case that you cited, the court removed the board members.

Mr. Bradley – Correct.

Atty. Filer – In the case, there was a solicitor who was running to be the Superintendent...

Mr. Bradley – Right and they were waiting for him to get his certificate and they were stalling for the benefit of him getting his certificate so then they could appoint him.

Atty. Filer – And, there were five (5) other individuals who were qualified and the court removed the board members.

Mr. Bradley – We have a couple obligations as well like to meet every two (2) months or if four (4) board members choose not to meet is that not also a violation of the same 318? And, if we have an obligation to our oath to follow the Sunshine Act, is that also not under 318?

Atty. Filer – But that would be the court removing him under 318, Mr. Bradley.

Mr. Bradley – So, if we remove him here...

Atty. Filer – You can't remove him here.

Mr. Bradley – If we try to remove him here and we vote to remove him here, we may be at personal risk. Correct? Then your advice is for us to not to?

Atty. Filer – Yes, my advice is not to.

Mr. Bradley – At which point it is personal risk and he can go to civil court to try to reinstate himself.

Atty. Filer – The board has no authority to remove him.

Mr. Bradley – Currently? According to the interpretation of 318?

Atty. Filer – Correct.

Mr. Bradley – Then I'd like to make a motion to remove Larry Stern as President of this board. Do we have that authority?

Atty. Filer - The board can elect to and vote to elect officers at any time.

Mr. Bradley - He's obviously shown that he is having trouble. I move that we remove Larry Stern as President of this board. Can I get a second on that motion?

Mr. Beltz - Second.

Motion to Remove L. Stern as President MOTION by Mr. Bradley, SECONDED by Mr. Beltz to remove Larry Stern as President of the board.

Mr. Bradley - This is a new motion.

Mr. Stern - Since this is a new motion, we can let folks speak on their behalf.

Mr. Bradley - Does anyone wish to speak? You do not have to fill out a paper or anything. It is the benefit of the board to poll data that is valuable to our decision.

Gloria Bowman - I'll make a statement on behalf of Mr. Stern. There is no reason, in my opinion, that Mr. Stern needs to be removed as President. He's been on the board for a long time and he's just starting in this position new and he has followed the Sunshine Act. He allowed people to speak after thought and discussion so I don't think you have any basis to remove him at this point. He does a fine job, he knows information, he knows process and procedure and I will support that fully.

Frances Flickinger - I would like to say that two (2) times when I was here and the question was asked if anyone else had anything to say, my hand was raised and I sat right upfront here and looked at Mr. Stern and was totally ignored. I hope that it is not ever done again to me or to anybody.

Janice Bowman - I live in Lehigh Township and I also raised my hand. Mr. Stern you also wrote that I didn't raise my hand and that somebody on the board should have saw us and let you know. I just want to say, you as President, I expect you to be on your toes, looking around and letting people speak because this is a public forum where we are allowed to speak. I know we are not allowed to yell and give you any problems, but I really lose respect when I'm new here and I'm treated the way I was treated. As far as you for a President, I would not vote for you.

Tom Wertman - I'm from East Penn Township. I want to say that Larry Stern is doing a very fine job. First of all, we have Courtesy of the Floor where everyone has the opportunity to speak if they sign that sheet and bring it up and set it there and yes, they will be called upon. We have an organized type meeting, not a chaos. A chaos is when everyone wants to speak, no, that is not the way it's done. We have procedures on the way we speak in this auditorium. Everyone has a right, you better believe it, everyone does have a right. There's the sheets over there, you want to speak, sign them sheets.

Mr. Bradley - Tom, in all fairness, there is order, there is responsibility.

Tom Wertman - No there isn't. There is not order as long as you don't sign those sheets, I'm sorry my friend.

Mr. Bradley – Larry, can you please address Tom to explain how the Sunshine Act works for new business on the floor.

Mr. Stern – Yes. When there is new business of an item that is not on the agenda and it is brought up, then we are supposed to allow people to speak upon that item.

Mr. Bradley – Thank you. And, all that have to do is raise their hand...

Mr. Stern – And be noticed.

Mr. Bradley – So that we can acknowledge them so they can raise their hand and look to the floor and ask. This is called a reasonable opportunity. It's very difficult for people to speak in public. You should make every effort to allow them the opportunity to speak because it is so stressful and difficult especially when you have police officers and gavelers.

Stacey Duerst – I'm a parent and a taxpayer and I am here to support Larry Stern as President of this board. Larry has the knowledge to lead this board. He has been on this board for a long time. He is a wealth of information for us as parents and for us as taxpayers. I was at that meeting, and I can honestly say, I did not see Mrs. Flickinger's hand and I did not see Mrs. Janice Bowman's hand go up. I will support Larry 110% that those hands were not raised and he gave everyone the opportunity to speak that needed to speak. Mrs. Janice Bowman, FYI, you don't get to vote for Larry to be President that's what the members of the board are for. So, you not wanting to vote for him, no big deal.

Denise Hartley – I'm also a taxpayer and I'm going to say this politely. Larry is brand new in his position and I think he needs to be afforded time to learn his position. He was on the board for many of years, this should not be a personal vendetta nor should there be clapping or negative statements made to the people that are up here making statements, David. I'm directing this at you, I have not heard any other person on this board make negative statements or attack people that came up here except for you. And personally, I would not want to have you on this board, but you were elected. I would much rather have somebody who has self-respect and is trying to control a situation that is out of hand which is what you have caused this board to be. If anybody should be elected to be taken off this board, it should be you.

Mr. Bradley – Thank you speaking and thank you for not making her be quiet because she is talking about a person on the board. That's what it's supposed to be. I appreciate that. I will vote for Larry if he's going to follow the law.

Frank Tamburri – The only thing I wanted to mention is that Fran did raise her hand. Frances Flickinger was sitting over here, I happened to be in that back doorway. She did raise her hand, it wasn't for a long period of time, but it was raised and it was at a moment when you (Larry) and David were getting a little heated. So, perhaps at the same time, it got overlooked. The one thing with the minutes that we have to sign for, that's right, we have to put something there. But, there are many times over the last 5 or 6 years that I've been here that when the meeting starts, something usually comes up. Maybe we have an architect or we have somebody that whatever. Now we have something that we want to ask a question of and we are running out of time, doing whatever, and maybe we just don't want to talk to anybody else. That needs to be addressed on how do we do that as a board and as a school. How do we allow someone else, whatever, that hasn't spoken or it's not an agenda item, how do we ask a question over something that was brought up?

Mr. Bradley – Frank, any board member can ask any person in the audience for any information that they might have during any part. If anybody has any information that they want to add to a school board meeting, they should raise their hand and then the chair should allow you to add commentary to your district, to your government for your benefit.

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	☐	☐	☐
Mr. Wayne Wentz, Vice President	☐	X	☐	☐
Mr. Andrew Yenser, Treasurer	☐	X	☐	☐
Ms. Joy Beers, Member	X	☐	☐	☐
Vacant	☐	☐	☐	☐
Mr. Larry Stern, President	☐	X	☐	☐

VOTE: YES - 4 NO - 4 ABSENT - ABSTENTIONS -

Motion denied.

Mr. Bradley – Is he (Mr. Stern) allowed to vote?

Mr. Cleaver – Yes.

Mr. Bradley – Why is that?

Atty. Filer – Mr. Bradley, the ethics statute that you cited and sent to our office only applies to when there is pecuniary interest involved. Mr. Stern gets absolutely nothing for being board president so, he's allowed to vote on it.

Mr. Bradley – Because there is no financial interest?

Atty. Filer – Yes.

Mr. Stern - The other open item that is currently on the floor was a first and a second for nominating Mr. Duane Eidem to fill the vacancy. We had not voted on that particular item. Is there anyone who would like to speak on behalf of Duane? Please raise your hand and you may speak.

Mr. Feick – I have a question before we go in to that. Since it was petitioned for the court, do we still have the right to name a ninth member?

Atty. Filer – We no longer have the right to name a ninth member.

Ms. Beers – I thought that we still could?

Mr. Feick - You had 30 days to fill the position, after that, it's up to the court.

Mr. Bradley – We can't fill it?

Atty. Filer – Not at this point. We had within 30 days to fill it, to make the decision, we passed that deadline. It's now up to the courts to appoint the board member.

Ms. Beers – Okay. I thought that we could petition the court after 30 days but we still had the right to fill the position.

Atty. Filer – No. It's in the courts hands right now.

Mr. Stern – At this point that motion is moot. I have one Courtesy of the Floor that pertains to the December 4th meeting, Janice Bowman.

Courtesy of the floor/ Public Comment

Janice Bowman – Lack of Public Comment Time from Last Meeting

- I did write the note last time like I was supposed to. The purple copy is up there. I wanted to share my concern with the way we fill vacant seats. I know this is a legal process, but I did share something with the secretary that I'd like her to share with you at a later date. And, basically what I'm going to be doing is fighting with the way we elect a seat picked by a judge or the court because those seats that you are sitting in represent taxpayer money, you have a fiduciary and an accountability to us how you are spending those taxes. I don't know if you agree, but that's the way I see it. I think by the way we are picking, it's totally usurping the votes of the voters by changing their idea. It's saying that you have more of a right, and the judge, to pick somebody to put on the board and then to make it even twice as worse, is taking somebody that we unelected be it Republican, Democrat, I don't care what the party is. If the voters voted, and decided to leave you off, then I think you should have to re-run the next time. You have that right. But, for someone to put somebody on that was voted off, totally suppresses the votes. It totally disenfranchises voters. Why would you vote when your vote don't count. It's totally a different form of gerrymandering. If I'm on the board and I have my buddies there and they're going to get me on the board, or the judge, that's the way it feels to me. To me that's gerrymandering and I call it fraud. There are some laws that really need to be changed under this and I have them here. I couldn't understand when Atty. Schwab brought up the judge in November before we ever had a board member with the new people on. To me it was like, alright, they already know we are going to the judge. That's what it felt like. I thought that the new people should be on to say their voice first even if we like or don't like what they have to say. To me, it looks fixed. It says that the voters, within 30 days after vacancy, ten (10) or more citizens can file a petition and that's under public school code 1949, section 315. Well, that didn't happen because there were no ten (10) citizens here filing a form. So, I don't understand how Schwab could automatically start that in November. I'd like to understand that legally someday. The other thing was board discussion. It should not be done in executive, it should be done in a public. This public never got to say iota on anybody. How do we know what we are voting for? You have suppressed our votes.

Mr. Bradley – Janice, I'm gonna have Eric answer this one for you. You mentioned fiduciary. I looked this up. The board has zero fiduciary responsibility to this district, none, they are not fiduciary. You can check with Eric. Eric, is that correct?

Atty. Filer – I believe that's correct. I can't say the statute, but...

Mr. Bradley – The only thing we have accountability of is the people in this audience. If they don't get a chance to look at everything that is done from a financial standpoint, that board has neglected zero fiduciary responsibility. They can waste as much as they want. It's up to the board to be elected who cares and shares it with the people. I was very surprised myself.

Janice Bowman – I don't think that anybody in government has responsibility for our tax dollars.

Mr. Bradley – This board is going to be more transparent.

Mr. Cleaver – Just for record to the board, just make sure you hit your microphone with the red light on. It means that people can hear you in here and also people that are outside of the room can hear through the speaker.

(A member of the audience came to the podium to speak and did not state his name.)

Is Mr. Beltz, Sr. no longer willing to take his position?

Mr. Cleaver – What are you referring to? Courtesy to the floor...

There was a two (2) year position on which we voted.

Mr. Cleaver – Right.

And, the person with the largest number of votes couldn't take their seat. Is Mr. Beltz no longer willing to do that?

Mr. Cleaver – Before we answer, are you referring to the reorganization meeting?

I'm referring to the election. Mr. Beltz had the next number of votes. Is he no longer willing to take his position?

Mr. Cleaver – I can't answer that for you.

He was elected by the people. What reason could there be to break tradition, to violate democratic principles?

Mike Lusch – It seems like the raising your hand method isn't quite the way to go.

Mr. Stern – No, we need the paperwork.

Mike Lusch – Mrs. Bowman, the one that spoke about transparency. I've been to more board meetings than the vast majority of people that are standing here and when I read the agenda, I can see the line items that are voted upon. By someone saying that there is no transparency about what our district is spending their money on, that's false. You can see the line items of what is being spent and what it is being spent on. So, every time I look at this agenda, I see what monies are being spent on what bills. Just because you may not like it, here it is, look at it.

Mr. Bradley – This is the board expenditures that came from the district. If you would like to look through it, that's how you do it. As soon as you publish this out there...

Mike Lusch – Is that a Right to Know request that you are bogging down our district with 10's and 100's of thousands of dollars?

Mr. Stern – Can I have order please?

Mr. Cleaver – Mr. Bradley, please sit down at the table.

Mr. Stern – Let's call this meeting to order please.

Autumn Frey – When is this ever going to be about education and the children? Am I right or am I wrong? Please, can't we just get past this arguing? My daughter—her teachers are here. They want to give you a great presentation. They can't even do that.

Adjournment

MOTION by Mr. Beltz, SECONDED by Mr. Bradley to adjourn the meeting at 7:32 p.m.

VOTE: YES - 8 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

Lehigh Area School District

Lehigh, Pennsylvania

Regular Meeting of School Board
Monday, February 26, 2018, at 7:00 PM

Minutes

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 7:32 p.m.

Roll Call

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

Presentations

Pre-K - Mrs. Susan Maloney, LASD Pre-K Teacher and Mrs. Amber Williams, LASD Pre-K Paraprofessional

Mr. Cleaver - At this time we have a presentation by the Pre-K program. I will introduce Mr. Tkach who will introduce the staff that is here to talk about the great program that we currently have offered in our district. There was a lot of time and effort trying to get this program up and running. Mr. Tkach, Mrs. Karpowicz, and Mr. Sebelin is housing the program and of course the staff and paraprofessional have been doing nothing but great things for our kids. I think you'll be excited to hear about all the great things that are going on and even better when the state comes in and tells us what a great job we are doing.

Mr. Tkach - We are thrilled that after 2 months we can finally deal with some educational progress. We're thrilled, too, for our kids and our community. I'm going to let the ladies present what we are doing with our kids, it's phenomenal. Ms. Hanna was in from the state and she was

impressed and she told us that there is only one other school district in Pennsylvania that is four (4) star and that is Jim Thorpe. She is looking for us to go to that next year already. And that's kudos on Mrs. Maloney and Mrs. Williams.

Mr. Cleaver – The purple folder is information regarding the presentation.

Susan Maloney – We are the teachers of Lehighton's "Littlest Indians" Pre-K Counts. Our students are 3 and 4 years old when they start the program. In each half day session, the children are fed either breakfast or lunch, they identify and match their names, they read books and identify letters. After reading, writing, and the math lesson, they choose from eight (8) centers while Mrs. Williams and I work in small groups of areas in need. If weather permits, we have outdoor recess and music and dance. If indoors, we still have movement, constant movement. We've had about twenty (20) guest readers from family and those in the community. We have gone on field trips and parent nights as outlined in your lilac packet. If a child needs extra help developmentally or physically, we work closely with the I.U. to get early intervention for our youngsters. Each day our students carry a FISH book to and from preschool. FISH stands for Family Involvement Starts Here. Everything a family needs for success in the Pre-K program can be found in this binder; a reading log, menus, Lehighton and monthly calendars and a positive behavior chart to let parents know about behavior each day can be found inside. In your lilac packet is our 3 and 4 year old report cards, our curriculum, a list of field trips and parent nights, and a few quotes from parents regarding our program and how it has affected their child. We look forward to the continued support of Lehighton Area School District as this program continues to grow. We would like to show you a short slide presentation highlighting our classroom and our students. Thank you to all the students and parents who came today.

Mr. Bradley – How many kids are in the program?

Susan Maloney - As of today, 25.

Mr. Bradley – And how many are in the district that could be in that program?

Susan Maloney – I really don't know that. That would probably be a question for Mr. Tkach.

Mr. Tkach – It depends on financial income. The federal guidelines are what we have. Whatever 3 and 4 year olds that are eligible in our district have to meet the federal financial guidelines for the program.

Mr. Bradley - How many were qualified and how many were picked?

Mr. Tkach – Everyone that qualified was picked. There were only two (2) that were turned down because of the financial guidelines. We got the notice about August 12th and we only had three (3) weeks to get it started. We filed out letter of intent for the new year for forty (40) half day students.

A five-minute PowerPoint presentation was shown to the board and the audience highlighting the Pre-K Counts Program.

Mr. Tkach – I'd like to have one of the parents speak.

Mother of Garrett – I just wanted to say thank you to them. They really do an awesome job. Garrett loves going to school with them. Even if he is sick and knows that he has to stay home, he does not want to. I love that they let us interact with them. He had a really bad experience with his old preschool. He's pretty smart, he's starting to read and starting to add. The other people really didn't give him a chance. Every day that we would pick him up, it was, he's so bad, he's hyper, he's doing this and doing that. We thought, as parents, is it our fault, are we doing something wrong? We did finish out the year, we toughed it out. We then found out about the public preschool. I was a little nervous because of the bad experience I had had. We signed him up, we got accepted, and let me tell you, they really notice his strong parts. He has positive learning energy. I really want to thank them because they do an amazing job. Also, she found Lyme's Disease early enough in my son that it did no bone damage, no joint damage, and no heart disease. They told me he looked a little tired and maybe I wanted to get him checked. I did, I listened to her and even the doctor was amazed, so he was treated right away.

Dave Hauser – High School Assistant Principal, former English teacher in this district and elsewhere, and my 4-year old is in the Pre-K program. I wanted to give kudos to his teachers for everything that they do. The younger you teach, the harder you work. My one 4-year old can be a handful let alone a room of them. I know the importance of getting kids to explore language as young as possible. I express my support for this program.

Mr. Tkach – On behalf of the board and the parents, we're thrilled. This is Pre-K, but I can honestly say, I know this goes from K-12, and the teachers that we have in this district are second to none. They are dedicated. They take your children as their own and that's what it's all about. Education is a priority with our kids and I can honestly say, I'm damn proud I'm from Lehighton.

Public Comment on Agenda

Gloria Bowman – Agenda Item E (page 8) and Agenda Items E & H (page 13)

- I would like to express my congratulations and best wishes to all the retirees who have done so much outstanding work for the district. You put your heart and soul into this district. I've worked with many of you and I really appreciate all that you've done for our kids. I wish all of you the best. The support staff is an integral part of the district. Everybody has their foot in some piece and it is very critical that we continue on that path. I wanted to thank everybody and wish everybody a great retirement.
- I'm asking if the supporting materials for these Directors' Concerns have been submitted. I do know that in letter E, which is the tax issue, the financial plan that we put in place presently calls for no tax increases due to the debt service because of consolidated savings and overall low interest rates for the borrowing. The long term effects regarding letter E of giving back money as well as potentially looking at something else for the center could be very detrimental financially to our taxpayers as well as our students who would not benefit for consistent equity opportunities in one building. Back in early 2000's, money was returned to the taxpayer I believe two (2) years in a row and then what happened is the fund balance went very low and then there were some spiked increases 2 or 3 years after that. I'm asking the board to take a look at those concerns and if you don't have supporting materials, it would be great for materials to be brought to committee meetings so that you can have open dialog about some of the issues under Directors' Concerns.

Christina Haupt - Motion H

- I'm a teacher and a parent and a taxpayer here in this district. My question tonight is very simple and very straightforward, it happens to deal with Motion H on page 13, the voter referendum on the use and disposition of the new elementary center. As a parent, whose daughter will be starting Kindergarten in September, in this district, I'd like to know what the well laid-out, well thought-out specific plans are for this voter referendum should it ever come to fruition. If it does happen and the members of this community do choose to use the elementary center for something other than it's intended purpose, I would like to know where my daughter will go to school. Her home elementary school would be Mahoning, I live in the valley, sold as far as I know. And, the other option, since I teach at East Penn, is East Penn Elementary, sold as far as I know. So, unless the idea would be to back out of the sale, assign another location, shove them all in to the two (2) remaining schools, do an alternate schedule at the two (2) remaining schools, I don't know what the plans are for the children that will be going to East Penn Elementary and Mahoning Elementary should the elementary center not be where they are going come September. So, I know such a motion would not have been made had there not already been a well thought-out plan, specific plan on what will be done should that referendum ever come to fruition because to have that referendum without thinking ahead to those possible consequences would be irresponsible at best. So, all I want to know is what are the plans? I want to know where my daughter will go to school in September should this referendum come about and the voters make the choice which is up to the voting I guess. I want to know what happens afterwards. I want to know the long-term effects. Because it's not just about voting on whether or not you like this elementary center, whether you like how it came to be, whether you think it's going to raise your taxes, whether it's an eyesore, too close to the high school, this, that, or the other thing. It's about providing a safe, clean, well above-average learning environment for kids like my daughter. And, I just want to know where is she going to go if she doesn't go there?

David Krause - Motion D Under Financial-LCCC & Motions E, I & J Under Directors' Concerns

- First item is Motion D under financial matters for the relocation of the Donnelly Center in Allentown. You should have all received a packet of information on it, was there a presentation, I'm not sure if they came up. It's basically a net zero cost to the district. We had somebody that was interested in our current facility that we were under renovation because of this location. So, we are getting 40% more space at no additional cost to any of the districts. Nine (9) districts have already approved this and, I'm asking as your representative for Lehigh on LCCC's Board of Trustees, I ask for your support on that vote this evening.
- Motions E & I under the Directors' Concerns, I believe those have to do with a process in place that's called the budget and that would go to the finance committee. Certainly echo what's been said, we need to get the committees established so we can get back and vet that out. I don't know how anybody could vote for a motion without the additional information that would go along with that. The long-term impact is going to be to the school district.
- Motion J under Directors' Concerns request for parliamentary, Robert's Rules Parliamentary Procedures, you can certainly find that in the current district policy 006, all board meeting will be conducted in an orderly fashion in business-like manner, Robert's Rules of Order, etcetera, etcetera, etcetera. So, why we're adding motions to the agenda for things that are already in place, I'm sure you all read your policies, didn't require a Right-to-Know, they're all provided to the board members and they're also online which is free. So, I'm confused why that's on there when it's already in place.

- The other item for K in regards to our President running the meeting, that's what he's here to do, preside over the meeting. This is a meeting for the school board, it's open to the public but it's not a public meeting as you would think of a town hall. They're here to conduct business. We have a structure in place, we have policies, that's why you have policies committee. If you don't like that, you're welcome to change it. Get your policy committee together, make the changes, and bring it before the board for a vote. That's how the process works.

Mr. Bradley – Eric, can you answer about Robert's Rules of Order?

Atty. Filer – Policy states that Robert's Rules of Order will be used as a guideline and strict adherence to it is not required.

Approval of Minutes

MOTION by Mr. Wentz, SECONDED by Mr. Beltz to approve the Minutes of the November 20, 2017, regular meeting.

VOTE: YES - 6 NO - _____ ABSENT - _____ ABSTENTIONS - 2 (D.B, J. B.)
Motion carried.

MOTION by Mr. Holland, SECONDED by Ms. Beers to approve the Minutes of the December 4, 2017, reorganization meeting.

VOTE: YES - 7 NO - 1 (D.B.) ABSENT - _____ ABSTENTIONS - _____
Motion carried.

MOTION by Mr. Wentz, SECONDED by Ms. Beers to approve the Minutes of the December 21, 2017, resumption reorganization meeting.

VOTE: YES - 7 NO - 1 (D.B.) ABSENT - _____ ABSTENTIONS - _____
Motion carried.

Financial Matter

Activities Fund MOTION by Mr. Holland, SECONDED by Mr. Wentz to approve the Lehigh Area High School and Lehigh Area Middle School Activities Fund for November & December 2017 and January 2018.

Mr. Bradley – We weren't given these. Were new board members given any of these?

Mr. Cleaver – Yes, they're in your financial packet when you receive your packet online.

Mrs. Wagner – They would have been enclosure #4.

Mr. Cleaver – Enclosure #4 has a list of the activities accounts. Were you able to open up the documents and the explanation of all the agenda items?

Mr. Bradley – I only received the agenda and these documents. I did not get a gold, blue or yellow. I asked for more information and the supporting documents to East Penn.

Mrs. Wagner – Yes, I asked for that also. These were all uploaded to the website.

Mr. Bradley – I have access to that?

Mrs. Wagner – Yes.

Mr. Bradley – Did anyone change the username and the password for board access?

Mrs. Wagner – Yes, the one I sent you. That's the only one. No one else has access.

Mr. Bradley – I got this document and this document. Anyone else get a printout?

Mrs. Wagner – No, we do not print them. Gail did ask for a printout. Everyone else's is online.

Mr. Cleaver – On the agenda anytime you see an enclosure document...

Mr. Stern – There is a line item on the website.

VOTE: YES - 7 NO - 1 (D.B.) ABSENT - _____ ABSTENTIONS - _____
Motion carried.

Bills Paid 11/2017 to Present List of Bills paid from November 2017 to present per board motion of November 20, 2017, board meeting authorizing Business Administrator to pay bills until next regular board meeting (board approval of bills will resume at next scheduled board meeting).

General Fund	\$ 4,131,883.08
--Benefits	\$ 1,736,341.05
--Payroll	\$ 4,174,457.93
--Debit Card	\$ 7,196.35
Food Service Fund	\$ 202,454.66
Capital Projects	\$ 7,555,360.21
	\$ 17,807,693.28

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

No motion needed because motion on November 20, 2017, board agenda was approved to pay bills.

Treasurer's Reports MOTION by Mr. Wentz, SECONDED by Mr. Yenser to approve the following reports:

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

Mr. Bradley – Brian, the document you gave us with all the expenditures, this if for all the funds, general, correct?

Mr. Feick – Yes, that's up to the end of January 30th.

Mr. Bradley – This report comes from you, it's the source document?

Mr. Feick – Correct.

Mr. Bradley – We had Courtesy of the Floor from Mike Lusch that mentioned about when we approve the minutes we know where all the money is spent. When in reality, once it's reported, all the monies been spent.

Mr. Feick – Once the minutes are approved.

Mr. Bradley – Is this public access? Can anyone file a Right-to-Know?

Mr. Feick – Once the board approves it. It's not public access until the board approves.

Mr. Bradley - Why is that? You're still spend the money.

Mr. Feick – Normally, we don't spend the money until after the board approves. I hold all the checks to day of the board meeting. Once the board approves, next morning all checks get mailed. Because of the holidays and all the snow days, I had authority to pay.

Mr. Bradley - And you were able to do that for 2 and half months?

Mr. Feick – Correct.

Mr. Bradley – Because the board choose to?

Mr. Feick – Right. Now that we've met, I know longer have that authority. Next month you'll get a list of bills that you will approve and once you approve them, the next day I'll release them. I will not release until you approve them.

Mr. Bradley – It's our responsibility to make sure everything that is in here is accurate.

Mr. Feick – Correct.

Mr. Bradley – When I look at this report it says that...all it says is Jeffery Post, James Schwab, James Blakeslee they were reimbursed or spent a couple dollars for some reason for a total of four (4) million dollars. So, four (4) million dollars was spent over the last 2 months. There's no supporting documents for any of these. As a business owner, typically before I approve an expense, I see if it is a mileage expense or gas expense.

Mr. Feick – On previous board agendas we put please contact the business office if you have any questions. I do not release the bills with private information like social security numbers and things like that. It's your responsibility to ask me to look at them.

Mr. Bradley – You have nine (9) of them for WB Mason, is it a different account for every location?

Mr. Feick – No, we pay a bill for every single delivery we get.

Mr. Bradley – So this one here for King Spry, that's Larry's lawyer right?

Mr. Feick – It could be. There's also....

Mr. Stern – No, it's the district's representation, it's just not mine. Courtesy to the district.

Mr. Bradley – The district's paying your lawyer?

Mr. Stern – We wouldn't have had to if we wouldn't have gone down the road we went down.

Mr. Bradley – So each of these bills should have some source.

Mr. Feick – Yes, we have the back up.

Mr. Bradley – How do we get access?

Mr. Feick – Call me up to sit down to go through it.

Mr. Bradley – Do you have to redact it for us?

Mr. Feick – No, if you're going to make it public I have to redact it. If you are just going to look at it, I don't have to redact it.

Mr. Bradley – And how do we get access?

Mr. Feick – Just call me.

Mr. Bradley – We can meet somewhere in the building.

Mr. Feick – Yes, if you let me know ahead of time. They do not get filed until they are board approved. These bills have already been sent and been paid because I had the authority.

Mr. Bradley – Some of these things say about casinos...I'd like to have some back up.

Mr. Bradley – I'm trying to verify that this four (4) million dollars that's being spent was actually being spent on things for the district and currently the documentation that's given to a school board member does not have that information.

Mr. Feick – The documentation basically gives you a brief description of what it was and who it was paid to, the amount and...

Mr. Bradley – This gives no description who it's for. There's just a payee and a dollar amount.

Mr. Feick – If you knew the account codes, I could tell you a 610 is a miscellaneous supplies, a 324 is outside services usually legal or some type of service like that. The account codes the state set up to really break it down to what the function is and object.

Ms. Beers – Can we get a list of those codes and their meanings?

Mr. Feick – Yes. I can give you the whole state book.

Mr. Cleaver – Those codes are also statewide. All districts use these codes.

Mr. Bradley – And then debit card, that's not a credit card?

Mr. Feick – No. The debit card we keep in the safe. It's only used if we have to charge something and they have to fill out a form that either myself or Tina approves and then it's given to Missy who make the call for the use of the debit card. I do not allow that to go out. Amazon® is great for buying used books, you spend about 10% of what the actual cost is instead of going to the book manufacturer. Sometimes we have to make this type of purchase to get what we need.

Mr. Bradley – But, the Auditor General is very specific to make sure that anyone who uses a debit card or credit card had a list of the names, people, and for us as a board to make sure that we have documentation on this because it's such an easy thing to lose.

Mr. Feick – We keep the debit card in the safe and to use it they have to have a form filled out and myself or Tina, my assistant, signs off and we don't even get it. We have another person that has the combination to get it out of the safe.

Mr. Bradley – This also shows about a 1.2 million in PSERS dollars for the month of December, is that correct?

Mr. Feick – Yes. That also includes employee contributions. The employers' portion is quarterly, the employee's portion needs to be released monthly.

Mr. Bradley – Okay, thank you.

Mr. Feick – Every single transaction is on here. If it's a wire it's a "W" under the health benefits, if it's a check, it's a debit card, every single transaction. I make sure my staff knows they have to account for every check. If there's a voided check, I want to see a void in here. You can track every single check number so none are missing.

Mr. Bradley – And all these checks to teachers are a function of reimbursement?

Mr. Feick – Reimbursement, mileage, could be a board approved reimbursement for schooling. Does that answer your question?

Mr. Bradley – Yes. So when we're done redacting this, this one we can give out?

Mr. Feick – This I would not redact. The actual bills I would redact. I'm not giving someone our Lowe's bill with our account number on it.

Mr. Bradley – I fully understand that but this report here I just offered to Mike is fully...

Mr. Feick – The one attached to the board minutes. Once approved, this should be able to be released to the public.

Mr. Bradley – This will be released to the public and I agree. I think it should be done on a regular basis. Allentown district actually put this in their board minutes and it's released online available for everyone to review.

Mr. Feick – I have no problem with that but it needs to be approved by the board first.

Mr. Bradley - Alright, we get to cross off one of those board concerns.

VOTE: YES - 8 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

LCCC MOTION by Mr. Yenser, SECONDED by Mr. Holland to approve Lehigh Carbon
Real Estate Community College to acquire and convey real estate in accordance with Section 2.2
of the Rule, Regulations and Procedures for Lehigh Carbon Community College.
Real estate located at the corner of North Sixth and West Linden Streets in
downtown Allentown.

Ms. Beers – Why does LCCC have to ask our permission to acquire real estate?

David Krause – We provide funding for the school, so they must get our approval.

Mr. Feick – We also have to approve their budget.

Ms. Beers – Really?

Mr. Feick – Yes. Actually next month we'll have a presentation from them to go over the budget.

Mr. Cleaver – Also CCTI and the IU budgets.

Ms. Beers – That I knew. Is this a new...David may I address you since you know so much about this?

David Krause – Sure.

Ms. Beers – Is this a new topic that LCCC has come up with and hasn't been before this board before?

Mr. Stern – Acquiring real estate?

David Krause – No, it's been quite some time.

Ms. Beers – No, this particular acquisition.

Mr. Feick – Actually, the year before they had the same motion but different property and that property fell through. Am I correct on that?

David Krause – Yes. They have satellite properties too. They have one in Jim Thorpe, the Donnelly Center, Main campus. Sometimes they change; the facility doesn't work out, the lease is up, they find a better facility. They're taking advantage of this new facility.

Ms. Beers – And LCCC's board clearly has voted to move forward on this?

David Krause – Yes and we have to have approval from the sending districts.

Roll Call Vote:

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

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

Motion carried.

Portnoff Law MOTION by Mr. Wentz, SECONDED by Mr. Yenser to approve the retention of Portnoff Law Association Ltd. to collect the District's delinquent real estate taxes.

Mr. Bradley – What's the rate they take on the ones they collect?

Mr. Feick – They basically get the same penalty. I think it's a 5% penalty that the county would have gotten. And, since I've been here, we've been using them, prior to that we used the county and we moved to a private firm. We're actually collecting on the previous year's taxes and we're getting them a lot faster. They do work with individuals. They work with seniors that have been getting behind on their bills. They've actually gotten them to do a reverse mortgage. It's almost impossible to lose your home to taxes. And, with the state you can take a reverse mortgage. The majority of the delinquents are landlords and commercial. They usually pay before they threaten them with going to foreclosure. Most of the people in Lehighton are out the second day paying with cash to get their 2% discount. We don't have a lot of people who wait till the penalty phase.

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

Motion carried.

Tax Coll. Reports Tabled MOTION by Mr. Holland, SECONDED by Mr. Wentz to approve the annual Tax Collector's reports for East Penn Twp., Franklin Twp., Lehighton Borough, Parryville Borough, Mahoning Twp., and Weissport Borough.

Mr. Bradley – So these reports weren't in the packet? Where are the reports on this group?

Mr. Feick – Didn't Tina give those?

Mrs. Wagner – No.

Mr. Feick – Okay. Then can I ask that we table these until next month?

Mr. Stern – Yes.

VOTE: YES _____ NO _____ ABSENT _____ ABSTENTIONS _____
Motion tabled.

District Auditors MOTION by Mr. Wentz, SECONDED by Mr. Bradley to approve the retention of Maillie LLP to perform 2017-2018 district audits *with board oversight*.

Mr. Bradley – Is any of the board members participating in this audit or is it just the LLP?

Mr. Feick – Actually, when they start the audit, the first thing they do is have a meeting with the board to address any concerns because they actually work for you. They're auditing me. One of the other things I want to do is, once we get back to the regular finance meetings, I want to have them present the audit for last year and address any concerns you might have. They will start the audit in May and the first thing we'll do is have a meeting at the finance committee. I leave the room and you can bring up any concerns you have. If you do have concerns, I can address them, but if you don't feel comfortable, they work for you.

Mr. Bradley – After the recent state audits that had some issues, in the past, I'm going to suggest that I take back my second for a second and can we modify this to make sure that we have some board oversight during this audit rather than just retain them as the firm? Either appoint a committee, pick somebody...

Mr. Stern – So how would you like that read, Mr. Bradley?

Mr. Bradley – To approve the retention of Maillie LLP to perform 2017-2018 district audits with board oversight.

Mr. Feick – Can we add... I want to schedule a meeting that they present the 16-17 audit. So, do you want to meet with them?

Mr. Bradley – During Finance?

Mr. Feick – Yes, we normally do it as a finance, open to public.

Mr. Bradley – As long as we have access to the same information the auditor has, so we’re providing oversight on that auditor. An auditor’s only going to look to make sure that...

Mr. Feick – That everything...

Mr. Bradley – The decision making behind the expense is part of it. If the person did work for the mileage, it’s fine, they’re an employee, they created an expense and you reimbursed them for it. The question for the board is whether or not that expense was necessary. That’s not necessarily and auditor’s position.

Mr. Feick – I know what you’re saying. When it comes to the federal programs they do that, but when it comes to the regular programs, they’re basically making sure that my books are presented fairly and I did not hide anything.

Mr. Bradley – They’re just putting them in the right columns, not necessarily checking whether or not they were paid for properly, like when we double paid superintendents.

Mr. Feick – They’ll look for fraud but they’re not going to look for justification.

Mr. Bradley – We’re elected to help make sure that that part of the puzzle is found.

Mr. Stern – Mr. Wentz, are you okay with that addendum?

Mr. Wentz – Sure.

VOTE: YES - 8 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

**Per Capita/
Occ. Tax** MOTION by Mr. Wentz, SECONDED by Mr. Holland to approve exemptions from Per Capita and/or Occupational Tax per the attached list.

VOTE: YES - 5 NO - _____ ABSENT - _____ ABSTENTIONS - 3 (R. B., J. B., D. B)
Motion carried.

Tax Refund MOTION by Mr. Wentz, SECONDED by Mr. Beltz to refund the following:

1. Occupational & Per Capita Taxes for year 2017 in the amount of \$135.00 to Elaine Parsons.
- 2.

Ms. Beers – Brian, did you review this request and did it meet the requirements?

Mr. Feick – Yes, she actually paid it when she shouldn’t have. Sometimes people get a bill and forget to tell us that they retired and they can get a refund for the previous year. We tell the tax collectors to please ask your people. We can exempt this year and refund the previous.

VOTE: YES - 8 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

Real Estate Waiver MOTION by Mr. Wentz, SECONDED by Mr. Holland to approve the waiver of the 2017 Real Estate Taxes on the following properties being donated to East Penn Township:

1. Parcel 72-9-A8 in the amount of \$344.97, donated by Jeremy & Joshua Cramer;
2. Parcel 57-9-A34 in the amount of \$676.79, donated by Jeremy & Joshua Cramer;
3. Parcel 86-7-A12 in the amount of \$326.55, donated by Jeremy & Joshua Cramer;
4. Parcel 72-7-B6 in the amount of \$26.33, donated by Jeremy & Joshua Cramer.

Mr. Bradley - I'd like to get the supporting document either than just the letter. The letter that was in our packet describes of other documents. Where are they?

Mr. Feick - I can try to get that for you. I think it was just the deed book and page number.

Mr. Bradley - The point is, anytime you are asking a board member to approve or not approve something, they should at least be able to have read or seen the document. That's all we're looking for.

Mr. Stern - Should we table this to the next meeting or proceed with the vote, Mr. Feick?

Mr. Bradley - I'm good with it as long as he verified it, I trust him.

VOTE: YES - 8 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

PDE Conf. MOTION by Mr. Holland, SECONDED by Mr. Yenser to approve **Lory Frey** to attend the 2018 PDE Data Summit, at the Hershey Lodge, Hershey, PA, March 25-28, 2018, at a cost not to exceed **\$1,100.00**. Funding through the 2017-18 Curriculum Budget.

Mr. Bradley - What's the educational value for this?

Mr. Cleaver - This is for PIMS reporting. She's our PIMS Coordinator that gets caught up on the new requirements with child accounting. She is also our "go-to" for PowerSchool. She'll go to several PowerSchool trainings that are offered.

Mr. Feick - I'd like to add that she has to put in eight (8) hours of courses like this a year to be certified. Same thing with our food service, they have to put in eight (8) to ten (10) hours depending what they do.

Mr. Cleaver - I apologize for the acronyms, Public Information Management System. If I use an acronym you're not sure of, please ask.

Mr. Bradley - In the future, for the benefit of the audience and the board, it would be nice if we wrote down what it's for, what we're doing with the funds. The same for the next one.

Mr. Stern - Wasn't there information on that particular item in the sheet that was sent out?

Mr. Cleaver - Yes, did you get the sheet that has a breakdown of the information.

Mr. Bradley - Yes.

Mr. Cleaver - So, all the information for the board, we put down for example, PDE Data Summit, child accounting, special education, PSSA, Future Ready PA Index. Classes help our district get a better understanding on how new laws will impact our district while increasing our knowledge of data and how it can improve our students.

Mr. Bradley - I do have that. I was wondering on the Lory side is if she's the PIMS director and she's required the eight (8) hours, that's great. If she's already been through this, send her assistant so that they learn so that you have a depth of knowledge.

Mr. Cleaver - I will say that when it comes to these things, every year they change. That's why it's important to go yearly. In the event that she couldn't go, we would absolutely send an assistant but she's available. This is a yearly program for her.

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

Motion carried.

Career Cruising K-12 MOTION by Mr. Bradley, SECONDED by Mr. Wentz to approve the Career Cruising K-12 licenses for the 2017-2018 school year at a cost not to exceed \$6,575.00. Funding through the 2017-18 Curriculum Budget.

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

PSSA After-School Program MOTION by Mr. Wentz, SECONDED by Mr. Bradley to approve the PSSA After School program for LASD students in grades 3-8 to be held at the Middle School and all elementary buildings on Tuesday's and Thursday's. Middle School will run from 2:30 p.m. – 3:45 p.m. and the elementary buildings from 3:30 p.m. – 4:45 p.m. Programs will begin on Tuesday, February 27, 2018, and will end on Wednesday, March 28, 2018. Funding through the 2017-2018 Ready to Learn Grant.

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

Motion carried.

Personnel

2017-2018 Substitutes MOTION by Mr. Holland, SECONDED by Mr. Wentz to approve the attached list of candidates for the **2017-2018 Substitute List** pending clearances.

Mr. Bradley left the board room from approximately 8:35 p.m.-8:36 p.m.

VOTE: YES - 7 NO - _____ ABSENT - 1 (D.B) ABSTENTIONS - _____
Motion carried.

Ath/Ex. Curr. Hires MOTION by Mr. Holland, SECONDED by Mr. Beltz to approve the **Athletic** hires as recommended by the Athletic Committee and **Extra-Curricular** hires for the **2017-2018** and **2018-2019** school year.

VOTE: YES - 7 NO - _____ ABSENT - _____ ABSTENTIONS - 1 (D.B)
Motion carried.

Resign. Accepted MOTION by Mr. Wentz, SECONDED by Ms. Beers to accept the resignation of the following employees:

1. **Lisa Palmer** – Lunch-Time Aide – effective December 12, 2017
2. **Donna Brahaney** – Part-Time Paraprofessional – effective January 24, 2018
3. **Sean LeDonne** – Director of Special Services – effective March 27, 2018
4. **Eric Kindrew** – Part-Time Cleaner – effective February 15, 2018
5. **Jean Wieteszka** – Lunch-Time Aide – effective March 2, 2018

VOTE: YES - 8 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

FMLA Approved MOTION by Mr. Yenser, SECONDED by Mr. Bradley to acknowledge FMLA leave for the following employees, not to exceed 12 weeks:

1. **Employee #161** – effective December 4, 2017
2. **Employee #1241** – effective January 7, 2018
3. **Employee #892** – effective January 12, 2018
4. **Employee #1245** – effective January 22, 2018
5. **Employee #78** – effective January 22, 2018
6. **Employee #244** – effective February 7, 2018
7. **Employee #347** – effective February 20, 2018

VOTE: YES - 8 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

**2017-2018
Retirees**

MOTION by Ms. Beers , SECONDED by Mr. Beltz to accept the intent to retire for the following professional, Act 93 & support employees, effective the end of the 2017-2018 school year (unless otherwise noted) under terms of their respective contract with eligibility of all retirement benefits:

Professional:

1. **Richard Bennett** – HS Mathematics Teacher – Hired June 13, 1988 – effective August 17, 2018 – 30 years of service
2. **Leon Brong** – HS Social Studies Teacher - Hired August 13, 1979 – 39 years of service
3. **Dennis Matsick** – MS Special Education – Hired June 8, 1992 – 26 years of service
4. **Susan McElvar** – MS School Counselor – Hired August 23, 1993 – 25 years of service
5. **Lisa Steigerwalt** – Elementary/ELL Teacher – Hired November 13, 1989 – 28.74 years of service
6. **John Stemler** – MS Social Studies Teacher – Hired June 29, 1992 – 26 years of service

Act 93:

1. **Joseph Hauser** –Supervisor of Plant Operations – effective June 30, 2018 – Hired December 3, 1991 – 26.58 years of service
2. **James Cunfer** – Building Supervisor – effective June 30, 2018 – Hired October 12, 1988– 29.72 years of service
3. **Kevin Long** – Building Supervisor – effective June 30, 2018 – Hired March 9, 1983 – 35.32 years of service

Support:

1. **Karen Frable** – MS Custodian – effective June 30, 2018 – Hired October 25, 1993 – 22.14 years of service

Mr. Cleaver – I would personally like to thank the individuals on this list. As was mentioned earlier in the meeting, many years of education is listed here. They've all had something to do with giving to the district and more importantly with our students. So, on behalf of the entire Lehigh Area School District, I would like to say thank you to all of them and wish them well and nothing but health and happiness in their retirement.

Mr. Stern – My comments are the same. The number of years are just astounding for some of them. Thank you for helping out our kids over the 20-30 years of service. I was lucky enough to have one of those folks.

VOTE: YES - 8 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

ESY Positions MOTION by Mr. Wentz, SECONDED by Mr. Bradley to approve the hiring of the following 2018 Extended School Year (ESY) positions, at the current contracted hourly rate of pay.

1. **Grace Kern** - Paraprofessional
2. **Carly Finkboner** - Speech/Language Therapist
3. **Jessica Habas** - Teacher
4. **Catherine Hontz** - Teacher
5. **Allison Solley** - Teacher

Mr. Bradley - Are you adding to the staff or is this...

Mr. Cleaver - No. Extended School Year is a required summer program for special needs students who are required by their IEP to have services over the summer.

Mr. Bradley - These people are already employees?

Mr. Cleaver - Yes.

VOTE: YES - 8 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

PSSA Hires MOTION by Mr. Bradley, SECONDED by Mr. Yenser to approve the hiring of the following PSSA After-School Program teacher positions, at the current contracted hourly rate of pay.

Elementary:

Norine Zehner - EP	Christina Brong - FR
Kristen Zellner - EP	Diane Brownmiller - MA
Karen Blisard - EP MA	Jan Wentz - SD
Debra Rakos - SD	Tiffany Strausberger - FR

Middle School:

Jennifer Lopata	Sharon Focht
Catherine Hontz	Diane Schnell
C. Jeannie Weiss	Tavia Cardell
Ryan Wentz	

Mr. Bradley - These are also all current employees?

Mr. Cleaver - Yes.

VOTE: YES - 8 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

Parental Leave MOTION by Ms. Beers, SECONDED by Mr. Beltz to approve parental leave for the following employee:

1. **Employee #1245** – effective April 19, 2018, through April 30, 2018

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

Motion carried.

Miscellaneous

Waiver of Expulsion MOTION by Mr. Wentz, SECONDED by Mrs. Maholick that the student with the identification number of #58685 shall be expelled pursuant to the terms and conditions as stated in the "Lehigh Area School District Waiver of Expulsion Hearing and Admission of Facts" (hereinafter "agreement"). The length and placement of said suspension are also pursuant to the terms of the Agreement.

Mr. Bradley – Were these terms of agreement shared with the board?

Mr. Cleaver – No. These terms are shared with the parents or guardians of the student.

Mr. Bradley – And the solicitor?

Mr. Cleaver – Correct.

Mr. Bradley – He's the one that wrote them?

Mr. Cleaver – The terms of agreement? Yes. The student is agreeing to the actions that are set forth to them.

Mr. Bradley – And the solicitor wrote the agreement and now has to have the board's approval to agree to the agreement?

Mr. Cleaver – You are approving the waiver.

Mr. Bradley – That we have no clue who this is, what this is or even the waiver is or any of it?

Mr. Cleaver – The student's rights are protected with this.

Mr. Bradley – I agree with that concept. I'm talking about the agreement. You're asking for a board to approve an agreement that a solicitor wrote blindly? Is that right, Larry?

Mr. Cleaver – I don't think it's wrote blindly. The agreement is hereafter what they are agreeing to that the district is bringing up to the student about his or her actions that the parent or guardian is agreeing to what we're saying and in not having a due process hearing, they are waiving their rights for the expulsion. So, their identity is protected.

Mr. Bradley – I'm agreeing with that. So they are waiving their rights to.... Somebody did something wrong, whatever that may be within the policy, the reality is that they can be expelled. Now, their waiving their rights on that hearing to be concerned, use the term admitting to whatever it is, and what's the risk to them if they go through the actual hearing.

Mr. Cleaver – Other than identity and those types of things, they’re keeping their personal rights and information confidential.

Mr. Bradley – If they were to waive those rights, well, decided not to waive those rights, and had the hearing, you’re saying that their identity might become public.

Mr. Cleaver – The identity or...yes. That’s a possibility if they go through the hearing. Eric, if you want to add to this?

Mr. Bradley – Basically, they have to...let’s pretend it’s my kid. My kid needs to make a decision whether he wants to challenge the expulsion in public or waive his rights to the expulsion, accept the penalty, just to keep himself quiet.

Atty. Filer – The kid and the parents have to make that decision.

Mr. Bradley – So, why is the board approving that? Because we can’t make it without the board?

Atty. Filer – That and the district assumes liability every time we have an expulsion hearing. When the student and the board agree to resolve it without going through all of the due process requirements, it essentially eliminates any possible liability on the board. So, in essence, because we do it this way, we come to a mutual agreement— everybody wins. That’s the whole thought process.

Mr. Cleaver – And also, the board is approving it because there is expense to the district because we are still required to educate that student for whatever the time is, whether it’s 45 days or 365.

Mr. Bradley – Fully agree. I just want to make sure we’re not leveraging a child and/or a parent in a means to make sure they get expelled.

Atty. Filer – No. The student and the parents have to make that decision on their own.

Mr. Bradley – I agree, but look at the leverage. They are making the decision based upon... the alternative is for it to become public.

Atty. Filer – But that’s...

Mr. Bradley – That’s huge leverage. I’ll talk to Mr. Schwab on that one.

Atty. Filer – That’s something that legislative has set up with the rights of how it’s resolved. It’s nothing that we can do here.

Mr. Bradley – I fully agree. We’ll have to talk to Schwab on that one.

VOTE: YES - 7 NO - 1 (D.B.) ABSENT - _____ ABSTENTIONS - _____
Motion carried.

Homebound Instruction MOTION by Mr. Beltz, SECONDED by Ms. Beers to approve homebound instruction for the following students:

1. **Student #54388**
2. **Student #56122**

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

Motion carried.

Decker Scholarship MOTION by Mr. Bradley, SECONDED by Ms. Beers to approve the following High School Scholarship to be added to the District's General Scholarship Fund beginning with the 2017-2018 school year:

1. Marion V. Decker Scholarship

Ms. Beers – What is the amount?

Mr. Cleaver – It equals \$500.

Mr. Feick – I think it's like \$10,000. It's \$500 to a student every year until it's used up. If was a bequeath in a will.

Mr. Cleaver – It's one male and one female student.

Mr. Feick – Right. It's \$500 each.

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

Motion carried.

Feasibility Denied MOTION by Mr. Wentz, SECONDED by Mr. Yenser to authorize Barry Isett & Associates, Inc. to conduct a Tennis Court Feasibility study at a cost of **\$4,250.00.**

Ms. Beers – Has this tennis court idea been discussed with some of our committees? Where has this idea come from?

Mr. Cleaver – This is coming as a recommendation because we have just been made aware that our tennis courts that we use are not available to us. So this recommendation is coming from myself and the athletic director to make a possibility to see our options if anything here on-site is feasible to have it.

Ms. Beers – I would recommend getting additional bids from other companies, particularly local companies to try to keep Lehighton money close to home.

Mr. Cleaver – The reason Barry Isett is being recommended is because they have all the information. They have all our surveys. They've done all the site stuff here for the district and that's why we requested an amount from them. They are our district engineer and they have been working with us and looking at the information that they already have. We felt that they would be the best group for this process.

Mr. Bradley – That data that you are talking about, that's owned by the district. So, you can share that with any engineering firm.

Mr. Cleaver – Correct.

Mr. Bradley – They shouldn't have an advantage because they have information that we actually have.

Mr. Cleaver – They have all the information with storm water.

Mr. Bradley – But, that's ours.

Mr. Cleaver – It is, correct.

Mr. Bradley – When you're going to spend \$4500 or \$4200, you're going to bid it. And then the other thing is you're constructing a feasibility study to construct tennis courts. What are the other options that either the board, committees or anyone else reviewed? Anybody review anything?

Mr. Cleaver – No. We did not. This is what we have in front of us. We asked them to give us a proposal to complete the studies.

Mr. Bradley – We didn't look with working with Palmerton, working with Jim Thorpe, working with any of the other areas. Working with...

Mr. Cleaver – As far as doing tennis?

Mr. Bradley – Yes. Tennis.

Mr. Cleaver – Yes. Right now we are working with Palmerton this year.

Mr. Bradley – And, you are also looking at Lehighton, right now today, is looking at putting tennis courts in by the pool. Are you familiar with that?

Mr. Cleaver – Nothing has been approved from what I understand.

Mr. Bradley – Today, they're looking at doing it. So, before we do down this path, we just table this until we find out what's going on there and again, look at the opportunity to bid other people and collect the data that this person is doing and let them come with their best foot forward.

Mr. Cleaver – If the board wishes to do it this way. Again, as the Superintendent and athletic director, our first priority is our school district and our school students. So, we felt getting this

process approved and moving forward would allow us, in that time, to get information. You're asking us to now wait for something that could happen...never.

Mr. Bradley – I'm waiting until you collect. If you're going to do something, you're going to collect the data...

Mr. Cleaver – I won't do anything, I'll recommend.

Mr. Bradley – If the board is going to do something, they should collect the data that they need and then say, the board has an interest in either building or partnering with the town or working together to create tennis courts for our children because there's a grant right now that Lehighton has to build tennis courts. So to use the grant money the taxpayers already paid for and shop it around to see what other great ideas are doesn't cost us anything to have more than one person to come with a proposal.

Mr. Cleaver – That is correct. The only thing is that it does take a little bit more time to do that if you are looking to write down a...

Mr. Bradley – But you already have a plan for this season.

Mr. Cleaver – For this season, yes.

Mr. Bradley – Perfect. And this season ends in June and the next season starts when?

Mr. Cleaver – Depending on if we went with boys' and girls', it could be one in the fall and one in the spring. Currently, they're both taking place in the spring as co-ed.

Mr. Bradley – We're talking about tennis courts. Level, paved, treated court, a couple of poles in the ground.

Mr. Cleaver – If you're talking storm water management, as part of this process, you're probably looking at...

Mr. Bradley – You're looking at real estate in this situation.

Mr. Cleaver – Currently 4-6 months probably.

Mr. Bradley – But you're looking at real estate. You're going to need real estate somewhere to put this on.

Mr. Cleaver – Absolutely.

Mr. Bradley – And we have Franklin Athletic Association, you have the Franklin properties, you have all those other options no one even looked at.

Mr. Cleaver – Did we look at them? No. However, I think we'd have to go to them and then our insurance would have to part of the discussion as well.

Mr. Bradley – Correct. I would advise that before you stick something on there at least we have some plan together.

Mr. Cleaver – Part of the plan is to collect the data you are talking about. That's why we are requesting that Barry Isett complete this feasibility study.

Ms. Beers – Why not change the motion to ask the board if they want to conduct a feasibility study and take Barry Isett's name out of it and to say to get three (3) bids?

Mr. Cleaver – Okay. Who's going to develop that RFP for what we're looking for?

Ms. Beers – I can help with that.

Mr. Cleaver – So you're going to put your stamp on that for any type of liability or anything that happens if someone sues the district because of the way the RFP is written? I would not recommend that.

Mr. Bradley – It's an RFP.

Ms. Beers – I don't think there's any greater liability in getting a bid on a feasibility study from a qualified engineering company who's not Barry Isett. There's many of them.

Mr. Cleaver – Right. But developing the agreement comes with a legal responsibility. Correct, Mr. Filer?

Atty. Filer – Yes.

Mr. Bradley – But, again, each bidding person would have their own bond associated with it. You're actually asking for Barry Isett to come up with a plan of how they'd put in tennis courts and you can go to several engineering and architectural firms to say, hey, let's shop this out. This school has a history of having an unbid architect in the past for millions upon millions of dollars and all they had to do was just go get plans and you have this information is within the school's purview. We have this data and you can share it with all these architects and firms.

Mr. Cleaver – Right and if that's what the board recommends, then that's what we will do. At this point...

Mr. Bradley – I'm just wondering why you didn't do this prior to coming to the board.

Mr. Cleaver – Because collecting the data for the feasibility study is what we're asking Barry Isett to do.

Mr. Bradley – That's our job as a district to collect what they need. Just like you said, you have the documents, they have them, you own them, they're just holding them for you. You need to collect and maintain that data and you can use it, not to be beholden to a certain party.

Mr. Cleaver - Again, there's a motion on the floor for us to recommend Barry Isett to complete the feasibility study for tennis courts on school district property.

Roll Call Vote:

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

YES - 4 NO - 4 ABSENT - ____ ABSTENTIONS - ____

Motion denied.

Programs

Policies MOTION by Mr. Wentz, SECONDED by Mr. Holland to approve the 2nd Reading of the following Lehigh Area School District Policies:

1. #150 - Title I - Comparability of Services
2. #204.1 - Truancy Procedures
3. #331 - Job Related Expenses
4. #707 - Use of School Facilities
5. #808 - Food Services
6. #819 - Suicide Awareness, Prevention and Response

VOTE: YES - 6 NO - ____ ABSENT - ____ ABSTENTIONS - 2 (D. B., G.M.)
Motion carried.

K-12 Science LEED MOTION by Mr. Yenser, SECONDED by Mr. Bradley to approve the supplemental curriculum to the Lehigh Area School District's K-12 Science curriculum to meet the Green Initiative and Leadership in Energy and Environmental Design (LEED) certification.

VOTE: YES - 8 NO - ____ ABSENT - ____ ABSTENTIONS - ____
Motion carried.

MS Wellness Program MOTION by Mr. Holland, SECONDED by Ms. Beers to approve the Lehigh Area School District-run Lehigh Middle School Summer Wellness Program to be held July 9 – August 10, 2018, from 9 a.m. – 2 p.m. based at the Middle School.

VOTE: YES - 8 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

HS Program of Studies MOTION by Mr. Yenser, SECONDED by Mr. Holland to approve the Lehigh Area High School 2018-2019 Program of Studies.

VOTE: YES - 7 NO - _____ ABSENT - _____ ABSTENTIONS - 1 (D.B.)

Old Business for Discussion - None

New Business for Discussion

Mr. Cleaver – I’m asking the board for approval, when using employee’s name for attending conferences that we use employee numbers so people aren’t aware when they may not be home or in their residence when we list them. If the board is okay with that moving forward I’d like to use employee numbers for trips.

Ms. Beers – I think that’s a great idea.

Employee #’s not Name Motion by Mr. Bradley, SECONDED by Mr. Beltz to use employee numbers instead of employee names.

Mr. Stern called for a vote.

Mr. Bradley – Hold on, stop, please. New motion, got to look up to see if anyone has a comment. It’s new business.

Mr. Stern – I took questions from the board.

Mr. Bradley – You’ve got to look up and let the people speak up first then we get to make our comments because you want to hear from them before we make a vote.

Mr. Stern – Any comment or questions on motion to use employee numbers instead of employee names in the published agenda?

Annette Boyle – Lehigh Area School District – I think that is a phenomenal idea particularly since we had a staff member whose home was broken in to when he was away at a conference.

Gloria Bowman – Mr. President, I agree especially if it's overnight. Thank you for bringing that to everyone's attention, Mr. Cleaver.

Mr. Cleaver – I have to also give Mr. Feick credit for that.

Janice Bowman – I also agree you should be protecting your employees.

Mr. Feick – I've seen that happen in other districts.

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

Motion carried.

Mr. Bradley – Under new business I'd like to make a motion that the board recommends Richard Beltz to the judge for appointment since he was the next most vote getter within the election that Gail relinquished.

Mr. Beltz – Second.

Mr. Stern – Comments, concerns?

Mr. Yenser – The motion as it stands says that the board recommends. As being part of the board, I did not make that recommendation.

Mr. Stern – Motion's on the floor, we can vote on it Mr. Yenser.

Mr. Yenser – Okay. I just want it to be known that I am part of the board and it's not my recommendation.

Mr. Wentz – Can I make a comment also?

Mr. Stern – Yes, sir.

Mr. Wentz – He got the 3rd most number of votes behind Duane Eidem and Gloria Bowman.

Mrs. Maholick – For the 2 year seat.

Mr. Wentz – The most number of votes is what I heard.

Ms. Beers – You can't compare the 4-year and the 2-year ticket number of votes because...

Mr. Wentz – It's harder to get elected on the 4-year because there were more candidates.

Mr. Bradley – Now wait. There's more votes cast. Statistically there's a vote cast.

Mr. Wentz – Are you attacking a veteran?

Mr. Bradley – No, I'm attacking your intelligence Wayne, not your service. It's a statistical amount.

Crowd reacted.

Mr. Cleaver – Again, just to keep order, please while we're here, we'd like to let everyone that would like an opportunity to talk to have that opportunity.

Beth Hudlow – Taxpayer, Citizen of Lehighton – I did vote for Duane Eidem for the 4-year seat and it would stand to reason to me that if I voted for him for a 4-year seat, I would vote for him for a 2-year seat, I would vote for him for any seat. So, I would hope that the board would recommend Duane Eidem for the open seat.

Barbara Bowes – As a taxpayer, and a citizen of Lehighton, I have an issue with people being recommended, by the board to the judge, that were voted off by the citizens of Lehighton. That's my feeling on it.

Tom Wertman – First of all I want to make two (2) comments. First comment is that I believe that with Duane Eidem getting the next number of votes should be the one on the school board because I myself, taxpayer, voter, I will be voting for Duane Eidem. And second of all, Mr. Bradley, you have low, low intelligence by calling this man...

Mr. Cleaver – Mr. Wertman, no, Mr. Wertman...

Mr. Bradley – First amendment. He has the right to speak, he should speak.

Mr. Stern – No. He needs to speak on the topic.

Mr. Bradley – He is speaking on the topic.

Member of the audience spoke did not give name – You can't move votes from one vote to another to a 2-year position that was selected. What is the precedent, historically, besides the last time? Give democracy a chance. It's an attack on our democracy on a very small scale.

Mike Lusch – If you attended previous board meetings you realize that the board has the prerogative to appoint or establish any procedures that they would like and agree upon. So, whatever procedures you agree upon is up to you. So whether we agree upon that, you have that prerogative as our elected officials. So, we choose some of you, others we didn't but you have that prerogative to decide how you are going to fulfill this board seat. That's democracy.

Janice Bowman – I'd like to share with you. When I share, I like to give you solutions, not problems. The solution I see is why are we having the same people running for four (4) and two (2). You have this dissention. One person should be four (4) and one person should be two (2) and that seat is filled. No going to court. The other thing is, as far as picking somebody, it's more fair if you do paper ballots and again, letting the voter's voice count. One seat and one seat is up there so you never have to go for this tit for tat. I don't understand that policy. I think it's very harming to your people. Consider one person for one seat.

Frank Tamburri – Because of being here before, now we've got the same actors all back again, basically what we have, you have a tie. You've had three (3) people that did run in the election Mr. Eidem, Mr. Arner, and Mrs. Flickinger, you've got three (3). And I vote, right now, whoever gets in helps control the board. Well, we've got the same thing in Washington and all we're doing is opening a big bag of worms. I have personally asked tomorrow in the hearing for the judge to recuse himself because we just can't have all the same actors back making decisions again. I've gotten to the point I don't trust what's going on. Too many stories you hear in town over the period of 10-20 years, who's with who, who's doing what, and who's doing anything else. That's a fact, we all know it and that's what it is and it has to switch. It's time, the town's people are really upset. It's not just people here, it's everybody you go and talk to and it's time to switch. I mean if you can't make a decision, go back to the old days, get a coin and flip it between the three (3) gentlemen, the two (2) gentlemen and the lady and you flip a coin and see okay who's left—odd man's out. Then flip it again and make a decision tonight and everybody just live with the decision unless the whole things fixed. If it's fixed like I think the last one was, then that's what we've got.

Mr. Stern – You're accusing Judge Nanovic of fixing the appointment?

Frank Tamburri – I was there as well.

Mr. Stern – So you're accusing him of fixing the appointment?

Frank Tamburri – I could be all wrong. It's my opinion, it's not any ruling, it's my opinion. I'm allowed to have an opinion. I was there. I ran in the election and then we get people that were already voted off, not that they're bad people but they're put back on again after two (2) months later. That's the point and that's the point we are at today. Flip a coin and run with it. You can end this thing right now and everybody's happy and we can go home and who cares.

Atty. Filer – Just to clarify a few things, like I said at the previous meeting, the board no longer has the authority to appoint a member. Now Mr. Bradley just asked us to recommend one, there's no prohibition against that, but we can't flip a coin and pick a board member right now. Also, with regards to how it's set up for what position to run for, that's set up by the election's office, the school board has nothing to do with that either. If you win your party's nomination for a particular seat, if you win it for a two (2) different seats, you have the right to then resign or decline one of the nominations. We, as the board, can't control that.

Byron Schnell – I would like to ask the board to think of term limits. We need fresh ideas.

Atty. Filer – Again, that's something that you'd want to take up with your legislature. We have to follow the rules that are before us, and they are the ones that set the requirements for being a board member.

Mr. Stern – Motion is on the floor.

Richard Beltz Motion by Mr. Bradley, SECONDED by Mr. Beltz to recommend Richard Beltz to **Appt. Denied** the judge for appointment for the two (2) year position that was relinquished by Gail Maholick.

Roll Call Vote:

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

VOTE: YES - 4 NO - 4 ABSENT - ABSTENTIONS -
Motion denied.

Mr. Beltz - Can we do a motion for the tennis courts? A motion for the three (3) appraisals for the feasibility study?

Mr. Stern - Under New Business? Sure. Mr. Beltz is recommending a motion for opening the bidding for three (3) different vendors for a feasibility study of on-site tennis courts.

Mr. Cleaver - What information are we going to be looking for?

Mr. Bradley - I'll second that.

Mr. Stern - Questions?

Mr. Cleaver - They will want to know what is part of the feasibility study. Do you want me to take the one we currently have and just list those items as part of it?

Mr. Beltz - The proposal that we already have from Barry Isett.

Mr. Cleaver - They listed what their work included. We can just use that as an RFP.

Mr. Beltz - Use it as a guideline. I agree with that.

Ms. Beers - If it contains all of the items that you think we need, then yes, I think that'll work.

Mr. Beltz - And they'll be provided all the information that Barry Isett, everything that we possess?

Mr. Cleaver - Any information that they were going to give use, we'll ask for different engineers or firms to give us a proposal and we'll collect as well.

Mr. Bradley – No. If we already own it, we should share it with the proposal. If I want you to do an addition on my house and I already know how many square foot I want to do and what I'm putting on, and I already did a lumber study, I should be able to share that with everyone else so they don't have to do the work twice.

Mr. Cleaver – Correct.

Mr. Bradley – Raising the cost of our proposal. So, if we have the data that they need to create a proposal to provide an estimate on a feasibility study to us, and we already have that data, we should give it to them before they make their decision. If they already have all the paperwork maybe it will be even less expensive.

Mr. Cleaver – So, going off of their proposal basis, we'll list what their proposing as well as the scope of services. We would be requesting that they give us that exact information.

Ms. Beers – That probably makes sense. You want to do a side-by-side comparison.

MOTION by Mr. Beltz, SECONDED by Mr. Bradley to open bids for three (3) vendors for a feasibility study of on-site tennis courts using Barry Isett's proposal basis and scope of services.

Mr. Stern – All those in favor...

Mr. Bradley – Wait a second, Larry, come on man, new business, new motion, thank you.

Mr. Stern – Any questions, concerns from the audience, please? Since it's a new motion.

No audience members spoke.

Mrs. Maholick – Is there any minimal amount the district has to have if their planning on spending "so much" money? Is there a minimum they can go by? Do we know how much the district can spend without having to go to bids?

Mr. Feick – If we have nice ground and we do four (4) tennis courts, it's probably around \$100-200,000. If there's a lot of extra work, you're probably looking at a quarter of a million plus. I know some flat ground that we can do some on this property but I'm not an engineer.

Mr. Stern – I think maybe Mrs. Maholick question was what does the board have to approve from a service perspective.

Mrs. Maholick – I've covered meetings in the past and I know in municipalities they have a minimal amount they have to bid when it reaches a certain amount of money.

Mr. Feick – The bid thresholds?

Mrs. Maholick – Yes.

Mr. Feick – Over \$10,500, we need three (3) different quotes. Over \$20,100, this year, you need to bid it no matter what. If it's using federal funds, anything over \$4,800, you have to bid.

Mrs. Maholick – So this doesn't fall under the bid thing but the project itself would?

Mr. Feick – Anything over \$10,500, we would require three (3) different quotes on anything over \$9,000 and anything over \$20,100 must go out to bid.

Mr. Bradley – You're looking at four (4) courts?

Mr. Feick – Yes. You could do more, but do you need more than four (4) courts. With six (6) courts, you could do district but with six (6) courts you'd have to put up bleachers. The students this year will be practicing at Palmerton and we've made an agreement with them since they were able to use our football field last year for their practice, we can use their tennis courts this year. The only problem is, our practice starts at 3:30 p.m., so we're going to transport our students over for 3:30 p.m. and then bring them back. A lot of the kids opted to drive themselves because they want to go home first instead of sitting around the school for an hour and a half.

Mr. Bradley – And the building of these, will they be available for use open from the public or is it going to be more like the track and the football field that it's locked without their use.

Mr. Feick – That's up to the board. I would recommend they stay open to the public. If you put lights, there's actually, you can put a dollar in and you can run them for a half hour, that type of thing. But, if you have them on school property, depending where you put them, you might not want to have people playing at night because of the security.

Mr. Bradley – But if they are owned and maintained by the Lehighton Borough, because they are trying to do the same thing, and we participate with them.

Mr. Feick – I'd been talking for years because I knew we'd eventually lose the lease of the one we've been practicing on.

Mr. Bradley – I understand that, but did you talk to the Lehighton Borough?

Mr. Feick – Yes.

Mr. Bradley – Okay. What did Tom say to you?

Mr. Feick – They didn't have the money back then and they were looking at basketball courts instead of tennis courts.

Mr. Bradley – Yes, but they have the money now...

Mr. Feick – It's also a different council so maybe they are looking at different things.

Mr. Bradley – Correct. I spoke to Tom. They're trying to get approval tonight. They believe they have the funding, it's a matching fund through the state and it sounds like a great cooperative effort and then that way it's a benefit for the entire community.

Mr. Feick – If we could do it that way, it'd be great.

Mr. Bradley – If we move it to next month and we look at it, there's a beautiful thing.

Mr. Beltz – Could I withdraw that motion and wait till next month to see what the borough is going to do? If they're going to build a four (4) or six (6) court tennis place...

Mr. Cleaver – The only thing I would say is going out for an RFP doesn't hurt anything.

Mr. Beltz – That cost nothing?

Ms. Beers – It cost nothing.

Mr. Cleaver – You still have to approve the RFP for them to complete the work. We're just asking for a cost of what that amount will be.

Mr. Bradley – But at the same time you don't want to have a couple engineering firms do a bunch of work and then find out you're pulling the rug out from underneath them when Lehighton says they're not doing it.

Mr. Feick – They're not going to do any work, they are going to give us a proposal of what it costs.

Mr. Bradley – That's considered work for most people that have firms.

Ms. Beers – And, we do proposals all the time and we only get like a tenth of them. That's the way the business works.

Mr. Bradley – Here's an opportunity to save everybody some money.

Mrs. Maholick – Would it hurt anything to if we had to wait a month?

Mr. Cleaver – Again, by approving us to go out for an RFP there is no money being spent by the district. It just allows us to start the process. If you want to wait, if the board wants to wait, we can do that but at this point, until we agree to complete the work then that's when the cost would occur. For us to put information together and send it out to a couple of firms just to get some information back there is no financial cost to the district for that.

Mr. Feick – And, in the meantime, we'll talk to the borough to see exactly what they are talking about there because we'd have to come to an agreement for using the courts at a certain times and the public couldn't be on them. We can't have the public on them while our kids are on the courts.

Mr. Stern – So, we could do a two-pronged approach, one with the borough, one we get our other values of what the cost would be.

Mrs. Maholick – Do we have the space for it?

Mr. Cleaver – That would be part of the study to see if we have the location.

Mrs. Maholick – Are you guys thinking of any particular corner?

Mr. Cleaver – There's areas throughout here but again, without an engineer, and looking at our surveys, and those type of things. To look at a piece of paper, asking me, I would know 100% if we have the space. I would imagine, but again, you're just asking for an educated guess from someone who's not an engineer or architect.

Mr. Feick – We have spaces but I don't know if it's feasible.

Mr. Stern – Any other questions?

Mr. Bradley – I'd just like to make a statement that we should be good stewards of our vendors as well as our taxpayers in our district and not waste their time and money until we decide where we're heading.

Mr. Stern - Anybody like to remove their second or first for the motion?

Mrs. Wagner read the motion.

Mr. Bradley – I'm going to withdraw my second.

Mr. Stern – Anybody else like to second?

Mr. Yenser – I'll second the motion. I think it's advantageous to move forward if we're going to do this project. It would be nice if the girls' program is in fall. Our girls' have not had the opportunity to have tennis season of their own. They've always had to compete with the boys' tennis team.

Tennis Ct. Feasibility Study MOTION by Mr. Beltz, SECONDED by Mr. Yenser to open bids for three (3) vendors for a feasibility study of on-site tennis courts using Barry Isett's proposal basis and scope of services.

Roll Call Vote:

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

VOTE: YES - 6 NO - 2 (G.M., D.B.) ABSENT - ABSTENTIONS -
Motion carried.

Directors' Concerns

Acquire Two Independent Appraisals MOTION by Mr. Bradley, SECONDED by Mr. Beltz that prior to the sale of any land, buildings or real estate property the district acquire two independent appraisals of said property.

Mr. Cleaver – Just for clarification, Mr. Filer, this is required under school code?

Atty. Filer – Correct.

Mr. Cleaver – For a sale?

Atty. Filer – Yes.

Mr. Bradley – Why don't we have the appraisals for the two (2) they tried selling earlier?

Mr. Stern – Why don't we have them?

Mr. Bradley – Why don't we have copies of the appraisals for the two (2) schools that they sold in a rush last year, near the election?

Mr. Stern – I don't have them either. I will have to ask Mr. Schwab where those appraisals might be and if we have them, if we were required by law to have those appraisals.

Mr. Bradley – We asked Mr. Schwab, and Eric if you can convey on this, he said that he got a verbal and no written and that he tried asking for them but he's never received a copy. Is that correct Mr. Feick?

Mr. Feick – As far as I know, correct.

Mr. Bradley – Who did we have the appraisals with that you're calling to ask for them?

Atty. Filer – I don't know.

Mr. Bradley – Mr. Feick, who are they calling for the appraisals? Who did the appraisals? What company?

Mr. Feick – I'm not really sure, off the top of my head.

Mr. Bradley – Well, I don't think you had too many appraisals done on East Penn and Mahoning. So, who did the appraisals that he had a verbal copy of?

Mr. Feick – I think it was the same firm that did Franklin but I'm not 100% sure.

Mr. Bradley – And they did provide us the paperwork? And we didn't pay for them, right?

Mr. Feick – We didn't pay for it. I haven't seen the paperwork. They supposedly had a verbal.

Mr. Bradley – So my understanding is the board approved the responsibility to get the appraisals. Somebody called the appraisal company and said do these appraisals. Was that you, or was that you Mr. Cleaver? It wasn't you (Mr. Cleaver), was it you (Mr. Feick)?

Mr. Feick – It was Mr. Schwab.

Mr. Bradley – So Mr. Schwab calls the appraisal company to get the appraisals done at which point did we have an estimate of what that costs?

Mr. Feick – I think there was a, not to exceed \$4,500 or something like that for both properties.

Mr. Bradley – Okay, but then that company never turned in a bill?

Mr. Feick – I have not paid a bill.

Mr. Bradley - Not paid, but did they turn one in?

Mr. Feick - I have not seen it on the solicitor's bill and I have not seen a bill.

Mr. Bradley - Okay. So someone got appraisals done and you got a number, does anyone, Gloria?, Dave? Stacey?, you guys are all in the audience. Did you guys have a copy of the appraisal? Did you see it?

Gloria Bowman - Just verbal.

Mr. Bradley - Did you see it Dave? Did you see a copy of the appraisal?

David Krause - I saw a copy of the numbers.

Mr. Bradley - You saw the numbers. So somebody wrote it down on appraisal paper or a different paper? You saw a page in an appraisal book? Did you get an appraisal report and it just showed you the page? What are you trying to tell me? Mr. Krause, you said you saw the number, what was it on? Stacey, did you see the appraisals.

Stacey Duerst - No, it was discussed in executive session and we're not allowed to discuss that out in public.

Mr. Bradley - I'm asking if you saw them, what was in them?

Stacey Duerst - I saw numbers like Mr. Krause did.

Mr. Bradley - On a piece of paper that was from an engineering firm?

Stacey Duerst - It was discussed in executive session.

Mr. Bradley - Let me explain how this works. Mr. Filer, can you please allow Stacey to discuss what she knows from executive session because a point of sale has already, a bill of sale has already been created so that information is no longer privileged. Is that correct, Mr. Filer, as Mr. Schwab told us?

Atty. Filer - I'm sorry, Mr. Bradley, I don't know...

Mr. Bradley - Mr. Schwab told us that once an agreement of sale is made, that information is public. There is a person who filed a Right to Know to get them. So, if he's saying he saw something, you don't have a copy, right Mr. Feick, where are these appraisals? How did we sell a building if the whole board didn't see what it was worth?

Ms. Beers - Can we have someone follow up with the appraisal company and obtain what we requested from them, a written version?

Atty. Filer - I'll see what I can do, but I don't have an appraisal for you right now Mr. Bradley.

Mr. Bradley - According to Mr. Schwab, he's asked them repeatedly for a copy and he has not been able to get it and now Mr. Feick is telling me that we are going back to the same company to create other appraisals.

Mr. Feick – I said I believe it, I don't know.

Mr. Bradley – So you don't really know who did the first one?

Mr. Feick – Not off the top of my head, no.

Mr. Bradley – Okay. Anybody else here know who did those appraisals?

David Krause – You've been on the board for three (3) months. You've had three (3) months. I don't know why you're asking us now.

Mr. Bradley – Because we're finding out that they may not exist, Mr. Krause. The Right to Know was done and the information was not available. It was mentioned, Melissa, are you familiar with that correspondence at all?

Mrs. Wagner – The emails?

Mr. Bradley – Yes, the emails about the appraisals.

Mrs. Wagner – Asking for them?

Mr. Bradley – Correct. And, what was the response? Do you remember?

Mr. Cleaver – First of all, I don't think that our recording secretary needs to be addressed in a public meeting. You're asking for information. If you want to address a board member or Mr. Feick or myself or Mr. Filer, absolutely. She is here strictly for taking notes.

Mr. Bradley – Jonathan, did you ever see the appraisals?

Mr. Cleaver – No. I told you that.

Mr. Bradley – And you board members are saying you saw one?

Mr. Stern – No they're not.

Mr. Bradley – They saw numbers.

Mr. Stern – Mm hmm.

Ms. Beers – Numbers are not an appraisal. So, we don't...

Mr. Beltz – Numbers we saw were on the agenda. That's the numbers that we saw. There were no appraisals done as far as I know.

Stacey Durest – So why didn't Mr. Beltz ask for them?

Mr. Beltz – I didn't want to sell the properties until we had a...

Stacey Duerst – Doesn't matter, if it was on the agenda, you should've asked.

Mr. Beltz – I should've. You're right. I should've.

Ms. Beers – We should all stop point fingers and just talk about the fact that we ordered appraisals. *Audience reacted.* I understand, I'm including Dave in that.

Mr. Bradley – I'm looking for answers, guys, I'm looking for answers. We have two (2) schools that we're trying to sell, or they sold, and we have two (2) more they are trying to sell and you don't have an appraisal and the appraisal that I saw for the new ones that they have referenced the old appraisals yet no one has a copy of it.

David Krause – If Mr. Schwab is involved, why don't you talk to him directly instead of asking everybody else.

Mr. Bradley – We did, Mr. Krause, we did.

David Krause – He's not here now, why are you asking me?

Mr. Bradley - Because we want to know what you saw? So that maybe we can get to the bottom of why these things don't exist. And, if you were shown something, was it an appraisal? I'm wondering if you got snowed, Mr. Krause. I'm wondering if you got snowed.

Audience member - You're such a bully.

Mr. Bradley – It's not a bully. It's a physical fact. This is a collection of data. If you can't understand the difference between fact and opinion, it's a difficult problem.

Mr. Stern – We have one more other person that would like to say something about this.

Denise Hartley – I just have a question. You said that it's typical for district property, when it's sold, according to the guidelines, that it's typical to have two (2) appraisals.

Mr. Cleaver – Sold, when they're sold.

Denise Hartley – Okay, sold. But these properties were being sold, which is what we were doing, why were there not two (2) appraisals done?

Mr. Cleaver – Because they were done as a public auction.

Denise Hartley - Okay. I'm just asking. Because that's what's confusing to me.

Mr. Cleaver – Just for clarification, when we are doing something as a public auction, and the appraisals are complete, the motion we have here, A., is for sale of them. This would be a different process than what we did for Mahoning and East Penn. And, this motion for the sale of any land is required by the school code.

Rita Spinelli – I would like to speak. My name is Rita Spinelli. I would just like to say, that as a retired real estate agent, the only way you can do an appraisal is if you have comparables. There is no comparables in Lehighton for elementary schools, which is probably why it went out on auction bid. Now, that doesn't mean you can't ask someone to do it but for a professional appraiser to give you a number, you're darn lucky you got what you got is all I have to say.

Mrs. Maholick - I know that I went to the Carbon County courthouse and I asked for the assessed value of those properties and East Penn was assessed at over one (1) million dollars and Mahoning was over \$800,000. So, did we get a good buy on them or not?

Mr. Bradley - So basically what you're saying if I'm understanding right, Mr. Cleaver, that you went to auction on the properties so you didn't have to go through school code to get two (2) appraisals and then sell them?

Mr. Cleaver - I would refer that question to our attorney, school solicitor.

Mr. Bradley - Mr. Filer?

Mr. Cleaver - Yes.

Atty. Filer - I believe there is different procedures in the school code for when properties get sold off for auction versus when you are doing it as a sale between two (2) private parties.

Mr. Bradley - But, it sounds like, if you are selling it at an auction, you don't need to do any of this due diligence.

Atty. Filer - It's my understanding, Mr. Bradley, that when something is sold at public auction, the fair market value is determined by what the market bears which is what's the auction price.

Mr. Bradley - There's other bidders, but okay.

Mr. Stern - I have a motion and a second on the floor for Item A under Directors' Concerns. I'm not hearing anymore comments or questions. All those in favor?

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

Motion carried.

Phase I Env. Site Report Denied MOTION by Mr. Bradley, SECONDED by Mr. Beltz that prior to sale of any land, buildings or real estate property the district is required to acquire and publicly publish at a minimum a Phase I Environmental Site Report, Mechanical and Electrical building assessment by the bidding of said work either collectively or individually to reputable firms honoring transferable liability of the report to the successful purchaser of the property.

Mr. Cleaver - I'd like to bring up a couple of things with this. When you say a Phase I Environmental report, you mean an assessment, right? Because we have to do an assessment before any report is completed.

Mr. Bradley - Actually, you have to do the assessment first, then you get a...

Mr. Cleaver - Right, I'm asking that.

Mr. Bradley - After they do the assessment, which we should be having anyway for all of our properties, they have to have a report that they can be able to give to the person that's going to buy that property. If not, every bidder would be required to spend money to review this. So, you're

reducing your pool of potential buyers by not giving them this information in advance. And, if we collect the information, it's transferrable. It just adds to the value property.

Mr. Cleaver – But going back to what you said about Barry Isett and getting reports, someone, the district would pay for that report and we did go out for RFP's in the past for Phase I reports and those cost were anywhere from \$3,400 to \$5,000 for that one report. I don't have any documentation for mechanical or electric.

Mr. Bradley – If I'm selling a million dollar asset, I have no problem with investing \$5,000 or \$10,000 so that the value of that asset can be larger and the pool of customers that are going to buy that asset can be larger. That's the value to collecting the information. Now most of this information could've been done during the process of the feasibility study. Now I'm assuming that it wasn't done because when you did the feasibility study you weren't looking to getting rid of the elementary schools at that time. You were looking to building a middle school first. So, when the district goes out and collects data, we want to make it shareable to other potential vendors, to other potential customers. So, these weren't done during that feasibility study, is that correct?

Mr. Cleaver – I don't have mechanical or electrical. I'm not sure what that would all include either. So we would have to have someone develop exactly what we'd be looking for.

Mr. Bradley – Any and every engineering firm, when they're buying a property, does these things as regular course of business. I think Greg from Omni was hired to do this exact thing but they had trouble getting access to East Penn when they were looking at it.

Mr. Cleaver – And, then again, we have no comparables or supporting documentation for this motion either.

Mr. Bradley – What do you need for supporting documentation or comparables of what?

Mr. Cleaver – I think it would be fair to the board to know if we do this what the estimated cost would be to get all these studies completed.

Mr. Bradley – Are you telling me that we don't have a mechanical or electrical building assessment for our properties now?

Mr. Cleaver – Your saying building assessment. Again, explain to me exactly what a building assessment...

Mr. Bradley – You want to know the condition of the equipment that's in that building is.

Mr. Cleaver – Absolutely we do.

Mr. Bradley – So there's no additional cost.

Mr. Cleaver – Actually, they're actually public. They can go right to the feasibility study and see that information.

Mr. Bradley – That feasibility study was done, flawed in the fact that it did not have the information required for a person to be able to purchase these buildings.

Mr. Cleaver – And, that is your opinion.

Mr. Yenser – Do we have documentation on the motions under section 12?

Mr. Cleaver – The information we have has been provided in this agenda.

Mr. Yenser – Because, as again, we discussed earlier we have to have information reviewed prior to motions. I don't have any information to review on any of these motions under section 12.

Mr. Cleaver – Correct.

Mr. Bradley – Andrew, any majority of the board can remove any item on the agenda if you so choose.

Mr. Yenser – I'd like to strike anything under section 12. As you stated earlier...

Mr. Bradley – Then make a motion, make a motion.

Mr. Yenser – As you stated earlier, anytime you ask a board member to vote, you should have the documentation to review.

Mr. Bradley – Make a motion and then you can do it.

Mr. Yenser – I make a motion to strike the items under section 12.

Mr. Bradley – Which ones?

Mr. Yenser – B through M.

Mr. Wentz – I'll second.

Ms. Beers – For discussion sake, there were items/motions earlier in the agenda that did not include enclosures. There are motions on this agenda that are just single line items and don't necessarily have a document attached to them and then we just addressed them one at a time and when we go there, we thought additional information was required and we requested it at that time.

Mr. Yenser – Correct. We all had the opportunity to ask for additional information at the time if we so desired or if we asked the questions here at the table.

Mr. Bradley – Excuse me. Since you have a motion on the floor/table and a second, it's new, it actually goes to them (audience) first. Correct, Mr. Stern?

Mr. Stern – Comment?

Mr. Bradley – I said, correct? Now that he made a motion and it's a new motion, not on the agenda and I think Wayne seconded it, it's now new business...

Mr. Stern – Yes.

Mr. Bradley – At which point, as leader of the board, as President, coaching/helping, you go to the people first so that they can make comments, line up and then the board can comment.

Mr. Feick – Can I make a comment? You already had a motion that hasn't been voted on. It's still in discussion on B.

Mr. Bradley – This supersedes that. What happen is that...

Mr. Feick – So you're letting that motion go until you decide this?

Mr. Bradley – And the reality is, that supersedes this motion and my motion's on the agenda and there are people who already had a comment but now they made a new one, people get to speak. Just making sure we have some experience here.

Denise Hartley – I just have a question. So, I understand your point of view Andy, but I also know that someone at the beginning of the meeting had a question and wanted the board to address one of these motions that was in regards to looking at stopping the building of the middle school. So my question would be if you put all of these motions on hold, one of the people in the audience who wanted to hear the school board's view point on it isn't going to be able to hear that. Or are you asking so that the public who asked that question are going to get a broader definition from the person who made that motion.

Mr. Yenser – Yes.

Stacey Duerst – According to policy 006, all supporting documentation must be presented to the board members prior to the meeting. So, these motions should be stricken because that supporting documentation is not made available to them. Mrs. Maholick claimed many times during her campaign that she was going to read all documentation before supporting a motion. So, she must vote to stricken these motions from the agenda because she hasn't read the supporting documentation.

Mr. Bradley – Actually, the supporting documentation is within the motion itself.

Stacey Duerst – Really? So how are you going to do that tax refund? Where's that?

Mr. Bradley – We can have a discussion if you'd like, if we get to it if Andy's motion is not...

Stacey Duerst – There's no supporting documentation.

Mr. Bradley – I fully respect it. There is, thank you. Andy's motion's on the floor.

Mr. Cleaver – Any more comment for the motion currently on the floor?

Strike B-M MOTION by Mr. Yenser, SECONDED by Mr. Wentz to strike motion B through M
Denied under section 12, Directors' Concerns.

Roll Call Vote:

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

VOTE: YES - 4 NO - 4 ABSENT - _____ ABSTENTIONS - _____
Motion denied.

Mr. Stern – Motion on the floor back to B.

Mr. Stern read the motion again.

Mr. Stern – I believe we had enough comment on this from the board.

Roll Call Vote:

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

VOTE: YES - 3 NO - 4 ABSENT - _____ ABSTENTIONS - 1 (J.B.)
Motion denied.

Mr. Stern - I believe we should not incur the cost and let the purchaser do the hard work.

Mr. Bradley – Larry, you're saying each potential.

Mr. Stern – Yes.

Mr. Bradley – Okay.

Mr. Stern – Why should the district incur the cost of them investigating what the building is and what issues are in the building and why should be we liable for those issues.

Mr. Bradley – The vote was already taken. I appreciate it.

Advertise Real Estate For 6 Months Denied MOTION by Ms. Beers, SECONDED by Mr. Bradley that prior to the sale of any land, buildings or real estate property the district advertise the properties for not less than 6 months, and specifically advertise said assets to a wide geographical area marketing to businesses that would increase the employment of the region.

Mr. Cleaver – I have some questions for this item. What exactly is wide geographical area?

Mrs. Maholick – Beyond The Times News.

Mr. Cleaver – Okay. So is everyone in agreement that wide geographical area is beyond The Times News?

Mrs. Maholick – Yes. You need to go further, you need to go out of state.

Mr. Cleaver – So you're talking, and I'm just going to put out there, Morning Call, Times News, Standard Speaker, Pottsville Republic, etcetera?

Mr. Bradley – It should actually be within a publication that aims towards businesses that can come into the community that can use such a building to add to our employment in the region and jobs. And, if you look at that, there's a lot of those available and any realtor will help you with that if you really have struggle with understanding what a wide geographical area means.

Mr. Cleaver – No. I don't think it's a struggle, it's more of a clarification. And, publication, do you have the document, is there a cost for these publications that you're referring to?

Mr. Stern – For a 6 months run? Any more questions from the board?

Roll Call Vote:

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

VOTE: YES - 4 NO - 4 ABSENT - ABSTENTIONS -

Motion denied.

Eval. Form of the Dist. Performance Tabled MOTION by Mr. Bradley, SECONDED by Ms. Beers that the students of the district and the parents of the district be sent an evaluation form of the district performance, adding an anonymous suggestion box to be placed at the post office for the collection by a school director so we can change the downward trend of Lehighton's school performance review these past three years.

Mr. Holland – A box in a federal building?

Mr. Cleaver – At this point, I don't know that. I'd have to look for a legal opinion on that.

Atty. Filer – I read that assuming that he meant a post office box but again that you just pay for through the post office. I'm not entirely sure what you are asking to do but why not put a suggestion box outside the business office.

Mr. Cleaver – The other thing, too, in the motion I think we should include guardians because unfortunately, not all of our students live with their parents. Some live with guardians. I think that would be a good thing to add to this. And, a couple other questions I have. It says students, our district performance. Do you mean the School Performance review? Exactly what are you referring to, the School Performance Profile, not review? I don't know what that is.

Mr. Bradley – You don't know what the school performance review is?

Mr. Cleaver – I'm asking if you're referring to the School Performance Profile because I do not know what the review is.

Mr. Bradley – The Lehighton's School Performance Review is exactly what is done by PDE. That's what they gave it to me from.

Mr. Cleaver – No, that is a profile.

Mr. Bradley – Tomato, tomato.

Mr. Cleaver – Again, we're just making sure the clarification is what you are looking for.

Mr. Bradley – You're looking for input from the students, the guardians, I respect that, and the parents on the performance, to aid the performance of the district.

Mr. Cleaver – Okay.

Mr. Bradley – Because if they have the opportunity to provide input, and communicate with the district, and anonymously, they don't have the retaliation issues and they can be open. And, the current new laws for evaluating of teachers is a function of performance, it's not just seniority anymore.

Mr. Cleaver – And, going through with that, so we're under the School Performance Profile, review, however you'd like to say it, but I think it's important the state is no longer using that as a measurement. It is now called the Future Ready PA Index and some of those areas that are addressed in that provides a more holistic view of school performance by emphasizing the weight evaluated measures for example, school-wide options for Federal programs. Now, we're limited as to what we can do at our elementary schools. Now with moving forward with school-wide so Federal funds will be able to benefit all students K-12. Measuring English Language Learners among ESL students, not simply one spot shot test for ELA. Incentives for career awareness instruction beginning at the elementary schedule. This board is aware of this PA Future Ready PA Index and the board prior to this. So, we are already moving forward. Our STEM programs and MakerSpace, etcetera, down to the elementary level addressing the issues of an unequal weight of content areas in the current SPP, School Performance Profile. So, you're

recommending us to look at something to improve, the state moving forward is not going to be using as a measurement tool now and that is now the Future Ready Index. Is that correct?

Mr. Bradley – Correct. We definitely want to pull as much data as we can from the students, the guardians, and the parents of the district.

Mr. Cleaver – This is specifically for the School Performance Profile what you're saying.

Ms. Beers – Can I make a comment here? I think what Dave is driving at is that he would like to lobby information from the community, the parents, and the students at large and that's the concept here. So, we can figure out what the form of this wants to be as a board, we could debate about where this box might be placed, I think we should look at this by the big picture which is, do we want to try to collect data from parents and guardians, and then if we all agree as a board that we are interested in collecting that data, then we can debate on details like what questions do we want to ask, what form do they want to be in, where do we want this box to be.

Mr. Cleaver – Right. And, I understand that, but unfortunately, the motion nor any supporting documents, doesn't say that. All I have right here is collection by a school director so that we can change the downward trend of Lehighton's School Performance Review these past three (3) years. I can tell you right now that there's not a teacher in this room or in the district that thinks our district is in a downward trend. *Audience responded with applause.*

Mr. Bradley – But the report from the state shows that there's a three (3) year downward trend. We want to fix that.

Mr. Cleaver – I will not stand still as a district and I will get behind anyone and I will challenge anyone whether you're a school board member, a person in the public, a parent or guardian, to say that this district is on a downward trend because I'm telling you right now, our kids have the most opportunities out of anyone and I challenge anyone to say they don't.

Mr. Bradley – It's not a function of opportunities, Mr. Cleaver, everybody wants opportunity for their children but the performance review shows a three (3) year downward trend. You cannot hide our head in the sand.

Mr. Cleaver – In closing, you're referring to a School Performance Review that the state has said is not a good weight for school districts. Not me, not the Lehighton School district, the state.

Mr. Bradley – If the Lehighton's School Performance Review from the state shows a three (3) year downward trend, we as a board, and we as teachers and parents should look to improving that. We care about our children. You got to care about our children. I use to be a teacher. I care about the children. You've got to look at the opportunity. You could have the greatest, here's a perfect example, you could have the greatest show car in the world but if one of the tires is flat, you should put air in it.

Mr. Stern – There's a whole lot that goes into the School Performance Profile measurements, including growth. And, if our students had the growth and they are already at the top end, from the growth perspective, they can't maintain the growth to go up here because of this different communities and different school across the state that their score is lower just because their growth does not exceed what it was the previous year.

Mr. Bradley – You can make all the excuses you want. The goal is...

Mr. Stern – I'm not making excuses. I'm saying how the School Performance Profile ratings change year to year.

Mr. Bradley – So you agree they went down but there's a reason for it.

Mr. Stern – It went down because of the way the state measures the performance profile.

Mr. Bradley – Okay. So the answer is correct. The Lehigh Valley's School Performance Profile went down for the past three (3) years and we need to fix that. If the fixing is to change the ruler, you can do that but the reality is you want to fix it for the benefits of the children.

David Krause – I would suggest just eliminating that last sentence because there's not supporting documents. You look at our comparative scores in other counties, we're one of the top districts in the county. We're ranked at the upper half of the state. There's no documentation to support that comment so why not remove it and leave the rest of the motion as is.

Mr. Bradley left the board room at approximately 10:01 p.m. and returned at approximately 10:04 p.m.

Ms. Beers – Can we just change the motion to instead of saying district performance and things like that to, to say gather...

Mr. Stern – Maybe we should come back to the next meeting with motion how it should be done because there's too much change in this particular one.

Ms. Beers – Okay.

Mr. Stern – So my preference would be to table this motion until it's restructured that it's appropriate to what would be expected for all the members to support it.

Mr. Cleaver – This could also be discussed at an academic meeting. We are looking at mostly the academic piece of this.

Mr. Yenser – I'll make a motion to table it due to lack of information and documentation.

Mr. Stern – And the ability to re-write.

Mr. Yenser – And the ability to re-write with the requirements.

Mr. Beltz – Second.

Motion to Table MOTION by Mr. Yenser, SECONDED by Mr. Beltz to table the motion based upon documentation and to allow the opportunity to create a meaningful study.

VOTE: YES - 7 NO - ABSENT - 1 (D.B) ABSTENTIONS -
Motion tabled.

Issue Rebate MOTION by Mr. Bradley, SECONDED by Ms. Beers that the board issue rebate
Checks checks equal to .76 mills for the tax year 2017 and carry the tax DECREASE forward
Denied for the 2018 tax year as well.

Mr. Cleaver – I have to apologize for lack of documentation, I have a couple of questions regarding this. Currently, how would this affect our current budget? Where's the .76 come from? What would our five (5) year projection look like moving forward? I think more of a discussion would need to take place at a finance meeting when we have additional information. And, then, also with that, I would like, if this was approved, an opportunity to talk to our tax collectors because I'm not sure how this would affect their process.

Mr. Bradley – Let me provide a little history lesson for you in case you forgot. .76 mills was raised in a year when they had a surplus budget. Money was moved from the budget to the general fund, \$211,000, and then this increase took place and according to Mr. Feick and Ms. Bowman at the time, it was a way to appease the bond holders in an effort because they hadn't raised taxes in a while to go back and get a tax. Now that it's been done, and you borrowed the money, why not give it back to the taxpayer? And, we have new buildings that are being done within the district, so before you go find a new place to spend it, let's give some back.

Mr. Feick – You're wrong on that. It was .56 mills not .76 mills.

Mr. Bradley – I agree. I'm going to point out that in the ability of the other new buildings that are coming into the district that should allow you to...

Mr. Feick – You said that we raised taxes .76. No, we raised .56.

Mr. Bradley – My apologies.

Mr. Feick – The other thing that's on this motion, I have no idea who the taxpayers are. That's the tax collectors. They collect the bills. I don't have the ability to refund them. I'd have to build in 20,000 some names into our system.

Mr. Bradley – If it's only an exercise of the ability to do it, I'm sure we can find a way if we wanted to.

Mr. Feick – Oh, yeah. We can hire people and input every single name from the paper records I get from the tax collectors. As Mr. Beltz knows for the last three (3) years, four (4) years, I've been trying to get the tax collectors on a system that we have control over and know who pays and who doesn't but they fought us. I have no idea...

Mr. Bradley – I have a list of every taxpayer in the county.

Mr. Feick – Do you have a list of their social security numbers so I can refund checks?

Mr. Bradley – It would go back to the taxpayer of record.

Mr. Feick – Right. Do you have their social security number because we don't have that?

Mr. Bradley – That would be a taxpayer of record. I'm sure that if you're going to send them a check, they'll probably give it to you.

Mr. Feick – Right, but it's going to be an accounting nightmare.

Mr. Bradley – This district is very good at collecting it, I'm sure they can find a way to give it back. As Mr. Krause said, in the past they did do a refund and lowered the taxes. Correct?

Mr. Feick – No. They lowered the taxes, they didn't refund.

Mr. Bradley – We'll set a precedent. Let's do it.

Mr. Stern – Any more comments from the board?

Mr. Yenser – Last comment, I will make one. Again, there is no documentation as to how it affects the current budget or five (5) year projection and how this affects the school district. Again, we do a boomerang, you throw it back, and again you hammer taxpayers later with higher increases. It's not a fair approach and the cost of the process.

Mr. Bradley – Mr. Feick, approximately what is .76 mils? \$280,000? \$360,000 per mil?

Mr. Feick - 270.

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	☐	☐
Mr. Wayne Wentz, Vice President	☐	X	☐	☐
Mr. Andrew Yenser, Treasurer	☐	X	☐	☐
Vacant	☐	☐	☐	☐
Ms. Joy Beers, Member	☐	☐	☐	X
Mr. Larry Stern, President	☐	X	☐	☐

VOTE: YES - 1 NO - 6 ABSENT - ABSTENTIONS - 1

Motion denied.

Apology Denied MOTION by Mr. Bradley, SECONDED by Mrs. Maholick that the Lehigh School Board formally apologize for the way it treated a decorated veteran at the meeting where Superintendent Cleaver and then President Gloria Bowman apparently signaled a police officer to remove him from a meeting.

Mr. Cleaver – Again, this motion reads an apology for something that apparently happened and I was always taught by my parents, you apologize when do something wrong. I don't think myself or Gloria Bowman did any wrong in apparently signaling a police officer to remove him from a meeting.

Mr. Bradley – I was hoping you'd be a gentleman and recognize that you did do it and give you the benefit of the doubt however, it is more than apparent you signaled the police officer to remove someone from a meeting for fear that they spoke up yet this crowd is jumping up and down on a regular basis and we, as a board, are smart enough to recognize that they do have a voice, they

need a voice and that voice should be shared and when Ms. Bowman signaled that officer, three (3) times, three (3) times to remove that person before the police officer felt compelled. I'm sure that police officer had a concern because his job is to keep the peace and there was no peace disturbed during that process and that veteran, sir, is a decorated veteran.

Gloria Bowman – You're not allowed to yell out.

Mr. Bradley – As you are right now or have you removed?

Audience reacted.

Gloria Bowman – I have a right to speak. Am I right?

Mr. Bradley – Nope. This is not a new motion, however, you're welcome to and I appreciate you voicing your opinion.

Gloria Bowman – This gentleman (in the audience) got up and spoke on a motion.

Mr. Bradley – Gloria, how the meeting works, simple. If it's a motion on the agenda. *Audience reacted.* Hold on, because some people have trouble with this. Let me explain it so everybody can understand.

Gloria Bowman – I'm very aware.

Mr. Bradley – Apparently, you're not. Apparently, you're not. Just give me a second. Apparently you're not because I've watched the video of your meetings and if they did not have a statute of limitation, you'd be in trouble. Because here's what you've got. If it's on the agenda, the public have a right to speak at the beginning of the meeting. If it is a new motion/new business, they have to open up the floor to those people. This is a motion that was already on the agenda, but you're welcome to speak.

Gloria Bowman – Gee, thank you, Mr. Bradley, especially when you had other people to entertain the floor.

David Krause – It's new business.

Mr. Bradley – It's not new business, Mr. Krause. Apparently you can't read either.

Mr. Stern – You may make a comment, Mrs. Bowman.

Gloria Bowman – I have to support Mr. Cleaver because the gentleman was out of order. He was yelling and carrying on. Yes, he was. It was documented in the minutes.

Bonnie Cortese – Yes, it is.

Gloria Bowman – I have it documented in the minutes.

Mr. Bradley – Who wrote those minutes? Was that you?

Bonnie Cortese – No, I did. I did.

Mr. Bradley – Okay, that's fine. I will make sure we get the entire video. You guys can have it. You can tell me where the out of order is.

Gloria Bowman – There is nobody tonight who is out of order. They were respectful and they addressed the board and everybody else in a respectful manner. That did not happen with this particular person.

Mr. Bradley – So you won't apologize?

Gloria Bowman – No.

Mr. Bradley – And Cleaver, you won't apologize to that decorated veteran that you think was outrageous?

Mr. Cleaver – For something that apparently happened, I would not.

Mr. Yenser left the board room at approximately 10:10 p.m. and returned at approximately 10:12 p.m.

Mr. Bradley – Oh it happened and we know it, but go ahead.

Mr. Stern – Shall we just vote?

Mr. Feick – Mr. Wertman had his hand up.

Mr. Stern – Tom?

Tom Wertman – My name is Tom Wertman and I'm a veteran. Mr. Wayne Wentz is a Vietnam veteran. I think you (Mr. Bradley) should be apologizing to him what you said to him earlier. So Mr. Bradley why don't you apologize to Mr. Wentz for what you, with what comment you made. Why don't you apologize.

Mrs. Maholick left the board room at approximately 10:10 p.m. and returned at approximately 10:14 p.m.

Mr. Bradley – Which one do you like me to apologize for?

Tom Wertman – For that comment that you made, calling him that name that you called him.

Mr. Bradley – The trouble, now let's bear with me, I will apologize to Mr. Wayne Wentz right now. Mr. Wentz, I apologize that I expected you to have a higher understanding of statistics. I apologize if I insulted you.

Tom Wertman – That's not an apology.

Mr. Bradley – I apologize profusely sir.

Tom Wertman – That's not an apology. That's not an apology. You know you're so smart Bradley, you're stupid.

Mr. Cleaver – Mr. Wertman.

Mr. Bradley – Thank you. I appreciate that one.

Mr. Stern – Any other comments?

Took a brief break while Mrs. Maholick was out of the room.

Mr. Stern – Order, please.

Mr. Cleaver – We are voting on Motion F.

Roll Call Vote:

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

VOTE: YES - 4 NO - 4 ABSENT - ABSTENTIONS -
Motion denied.

Rep. from MOTION by Mr. Bradley, SECONDED by Mrs. Maholick that the Lehigh School
Open Rec. Board schedule time with a representative from The Office of Open Records to
Denied facilitate the training needed to provide a transparent district, saving this district
hundreds of thousands of dollars.

Mr. Bradley – It's actually hundreds of thousands of dollars, Mr. Stern, but I'll make a motion.

Mr. Cleaver – Just for clarification, there was an email actually sent by you Mr. Bradley to our
Right to Know officer on 12/12/17 praising her for her compliance and understanding of the law.
So, has that changed? Is there something different since then?

Mr. Bradley – Thank you for asking Mr. Cleaver. Actually, you're misunderstanding this in the
fact that the Office of Open Records is not only for the Right to Know but it's also the office that
controls the Sunshine Law. So that what we're looking at is that Mr. Stern can better understand,
along with the rest of the board, the rest of the administration can recognize how a board meeting
should be run.

Mr. Cleaver – Thank you and supporting documents clarifying that would have been helpful too.

Mr. Bradley – Office of Open Records is common knowledge.

Mr. Cleaver – The other part of this too is the reference of saving hundreds of thousands of dollars
if you could just explain that a little bit more.

Mr. Bradley – When a board member violates a community member’s rights he can put this district at risk for not only amendment right, but hundreds of thousands of dollars of liability. We have to have open meetings guys.

Ms. Beers – Dave, have you discussed this idea already with the Office of Open Records and did they suggest a plan of action?

Mr. Bradley – They actually suggested it to me before I was even elected because of the issues of when we showed them what was going on in these board meetings and the disregard for the law. There is a gentleman by the name of George Speece who runs the OOR training program and he will do it for free. One of those educational motions I’m putting on the board.

Mr. Cleaver – Thank you because just for reference, that’s why we are here for education and that’s why we go to conferences, that’s why we do the things we do. And that’s why, as a school district, we do need additional training and those types of things.

Roll Call Vote:

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

VOTE: YES - 4 NO - 4 ABSENT - _____ ABSTENTIONS - _____

Motion denied.

Voter MOTION by Mr. Bradley, SECONDED by Mr. Beltz that this board hosts a
Referendum voter referendum on the use and disposition of the ongoing construction project,
Denied and if more feasible, a unique and numbered ballot vote be distributed and collected in the manner described by David F Bradley, Sr. to ensure transparency in data collection.

Mr. Cleaver – Just again for clarification so the board knows what they’re voting on, how will this be collected and distributed and it says it will be described by you Mr. Bradley.

Mr. Bradley – There’s three (3) or four (4) ways to do this process. One of which is that the tax rolls be used to collect data using their addresses. The second way is to use a numbered, colored ballot which basically allows you to sequentially number the ballot send them out to all those people and have them collect it and returned back to the district. Both are very inexpensive ways to poll a citizenship economically when you’re looking at such value. I don’t know why it was missed before you guys built what you’re building or the middle school or the high school you wanted to build, but that referendum is actually part of Pennsylvania School Code.

Mr. Cleaver – I think you said three (3), I believe that’s two (2).

Mr. Bradley – You have the tax rolls up in Jim Thorpe...

Mr. Cleaver – Correct. I have the tax rolls and the numbered, colored ballots.

Mr. Bradley – And then you have the voter, right up in Jim Thorpe, they have a whole group in Carbon County that helps you process a vote legally, within a community.

Mr. Cleaver – So the voter in Jim Thorpe is the one I must have missed in the first place.

Mr. Bradley – Yeah. That's how you do a referendum, Jonathan.

Mr. Stern – Anymore discussion?

Mr. Cleaver – Hold on a second.

Christina Haupt – Is this where I get the information I asked about?

Mr. Stern – Yeah, it might be.

Christina Haupt – So, again, I know this kind of motion would not have been made without a well thought out plan of what would happen if the voter referendum did end up showing that the community did not want to use the elementary center. I just need to know what the long-range plan is, what does it look like? What happens?

Mr. Bradley – Despite this being on the motion, I really welcome your information and your comment. But as far as the requirements for a referendum, they're very well detailed, prior to spending money...

Christina Haupt – I don't want to know about the referendum. I want to know what happens if the referendum comes along...

Mr. Bradley – The community decides that. Just like it did before.

Christina Haupt – Okay. You said that we don't want to use the elementary center as an elementary center. I get it. I know what a referendum is. My question then is what happens to the children who would've gone to East Penn or Mahoning when there's not going to be anymore East Penn or Mahoning. Where's my daughter going?

Mr. Bradley – So the reality is, those sales are not completed yet.

Audience member – We can be sued by the citizens who are buying them.

Mr. Bradley – We do not. We checked.

Audience member – It's a breach of contract.

Mr. Bradley – There is none. We checked.

Atty. Filer – No, Mr. Bradley. I don't know where you're getting that.

Mr. Bradley – Okay, let's make sure you understand that the people have a right to speak. They also have a right to information. The fact that you do not have this information that should be and is common knowledge within the district is a shame. We're going to fix that from the inside here. We're going to make sure this all gets published. However, I will answer the question. So you asked the question can a bill of sale cost the district money if it is revoked? The answer is no.

Audience reacted.

Mr. Bradley – Rather than yell, where did you get your information from because there is a discrepancy. Rather than argue, let's just go to the source and find the information.

Christina Haupt – Okay. So then, I'll revise what I said. So what you're saying is the sales are not final and we can pull out of them at no cost to the district, if I understand what you're saying. So what you're telling me is that if the referendum actually becomes a thing and the voters vote not to use the elementary center as it's intended purpose, we won't lose money from that either?

Mr. Bradley – That would be the decision of the citizenship.

Mr. Yenser – It would be about eleven (11) million...

Atty. Filer – Can I have a second please? My understanding is that we've already gotten the cash for those sales. I'm pretty sure we'd be exposing ourselves to breach of contract liability.

Mr. Bradley – Before you say anything, talk to your boss.

Atty. Filer – I will double check with him, but it's my impression we have received grant money from the state for building the construction and not going through with that will end up costing us money as well.

Mr. Bradley – And that's a function of PDE and the solvency of this district and that's the function that people have to have the right to make sure that they are going to stay solvent. You just can't go out and borrow a whole bunch of money and not ask them first and then go build something they didn't want.

Mr. Yenser – Again, it's about, to answer your question, Brian, for Plan Con project reimbursement elementary center approximately eleven (11) million?

Mr. Feick – Yes.

Mr. Yenser – ACE grants, two (2) million?

Mr. Feick – Two (2) million for the elementary.

Mr. Yenser – We'll have to figure out where to come up with that thirteen (13) million dollars.

Christina Haupt – Okay. So, we pull out of the sales, we don't use the elementary center as the elementary center, because that's what the voters of this community wanted.

Mr. Bradley – We don't know that yet.

Christina Haupt – Hypothetical.

Mr. Bradley – Okay, just checking, hypotheticals.

Christina Haupt – This is called long-range plan. That's what I'm trying to get at here. So, we find that thirteen (13) million, whatever, we try to fix that. Is the plan that the children who would have gone to East Penn or Mahoning to go back to East Penn or Mahoning. Everything would go back to the way it is currently. Is that what I understand?

Mr. Bradley – Up to the voters.

Christina Haupt – Now we have no plan.

Mr. Bradley – Up to the voters. We work for the voters.

Christina Haupt – I am a voter.

Mr. Bradley – Then we work for you.

Mr. Feick – Larry, there's more hands up.

Mr. Stern – I know.

Denise Hartley - He keep saying it's up to the voters. Realistically, the voters have not had an issue with middle school up to this point. The school board previously looked at all the studies and said we want to move forward. So now what you're saying is you want to consider not moving forward. I think what she's asking for is your reasoning for that decision.

Mr. Bradley – I'll help you with that. The term moving forward is a function of what you're aiming for. So, when you talked about the elementary center and Mr. Cleaver had discussed that there was a report done and there was a task force done, that task force overwhelmingly asked for the small, local elementary schools, the pride of our district, to stay open. And, that task force was made up of teachers, administrators, educator professionals within the community and I was not on that so you can know it's not me. Actually, I think Mrs. Howland's husband was on it.

Tanya Heckman – My name's Tanya Heckman and I'm the mother of three (3) children. I'm very active in the school district. What is your plan for my kids, all three (3) are in Mahoning right now, so we don't belong in the elementary center, we are thirteen (13) million dollars in debt, people are suing us left and right, where are my children going to go? Do you have a plan?

Mr. Bradley – What's wrong with Mahoning?

Member of the Audience – It's sold.

Tanya Heckman – What's wrong with Mahoning? Have you ever been in Mahoning during the day? When it's 91 degrees and our kids are laying on the floor exhausted?

Mr. Bradley – I'm going to answer the question. Did you read the feasibility study that this board did because it talks about air conditioning inside the Mahoning school and it shows you the cost. If that's what you wanted to do, if that's what the community wanted. This is a community conversation based upon information that was not accurately presented to the community.

Christina Haupt – So what are you going to do? What are you going to do?

Mr. Bradley – I'm one of nine on a board.

Christina Haupt – But it's you making all of these motions.

Mr. Cleaver – Again...

Mr. Bradley – One more time, I'm making the motions that the citizens in this community are requesting.

Audience reacted.

Mr. Bradley – Not the citizens in this room, in the community.

Mr. Cleaver – I want to...

Mr. Bradley – I'm glad that the community is greater than the couple of hundred that are in here because that's what you're looking at.

Mr. Cleaver – Okay and but again, just for clarification purpose again Mr. Bradley, is it a different feasibility report that you referred her to? Because about an hour or so ago, you said that that feasibility report was flawed and all the information was incorrect and now you're recommending...

Mr. Bradley – Yes, because if you look at the feasibility study, Mr. Cleaver, hold on, I'll explain the difference. When you look at the feasibility study...

Mr. Cleaver – I'm just asking for clarification.

Mr. Bradley – It says what the Middle School costs to renovate.

Stacey Duerst – Mr. Cleaver, when is the elementary center scheduled to be completed?

Mr. Cleaver – The middle of May.

Mr. Bradley – So, what did it cost to renovate the middle school, Mr. Cleaver?

Mr. Cleaver – I don't want to speak out of line and not have them complete number for you.

Mr. Bradley – Plus or minus a million.

Mr. Cleaver – I don't think...

Mr. Bradley – Plus or minus five (5) million.

Mr. Cleaver – I don't think these people here want to hear plus or minus a million.

Christina Haupt – I'd also like to know...

Mike Lusch – Can we please vote on this and come to a four (4)-four (4) tie again?

Ms. Beers left the board room at approximately 10:28 p.m. and returned at approximately 10:30 p.m.

Mr. Stern – Anyone else?

Mr. Bradley – While we are waiting for Joy to get back, the financial loss every year on that elementary center is significant.

Christina Haupt – I don't want to know about the financial loss, I want to know about the educational gain for my child.

Mr. Bradley – The gain of your children would be in the elementary school's because the classroom sizes be less than if they were in the elementary center.

Audience reacted.

Mr. Cleaver – Again, we have a motion on the floor.

Mr. Bradley – One more time, the number of students, maybe not the number of classrooms, bigger by square footage according to Mr. Cleaver, the number of teachers per student is less.

Audience reacted.

Mr. Stern – Roll call vote Mrs. Wagner.

Roll Call Vote:

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

VOTE: YES - 4 NO - 4 ABSENT - ABSTENTIONS -

Motion denied.

**Rebate
Check
Denied**

MOTION by Mr. Bradley, SECONDED by Mrs. Maholick that the district passes on the savings this board has uncovered in this meeting in the form of a rebate check. The people of the district know best how to use their money and leaving money in the district funds has been proven to leads to overspending and frivolous spending, so in the future, the district send a check quarterly to the taxpayers of the district for dollars saved on the budget through the proactive action of this board.

Mr. Cleaver – I'm actually going to hold off on comments because I'm not really even sure what this motion means or I'm not sure how any of this would take place.

Roll Call Vote:

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

VOTE: YES - 2 NO - 4 ABSENT - _____ ABSTENTIONS - 2
Motion denied.

Robert's Rules Denied MOTION by Ms. Beers, SECONDED by Mr. Bradley that the district adopt "Roberts Rule of Order" to provide order in the proceedings of the district.

Mr. Bradley – In contradiction to David Krause comment, they are currently treated as a guideline and we're trying to make them a rule.

Mr. Yenser – As I understand it, we are following PDE's recommendation on policy.

Mr. Cleaver – PSBA.

Mr. Yenser – PSBA's recommendation.

Ms. Beers – One of the past board meetings from December, I remember there was a disagreement between Attorney Schwab and Dave and it came down to the Robert's Rules of Order and Attorney Schwab said that they are guidelines, they don't have to be strictly adhered. So from my point of view I think it's a good idea to straight out adopt these rules so that there's no more confusion and disagreement about the correct way to proceed.

Mr. Bradley – And, I'd also like to recommend that the Pennsylvania School Board Association uses Robert's Rules of Order new version, new revision in their proceedings.

Mr. Stern – Any other comment from the board?

Mr. Yenser – My only other comment is, if this would be a recommendation, we are looking for a policy change. We would take this up at the policy committee level and then raise it up to the board meeting which is probably the protocol for this type of motion.

Mr. Stern – Any other comments?

Mr. Bradley – I'll make one more comment. The school policy as Mr. Schwab has also eluded to is a guideline, so, the board at any time can make a motion, any board member at any time can make

a motion, to change any policy at any time or change the effectiveness of a policy at any time. As I was told by the attorneys at PSBA and other places, it's basically the Wild West in here and we're trying to clean it up.

Mr. Yenser - I believe this continues to keep order and that's what we are aiming for.

Roll Call Vote:

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

VOTE: YES - 4 NO - 4 ABSENT - _____ ABSTENTIONS - _____
Motion denied.

Apology Fails MOTION by Mr. Bradley, SECONDED by _____ that the Lehigh School District apologize for the behavior of Larry Stern, as his actions were not of a collective board as prescribed in the school policy.

Mr. Stern - I need a second.

Mr. Stern - I need a second.

Mr. Bradley - Motion fails for lack of a second.

Mr. Stern - Correct.

Town Forum Denied MOTION by Mr. Bradley, SECONDED by Mr. Beltz that the district host a town forum on three evenings on different days of the week including one weekend, for the citizens to attend and talk to the board openly, without oppression, with Joy, Dave or Gail as moderator to ensure the gavel will not be used.

Mr. Cleaver - Just for clarification, would this be on district property?

Mr. Bradley - Yeah, it's determined, yeah.

Mr. Cleaver - So it is to host a town forum. It says a weekend. Just so everyone's aware, if it's a weekend, it would be a financial because we would have to have someone here to open up the building and lock the building and also someone to make sure, custodial or maintenance wise, that if they need to use the facility, the lavatories we keep them. So there would be a cost incurred with this.

Mr. Stern – My input on this particular item is that it is not required as if the folks who want to provide comment act in an orderly fashion, as we had tonight, without disruption, without shout-out, without, again, disrupting the meeting and providing constructive comment, this is a not-required act to me. Any more comments?

Mr. Bradley – Yeah. This board room is nowhere near large enough, and nowhere near open enough to let people speak. I hosted a town hall last week and we heard not only from parents that had textbook issues and other people that came in and had comments that can't always make it to a school board meeting. The ability to let the people speak is paramount in our school. Policy and Pennsylvania School Code and just common courtesy.

Mr. Stern – Any other comments?

Roll Call Vote:

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

VOTE: YES - 4 NO - 4 ABSENT - ABSTENTIONS -

Motion denied.

PSBA Equal Access Denied MOTION by Mr. Bradley, SECONDED by Ms. Beers for equal PSBA access to all elected board members.

Mr. Cleaver – Because Mr. Bradley this is one of your Directors' Concerns, from what I understand, PSBA did say that all members are eligible; however, you requested not to be a member of PSBA. If you would just let them know that you are willing now to be included in that.

Mr. Bradley – Absolutely not. However, the district pays for an all-access membership of the government and the governing body of the board. We pay for access. You do not need to be required, nor is anyone obligated to join any group without their permission. And, since we already pay for it, they should give us access. We did pay for the access, right? You did pay the bill?

Mr. Cleaver – We paid the bill for the all-access piece, yes.

Mr. Bradley – The all-access piece, yes. So, every board member has access to the PSBA because the board is the governing body of the Lehigh District and the contract is with the district, not individual board members. Correct, Mr. Feick?

Mr. Cleaver – That is correct. However, you requested not to join PSBA.

Mr. Bradley – Just because I don't want to join their little club, doesn't mean we don't have access to some of the information as a board.

Mr. Stern – And, just because you didn't join their little club, we got a bill for \$450 for your attendance at the LCCC, or the LCTI...

Mr. Bradley – And, if Mr. Schwab would read the contract, he should not pay it.

Mr. Stern – Let's vote on that one as well.

Mr. Bradley – So make sure we're saying that equal PSBA access for all elected board members is what we're voting on. Correct?

Mr. Cleaver – Correct.

Mr. Bradley – So to vote no would be you don't want people to have access.

Mr. Wentz – Only members.

Mr. Yenser – It's a pretty simple...

Mr. Bradley – Elected board members.

Mr. Yenser – It's a pretty simple principle. You're a member of PSBA, as our board is, and PSBA...

Mr. Bradley – No, I'm a member of a board.

Mr. Yenser – But you want to take advantage of all of their programs, but not be a member which costs our district \$450 last month when you decided to participate.

Mr. Bradley – Absolutely not, absolutely not. Nathan Mains invited me to the meeting to learn more about the PSBA to see if I wanted to join and I said no way, from what I learned and what they were doing in that meeting.

Mr. Yenser – Well than this should be a moot point.

Mr. Bradley – No, it's not moot. If the contract is available to all elected board members, as we are, as what we paid for, as what we are obligated, then we as board can have access and you don't have to be an individual member.

Mr. Yenser – Simple principle.

Mr. Bradley – It sounds semantical, it is not.

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	☐	☐	☐
Mr. Wayne Wentz, Vice President	☐	X	☐	☐
Mr. Andrew Yenser, Treasurer	☐	X	☐	☐
Vacant	☐	☐	☐	☐
Ms. Joy Beers, Member	X	☐	☐	☐
Mr. Larry Stern, President	☐	X	☐	☐

VOTE: YES - 4 NO - 4 ABSENT - ABSTENTIONS -

Motion denied.

Courtesy of the floor/ Public Comment

1. Gerald Strubinger - County School Merger

- I'm here to propose we save a lot of money in Carbon County, we merge the districts starting with the central offices. What are we doing with five (5) superintendents at \$200,000 bucks a piece.

Mr. Cleaver - Just for clarification, there's no superintendent in Carbon County making \$200,000.

- You are.

Mr. Cleaver - No. I have a contract and you are more than welcome to review it. You must be looking at some other information because I could tell you, my wife could probably tell you, I'm not making \$200,000.

- Thirty-three and a third percent (33.3%) goes towards your pension, your salary. You're making \$150,000, right?

Mr. Cleaver - No.

- How much? With benefits?

Mr. Bradley - \$136 to \$140,000.

Mr. Cleaver - Excuse me, I do not use the school district's health benefits either. So, I really want the facts to get out.

- Okay, but we still have four (4) too many. Anyway, we need to, we are all doing the same thing, we're doing the same thing. Policy, we only need one policy for the entire county. Put that extra million bucks that we could save right away down into the school for the kids. We are doing the same thing.

Mr. Cleaver - I would like to make a recommendation that he is part of my next contract negotiations discussion.

- I told you we could do it, we could give you a couple of more bucks.

Mr. Stern – Next up is Mr. Duane Eidem. Respond to information at December 21, reorg. Meeting.

Duane Eidem – Cancelling courtesy to floor due to time constraints.

2. Janice Bowman – Right to Public Comment

- First of all I want to thank you for trying to do Robert's Rules of Order and the Sunshine by letting people speak when there's a new thing. You really, with reminders, that's a good thing. Although I will tell you, there are people here that won't speak up because you do have people that you know think can be combative back and forth, which really stops a lot of people from speaking which is really sad. As far as saying nobody's ever been put down, we have video and there's a couple in here I can show called me at the board meeting deplorable for having a videotape and I was just here for a third visit. So, that does happen here and I saw the board not shut it down, they we're kind of enjoying it. So, I hope as a board you do what you're doing with quorum, let people speak and have quorum. I'm sure there's going to be heated discussion, that's common. So I just hope because I have this case, not for a taxpayer, but to see that we have a right to speak and the bullying process has done pretty good, when you do stand up, you throw a lawsuit on them. Which I'm use to because Atty. Freund, I'm really use to him. I battled him in the Allentown School District so I'm very use to him. I know about this immunity stuff that we're calling High Office Immunity that is thrown at us. Well, that's actually if you're an International Ambassador. So I just want to clarify you are under the qualified immunity. So there's a couple of things, I'll handle that, I don't mind. But, I really wish that the board would become more open to shutting people down. Because, you shut people down when you start hollering at each other instead of listening to ideas. So, I just want to thank you because tonight you did it and I hope you keep doing it, so, thank you.

Mr. Stern – Thank you. I just want to make one comment is we will, in the future, have to pay a little bit more strict adherence to our Courtesy to the Floor for information requests, questions on agenda items prior to discussing the agenda and Courtesy to the Floor items post agenda prior to adjournment. So, thank you for supporting that action.

Adjournment

Next regular scheduled meeting is Monday, March 26, 2018, at 7:00 p.m.

MOTION by Mr. Beltz, SECONDED by Ms. Beers to adjourn the meeting at 10:50 p.m.

VOTE: YES - 8 NO - ____ ABSENT - ____ ABSTENTIONS - ____

Motion carried.

Respectfully submitted



Brian Feick
Board Secretary

(Minutes of Resumption of Reorganization meeting and regular meeting of February 26, 2018, includes Pages 1 through 73.)

