

Lehighton Area School District

Lehighton, Pennsylvania

Regular Meeting of School Board
Monday, April 23, 2018, at 7:00 PM

**Executive Session Immediately
Following Meeting for Personnel**

Minutes

Pledge of Allegiance

Call to Order - A regular meeting of the Lehighton Area School Board was held in the Administration Building, Conference Room A, on the above date and called to order at 7:02 p.m.

Roll Call

	Present	Absent
Ms. Joy Beers, Member	X	☐
Mr. Richard R. Beltz, Member (arrived at 7:06 p.m.)	X	☐
Mr. David F. Bradley, Sr., Member	X	☐
Mr. Stephen Holland, Member	X	☐
Mrs. Gail Maholick, Member	X	☐
Mrs. Rita Spinelli, Member	X	☐
Mr. Wayne Wentz, Vice President	X	☐
Mr. Andrew Yenser, Treasurer	X	☐
Mr. Larry Stern, President	X	☐
Mr. Brian Feick, Business Manager	X	☐
Mr. Jonathan Cleaver, Superintendent	X	☐
Attorney William Schwab, Solicitor	X	☐
Mrs. Melissa Wagner, Recording Secretary	X	☐

Mr. Cleaver - At this time we have a presentation from Kristine Roddick will do an overview of Special Education for our District and also state and federal laws, thank you.

Mr. Bradley - Mr. Cleaver, before we start, we had brought this up originally that we know a lot of people were gonna be here. For the safety of these kids and everybody else and the attendance and the ability to let them speak, which is their right, we should move this to a larger venue. As we mentioned hours ago.

Mr. Cleaver - And again, Mr. Bradley, I know you don't understand the process it takes to set something up, but the other issues the ability to record such meetings and especially with the amount of litigation currently that you have put on this district by going to the court and petition

the court against Mr. Stern and everything else. The fact that we record these word for word and the fact that Mrs. Wagner spends 11 plus hours after every meeting putting the recording down and the note and the minutes. I think we need to stay somewhere where the meeting can be recorded because of such legality which you put on the district, thank you.

Mr. Bradley – Yeah, but, it's so much easier to record since we're recording in a variety of ways. It's 2018, we can record anywhere, I'm recording right now. And, the safety of the kids and the ability to let them speak is what that litigation's about. You gotta let people have the chance to speak. If you don't give them the chance to speak, you're violating state law.

Mr. Cleaver – The people will have a chance to speak, thank you.

Mr. Bradley – But will they also be able to listen to the other people that are speaking? They're out in the middle of no..., we've been out there, I've been out there. You can't hear. It's not fair and there's people still outside.

Mr. Cleaver – Each one of them said they can hear.

People in foyer responded they could hear.

Mr. Cleaver – Thank you. There's a speaker system out there, so thank you.

Presentations

Mr. Cleaver – I apologize for that interruption, sorry about that.

Atty. Schwab – Let me just introduce Kristine, just for the new board members who may not be familiar with her or her firm. When we have Special Ed. needs, that is the specialty in education law we have one firm in the region that does it, because we have insurance coverage, the insurance company has designated her firm. So, and Kristine has been the designated one for the last, I will only say ten (10) years or so, that does all our Special Education hearings and things of that nature.

1. Special Education Overview – Kristine Roddick

Kristine Roddick – Good evening, as Bill said, I work with King Spry in the Lehigh Valley and we act as your Special Education counsel when special education matters arise. I was asked to give you a very brief overview about the Special Education laws and the potential claims that can be brought against the district and the potential remedies that families can obtain in the event the district is not meeting its obligations for a free appropriate public education. When I say brief, I mean it's gonna be very brief. I could give a service training on any one of the topics I'm going to touch about today for an entire day's session. So, it's a broad overview. And, if I start talking in acronyms, please stop me because it's a habit with Special Education. Everything has an acronym, so I apologize if I do.

Special Education is governed by both federal and state laws. You have two (2) federal statutes. The one is the IDEA, Individuals with Disabilities Education Improvement Act. The second federal statute is Section 504 of the Rehabilitation Act of 1973. Both of those statutes have their own federal regulations that apply. You also have regulations under Pennsylvania law. Title 22 of

the Pennsylvania Code is where you find them. Chapter 14 are the state regulations that govern the IDEA. Chapter 15 is the state regulations that govern Section 504's. Sometimes 504 plans are referred to Chapter 15 plans, that's where it comes from. Also, you have creature purely of state law called Gifted Education and that is covered by Chapter 16. So, what is a FAPE? We are responsible to provide a Free Appropriate Public Education that involves students under IDEA, Section 504, and Chapter 16 under Gifted Education. So, basically, it's a Free Appropriate Public Education that is provided pursuant to an Individualized Education Program based upon that specific child's needs and areas of gifted and talented. You can have an IEP which is under IDEA, you can have a GIEP which is your Gifted IEP or you can have your Section 504 plan. You have the responsibility to provide FAPE under all three (3). This is one of the most litigious areas of the law when it comes to school districts and here's why. What does appropriate mean? The other legal standard to determine what is a FAPE is that the plan, when I say plan I'm gonna use that for IEP, GIEP, Section 504, unless I indicate otherwise, must be "reasonable calculated to enable a child to make progress in light of the child's circumstances". So, those are very gray standards and that's where a lot of litigation results. FAPE is more than academics. We are responsible for addressing daily-living skills, social-emotional-behavioral issues, communication skills, social skills. So, it's not just purely about, can the child read, can the child write, can the child do math computations. It goes far beyond that.

The key areas of legal challenge, under these laws, first, Child Find obligations. Under all three (3) areas, the district has the legal obligation to locate and evaluate students who are thought to be disabled under IDEA and Section 504 and students who may qualify as Gifted and Talented under Chapter 16. So, if we don't evaluate a student and later they are deemed to be eligible for special services, we could be liable for that. The second area is evaluation reports. All three (3) laws have very specific details, almost checklists, of what those evaluation reports need to look like and what they need to cover. So if we are not compliant with those requirements, that's the basis for a lawsuit. If our evaluation report is not comprehensive, the IEP gets developed from that or the GIEP gets developed from the Gifted evaluation report. So, if we miss a piece of the puzzle, chance are our individualized educational program is not gonna be appropriate because we're not gonna be addressing all areas of need or areas of gifted and talentedness. Also, in general, allegations of failing to provide a FAPE because the plan is inappropriate, which I just briefly touched upon, if the district is not implementing that plan appropriately, for an IEP and a GIEP, if the child is not making sufficient progress on the goals set forth in the GIEP or IEP, or under IDEA if we fail to place a child in the least restrictive environment. Disabled children must be placed to the extent possible with their non-disabled, typical peers. And that can be a butterfly effect. If we miss Child Find, we're not gonna have a plan, etc. If either party is not happy, either party can file a due process complaint with the Office for Dispute Resolution which is an arm of the Pennsylvania Department of Education. For example, if a parent is not giving consent for us to evaluate their child, the school district can file a complaint with ODR asking a hearing officer to say we can evaluate that child over parental objection. That would be an example of when a district could file. If a parent is not happy with the educational services that is being provided to their child, they can always file a due process complaint with ODR also.

So, in the event, let's just say, the parent is not happy and they file a due process complaint against the district for the district failure to provide a FAPE. Under IDEA, Section 504 and Gifted, parents would be entitled to something called Compensatory Education. It is a remedy for the district's failure to provide FAPE and basically it is educational services or educational items that the district should have been providing in the past, but failed to do so. So what will happen is a hearing officer will take a look at all of the facts and all of the evidence and all the witness testimony at a

hearing and make a determination that the district owes X numbers of hours of Compensatory Education to this student because it failed to provide the appropriate services. That hourly amount is then converted to a dollar amount and that dollar amount is based upon the teacher's salary plus benefits of the individuals who would have been providing those services to the student. If you're dealing with related service providers, speech and language therapists, physical therapists, occupational therapists, that you might use from the IU if you don't have those individuals on staff, the hourly rate can go a little bit higher. It's designed to compensate and it's not designed to be punitive. So, one thing I want to clarify is when we're talking about Compensatory Education, we're not talking about a check that gets cut and handed over to the family. It would be held in one of two ways. One, it would be held by the district where funds get earmarked in whatever that amount is and then we would pay a service provider directly or reimburse the parent for services that they may obtain on the student's behalf and those services or those items must be related to the student's needs. For example, if we have a non-verbal student, it could be used to purchase a communication device, assistive technology. It could be used for evaluations, it could be used for tutoring services, but it needs to be tied to the educational needs of that child. Or, for a gifted student it might be additional online courses for enrichment purposes or whatever the case may be. The second way a fund can be held is by a third-party trustee. That's where the district cut a check for whatever the amount that Compensatory Education fund is and it gets sent to a third-party administrator who takes a nominal fee then for administering that trust and they reimburse the parents for approved items or they pay a provider directly.

Another thing or remedy that can be provided under IDEA only something called tuition reimbursement. So in the event that the parents are claiming that the district is not providing a FAPE or failed to offer a FAPE, they can unilaterally dis-enroll their child from the Lehigh Area School District and place that child in a private school of their choosing. Then come back and sue the district for tuition to that school. If we are not providing a FAPE, a hearing officer will order tuition reimbursement for that school year provided the private school is appropriate and the appropriateness of that private school is held to a lesser standard than the FAPE requirement the district is held to. IDEA does not apply to private schools. It's difficult and they can range in tuition from a couple thousand dollars to \$60,000 a year plus transportation to and from. If we do not provide an appropriate evaluation report, the parents can file a lawsuit and seek what's called an Independent Educational Evaluation, this is where a third-party evaluator of their choosing would complete an evaluation of the child and we would have to pay for that evaluation. The evaluations range at the low end \$2,000, at the high end \$5,000 and if there are a number of areas of need, it could be a number of evaluations. So, if you have a student who is acting out behaviorally, has speech and language issues, and is disabled, you could be responsible for a psycho-educational evaluation which would be something similar to what your school psychologist would produce. A functional behavioral assessment to come in and try to determine why the child is behaving the way they are and a speech or language, speech evaluation if the student also has speech needs.

IDEA and Section 504 are fee-shifting statutes, this is important, what that means is, if a parent is successful on a portion or all of their claim, the district is responsible to pay their attorney fees. Often times the prevailing party fees exceed the cost of the Compensatory Education amount. And, unfortunately, there is no vice-versa. So, when we win, you pay whatever it is up to your deductible for the insurance carrier and you split the rest with the insurance carrier. But, there's no reimbursement back to the district if they are successful in defending a claim or successful in bringing more. That does not apply to gifted, parents are not entitled to attorney fees under the gifted regulations on in IDEA and Section 504. Money damages, in addition to having the FAPE requirement under Section 504, it is also anti-discrimination law. So, if a parent is able to prove

that the district discriminated against a student based upon his disability, if a parent is successful in Federal court, they can order money damages. That is where the check gets cut and paid out. That is determined to be punitive. Settlements are always a possibility, as you know. Often time it's based on a pure cost benefit analysis versus principal. Sometimes we can fight and win, but it may cost more than whatever that settlement amount may be. That's the basic, overall issues and remedies. What I can tell you is that these cases move quickly. We have to file an answer within ten (10) days of receiving the complaint. We have to hold a resolution session which is a required, mandated settlement conference. The hearing will be started within thirty to forty-five (30-45) days and it could cover three (3), four (4), five (5), one (1), two (2), any number of school years because the provided the parents files within the statute of limitations, they have no bar on how far back they can go. So, it's pretty intense once these things are instituted. I mean, you have somebody keeping their eye on the ball to make sure that... The best defense is being proactive and trying to put yourself in a defensible position to prevent any lawsuits from being filed. Any questions?

Mr. Bradley – How often has this happened in this district in the last five (5) years that we did not give a child what they were supposed to get?

Kristine Roddick – I'll be honest with you; I think once in the past five (5) years. It's been awhile.

Atty. Schwab – We've been very proactive in this district. As soon as we know of a dissatisfaction, we are very proactive talking to the parents, seeing what they're looking for. I'm gonna go back maybe, I guess it was 10-12 years ago, the district was hit for Compensatory Education at a private school at \$60,000 a year, we had to pay it for five (5) years plus mileage to, we paid to the mother, to go down to the Philadelphia area twice a day. Plus, we had \$75,000 in attorney's fees. From that point on, the district took a different stance on these. So, we've been very proactive in the last ten (10) years.

Mr. Bradley – But, we still missed one (1) recently? Saying in the last five (5)?

Atty. Schwab – No, that's pending.

Kristine Roddick – Often times what'll happen is I just don't get brought in just when a lawsuit gets filed. I'll get brought in if there are concerns or the parent indicates they are not dissatisfied.

Mr. Bradley – You're consulting prior to having the problem, right? So we can deal with it.

Kristine Roddick – Correct. And, sometimes we can turn the tide and that happens quite frequently and sometimes you simply can't.

Atty. Schwab – Even if we're in a situation where we, I'm gonna use the word appease the parents with a solution before it ever gets to litigation, we still may have to pay two (2), three (3), four (4), \$5,000 in attorney's fees, so we don't get into litigation.

Mr. Bradley – But, we're talking about kids that have a need and a requirement for education and somehow they're being restricted of that through this evaluation. So, where's the conflict? Is it that they're, this FAPE, that evaluation decides what rights that child has to which education, correct? Is that how this is kinda working? I'm new, so help me out.

Kristine Roddick – Yep, no problem.

Mr. Bradley – So there an F, A, P, E.

Kristine Roddick – FAPE

Mr. Bradley – Right, so my child comes in, they do an evaluation and then where's the check and balance to make sure that evaluation was done properly so that we don't have a litigation or lawsuit.

Atty. Schwab – Frequently, at your IEP meeting, you have all the teachers, you'll have the psychologist, you'll have an attorney there, and you have the parent, maybe the parent's advocate, which may or may not be an attorney and you negotiate and see what they're dissatisfied, what they aren't.

Mr. Bradley – That's only after they complain. I'm talking about before they complain. I want to make sure the kids get the right...

Atty. Schwab – We're active before you ever get that complaint. We're not at that complaint...

Mr. Bradley – I understand that. So, the question is, before the complaint we go through this process...

Atty. Schwab – We hear from a parent that they are not happy. We will meet with the parent immediately. That's been the district's...

Mr. Bradley – No, no, I'm going before that even. So...

Kristine Roddick – If I can just interrupt you.

Mr. Bradley – Yeah, sure.

Kristine Roddick – Students need to be evaluated under IDEA once every three (3) years unless they are intellectually disabled then it's once every two (2) years. It could be done more frequently if there are other concerns that are arising or if either party wants to evaluate the child, we can do it more frequently. IEP's need to be done annually and if the child is not making progress on those goals, the team should reconvene to take a look at, are there additional supports that need to be put in place, etcetera. So, the IEP is a fluid document. It could be revised throughout the school year and these can change. You can have a student start off as being eligible for example a speech and language IEP for articulation errors and then, once they go through their speech and language sessions, the articulation errors are corrected, and then they get exited. So, there are a variety of checkpoints to try to keep things on track but, I have gone to a national presentation in Florida a couple of years ago and somebody with more time on their hands than me, analyzed how many ways an IEP can be deficient and it was over 800. So, it's complex.

Mr. Bradley – But, again, everything you were talking about and you were talking about is all money based. I'm talking about the kid prior to the complaint and prior to the...

Atty. Schwab – We were talking prior to the complaint. The complaint is a legal document that's filed. We, in this district, meet with the parent before that ever arises.

Mr. Bradley – Okay, and we're making sure that all the kids get evaluated and the parents know that they can get evaluated and they can set up a plan.

Atty. Schwab – We have two (2) pending right now where we've vetted formally with the parents and we're having an Independent Evaluations done. One (1) just came in this week.

Mr. Bradley – Okay.

Kristine Roddick – And, by law, annually you have to publish what's called a Child Find notice. It's typically done through the IU and the newspaper. You probably have that notice on your website. It's typically in handbooks that go home with the parents so that they are made aware and in fact, some districts even include it in pediatrician offices and things like that so parents are made aware of that and there's highly active educational advocacy groups located throughout the state that can also give parents the steps.

Public Comment on Agenda

Mr. Stern – We will start with Courtesy to the Floor. We have several tonight, so we will be adhering strictly to the three (3) minute policy.

Mr. Cleaver – Just as a clarification, please we ask that if there is any, you know of course we have a lot of kids here and everything, we ask that everything please stay respectful. We don't like any of the board members being individual attacked or as a group and neither our board should either attack or address anyone inappropriately. Again, we're all here for the same reason and let's hope we can agree to disagree and get to where we need to be and everyone in this room ends up leaving satisfied.

1. Barbara Bowes – VIII. G. – Franklin Fields

- I am speaking to the Franklin Fields motion, Motion G. First let me state that I'm absolutely in favor of the Franklin Fields being preserved for the use of the children. That being said, it is the duty of the school board to put the good of the district, as a whole, first and foremost. The district is 100 million plus dollars in debt, giving away the field, giving the fields away does not serve the best interest of the district, in my opinion. There are few ways this can be handled according to the Public School Code of 1949. One of the ways is to give the Franklin Fields to Franklin Township. This will serve the children of Franklin Township but not the district as a whole. The second way is for the district to retain ownership and continue leasing to Franklin Township the way it is done now and has been done for many years. The third way is to allow the FTAA to buy the fields with the district holding the mortgage. The first option does not serve the district as a whole nor the debt. The second option is better as the asset will not be lost by the district. Both those options leave the fate of the fields up to whichever way the political winds may blow and this can change at the drop of a hat. I've had personal experience with political winds changing direction and causing chaos. It can and does happen and it can happen quickly. The last option should the FTAA buy the fields would preserve them for generations for the children. I am sure the entire LASD

community would contribute to making this happen. I am positive that the entire LASD community, including the business community, the residents, and not just those in Franklin Township would get behind this option and get it done. The FTAA owning the fields outright opens up so many more options for the children and the community that are not possible in any other way. Our children are our legacy; they are our future. It takes a village to raise a child. So, let the village help to make sure these fields will always be available for the enjoyment of the children by helping to preserve them forever. Please table this motion and give the FTAA time to consider this option and get community input and help. They have put a lot into these fields and deserve consideration in this matter. Subdivide the fields, sell the school building and give the FTAA time to see this will work best for them and the children.

2. Mike Birnbaum – Item G. – Christman Field

- I'm the Little League President for Franklin Township Athletic Association. Our association was started in 1979 as Franklin Township Baseball League with three (3) teams made from thirty-four (34) players, ages 11 and 12. It has grown over the years to over 400 players, ages 4-18, which make up over thirty-three (33) baseball and softball teams. In the beginning, all games were played at Christman Field until 1985 when Phifer Field was established. With the growth of our league over the years, Phifer's has become home to our little league program while Christman Field has expanded to four (4) fields for instructional, coach pitch, softball and Babe Ruth programs. We are nonprofit organization that does not cut or reject players. We provide an opportunity for the boys and girls of Lehigh Area School District community to play baseball and softball. Over the course of the past year our organization has won several championships. Our 9 and 10 year old team last year won a district title. Our 11 and 12 year old team won the Panther Valley Tournament. Our 13, 14, and 15 year old Babe Ruth teams all won district championships. Our 12 U softball team won the Parkland League title. More so than everything we accomplished on the field, is the valuable life lessons we've taught our players; teamwork, working together, learning to succeed, learning to deal with failure. These lessons are invaluable. I ask that you allow FTAA to continue to serve the students of our community by retaining the use of Christman Fields.

3. Calvin Maholick – Item G. – Baseball Fields/Christman Field

- I'm a sophomore at the Lehigh Area High School. I have been a member of the Franklin Township Little League since 2007. I've also been involved in Lehigh Basketball, theater and bands for most of my life. All of these activities have had a huge impact on me as well as my family. If the school would take away fields in the future for highest bidder, the impact on the kids would be tremendous. I know my life, as well as thousands of local kids, have had experiences on these fields with friends, family, coaches and community members. I don't feel there is a price equivalent to the impact that a sale of these fields would have on future little leaguers of Lehigh. Please consider donating these lands to Franklin Township to keep our little league going strong.

4. Jack Lorenz – Item G. – Baseball Fields

- I am in 8th grade at Lehigh Area Middle School. I'm here tonight to talk about the importance of Franklin Township baseball in my life. I began playing when I was four (4) years old. I was in tee ball at Christman Field, it followed with coach pitch, minors,

majors, and now Junior Babe Ruth. Back at Christman Field after all these leagues, through practices, games, meeting, scorekeeping, and scrimmages. I've formed friendships. I made memories, some of the best memories of all my life were made at the fields of the Franklin Township; my first homerun, districts, prepared for state tournaments. The coaches, including my dad, shaped me into the player I am today. I can't imagine my childhood without the memories made at Christman and Phifer's Field. When making your decisions, please do not deprive the kids coming up from the memories (*inaudible*).

5. Evelyn Ahner - Item G. - Christman Field

- I play 14 U Softball for the Indians. I'd like to start off by saying thank you for giving me the chance tonight to speak on behalf of Christman's Field. I've been playing since I'm four (4) years old and up until now. My nephew plays coach pitch, my older brother played on Christman's Field, as did my dad. I think we should build more fields instead of trying to take them away cause they keep us out of trouble and I look forward to the days where we have games. It means a lot to us kids that you give us a chance to speak tonight and please consider keeping our fields, thank you.

6. Bob Dwojewski - Item G. - Christman Fields

- I'm going to go 3:30 so deal with me here. I'm concerned about the sale of the Franklin Township Elementary School and to be exact, about the sale of the land associated with Franklin Elementary. Currently, this tract of land is leased by the Franklin Township Athletic Association. Franklin Township Athletic Association or FTAA provides a place for both girls and boys ranging in ages from 4-18 to participate in a baseball or softball program. This baseball program has thirty-three (33) teams with up to 400 children involved. Currently both my children ages 13 and 11 participate in this program. I'm also a volunteer in this organization as a coach in both the girls' 14 and under softball program along with coaching in the boys' little league program. I wonder why the school board would find it necessary to profit from land that was originally given to LASD when the school district of the township of Franklin was merged with LASD. Maybe the school board has not fully considered the consequences of selling the land associated with the Franklin Township Elementary School. The sale of this land would surely mean the contraction and hampering of the FTAA program. The land in question is the home of the girls' softball fields, instructional baseball fields, and the teenage league baseball field. I do not know the present market value of the parcel of land that is currently owned by LASD and lease by FTAA for \$1 a year, but I do know that the nonprofit, volunteer support of FTAA does not currently have the ability to compete in competitive bidding for this land or the ability to outright purchase this land at market rates as suggested by some of the school board members. I ask the school board to consider the motion and vote in favor of subdividing the land used by FTAA formerly known as Christman Field and transfer this parcel of land to Franklin Township via an inter-municipal transfer agreement and allow Franklin Township to continue the current agreement of leasing the land to FTAA for \$1 a year. If the school board does not plan to vote in favor of this motion, then I ask the board to at least table any votes concerning the sale of Franklin Township Elementary and the land associated with Franklin Township Elementary and currently used by FTAA until a permanent solution can be found that would allow FTAA to continue to provide the only ability for a child in the Lehigh Area School District to participate in a baseball or softball program within the confines of Lehigh Area School District. Over 400

boys and girls of Lehigh Area School District participate in youth baseball and if this board is allowed to sell Christman Field, it will no doubt have a very negative impact on the children of the Lehigh Area School District. I hope the board agrees and allows the FTAA to continue to serve the Lehigh Area School District children in the same capacity it has since 1979.

Mr. Bradley – Mr. Schwab, can you please help, it was Robert right, Robert? Okay. Can you please help Robert? He made a statement that the FTAA leases that property. I believe Franklin Township leases the property, not FTAA.

Atty. Schwab – He corrected it at the very end that we rent it to Franklin Township for a dollar a year. Franklin Township then rents it to FTAA.

Mr. Bradley – I don't think they rent it to FTAA. No. You don't pay a rent, correct? You're not allowed to pay a rent to Franklin Township is that correct?

Bob Dwojewski – It's leased for a dollar.

Mr. Bradley – I don't think...hold on. Just to be clear, the property originally did come from Franklin and I completely agree with that, give it back to Franklin. We also understand that the school district leases it to the Franklin Township for a dollar a year.

Atty. Schwab – Yes.

Mr. Bradley – And, then, there's a contract that says they're not allowed to lease it to anyone else, they just give them use of it. Is that correct?

Atty. Schwab – I don't know the arrangement between Franklin Township Athletic Association...

Mr. Bradley – I don't believe there is one. There is no lease between the two (2), correct?

Atty. Schwab – I don't believe there's any written lease.

Mr. Bradley – There can't be.

Bob Dwojewski – Does it matter? Don't dot all the I's...

Mr. Bradley – I'm not done, but it's important.

Bob Dwojewski – I get your point though.

Mr. Bradley – Correct. We're in complete agreement.

Bob Dwojewski – The school district allows Franklin Township to have the land and we use it.

Mr. Bradley – Correct and I completely agree with that concept.

Bob Dwojewski – Okay.

Mr. Bradley – And that's what we're aiming for and we made a report for that and I'm surprised that you guys didn't get any of this, did you? Okay, so information is being missed and lost. We definitely want to make sure it gets out there, appreciate it. It'll all come out today. Thank you.

Bob Dwojewski – It'll all come out today? Thanks.

Mr. Bradley – And you also mentioned you didn't know the value. Was anyone told what the value was of those eleven (11) acres?

Bob Dwojewski – I have no idea what the value is.

Mr. Bradley – Did anyone on the FTAA get the report of what that property value was?

Audience Member – To these kids, it's priceless.

Mr. Bradley – I agree, I agree and that's the point though but did they find out what the number was?

Mr. Cleaver – Mr. Bradley, again, it's not a question and answer. Let the individuals have a chance.

Mr. Bradley – As a board member, we have every right to discuss things. This is open comment. This is what the Sunshine Law's about. They're supposed to get information from the board, then their supposed to be able to come here and address the board and then they can be able to have a conversation.

Mr. Stern – Not at this point in time.

Bob Dwojewski – Thanks for your time.

Mr. Stern – Thank you, sir.

Bob Dwojewski – You (Mr. Bradley) done with me?

Mr. Bradley – Thank you.

7. Mark Maholick – Item G. – Christman Field

- I'm a teacher here in Lehighton and I've also been a coach at Franklin Townships for many years. Both of my boys have taken advantage of playing at the little league and I currently have one that spoke prior and has also taken part in the Junior Babe Ruth right now. And, I think one of things we're here and just speaking to the board we absolutely have to make an obvious choice as to the turn out we have with the people that have showed up and it all has to do with, is Christman Field going to be available to the kids to be able to play on. I guess, being that we are non-profit organization, to be able to purchase certain land, and I do not know what the value of the land is, I've not been privy to that information, probably would be very difficult for a non-profit youth organization to be able to purchase any kind of land like that. But I just want to think about, I think we're all aware of the impact that baseball and little league and you know those types of things have on kids. What little league teaches kids as

sportsmanship and character, integrity, work ethic, discipline, the ability to deal adversity, which is something that we all need to learn how to do well. Also, the concept of discipline, both at the plate, in the classroom and in life in general. And, respect for yourself and respect for the people that are around them. And, also the concept of responsibility, all things that are learned and taught by all the people that are in this room and the people that are sitting at the board right here could teach us all these kind of things. Without the ability to be able to play little league and to play Junior Babe Ruth and to play softball and T-ball, those things would really have a hard time getting through to many kids in our community and I'd hate to see that go. Probably our biggest problem, as we all know, that faces us as a board and as a community is the drug epidemic that's going through, through our town, through our country, through the world at this point and knowing that everyone would know that probably the most important thing that kids could do is be involved in their communities, be involved in sports, be involved in extra-curricular activities, and we all know that communities play the active role in making sure that kids are engaged in things. It's our responsibility as a community both to volunteer our time to coach, to talk our kids into playing when they're on the fence and as a board to provide opportunity for kids to be able to hit the ball over the fence, if that'd be the case. But, we have in little league is one of those ways our board can engage our kids and our community to make sure that they do the right thing. And, I think we do have an obvious choice in front of us and I'd like to really see and hope that you'd think about all these kids and all our community, not just today, but in the future. Thank you very much.

8. Edward Rarick – Item G – Christman Field

- Good evening, members of the board, I'm a resident of Franklin Township, a father, a taxpayer, and a youth athletics coach for the past ten (10) years. I'm aware of resent publicity regarding the possible loss of Christman Fields as the school district looks to sell Franklin property with the opening of the new elementary center. If the thought or intention is to sell the property to the highest bidder, there is no monetary value the district can receive that could compete with the unlimited value of life lessons instilled in the youth of our community by playing sports at Christman Fields. For more than three (3) decades, thousands of children from ages 4-18, from Franklin, East Penn, Mahoning, Lehighton as well as other surrounding communities have learned valuable life lessons, such as winning and losing, healthy competition, how to be part of a team to accomplish higher goals. Some of the greatest life lessons are learned on the field. Lessons of friendship, teamwork, leadership, commitment, dedication, dealing with failure and success, as well as bonding with family and friends. Often these valuable lessons are being taught before our youth are entering the school system by engaging in athletic competition. In an age where our children are being molded and enticed overuse of social media and video games, as well as overwhelming drug epidemics, elimination of access or ability to play sports should never be an option open for discussion. It is the lessons previously mentioned, with the classroom education, that have made this district great for many years. Elimination of a great resource like Christman Field can only hurt our district, our youth, and our community. As a youth coach, there's great satisfaction in seeing a child be successful or win a game. None of that compares to watching a child develop valuable life skills that make them a better human being. Watching a child pick someone up when down, cheer on and enjoy the success of others or taking a leadership role to push other to be better. None of this is

possible by reducing access to sports. I ask the board to approve the subdivision and transfer of Christman Fields to Franklin Township so our youth can continue to become vibrant, successful, hardworking members of our community. In closing, when making decisions as critical as these, we must not reduce the consideration to dollars and cents, we must place our egos and personal ambitions aside and provide our youth now, and in the future, the opportunity to develop life lessons that make them better students, brothers, sisters, community contributors, and some day parents that have as much passion for the opportunities put forth. To quote a great President, John F. Kennedy, "One person can make a difference and everyone must try". I ask that tonight, you the board, make that difference. Thank you.

9. Derek Solt - Item G. - Christman Field

- I didn't come as prepared as some of these last guys, but I came as a concerned resident, currently of Franklin Township, previously Mahoning Township. Parent of five (5) children through my blended family in Lehigh Area School District. Four (4) of which had an opportunity to play at Christman Field. Also, managed/coached at Franklin Township for the last four (4) years and I'm just basically here asking for consideration and a feasible solution to Christman Field. I think there's many opportunities to have a resolution that allows that field to be maintained, to allow the children to play there. I know seeing when I walked in this room, there's a couple people in front of me right now that influenced myself as a child playing sports and I hope that I can continue to do that and all the volunteers in this room and we need a facility to do it at. I grew up in East Penn Township. That baseball organization is gone. There's not a field to play on, there's no league to join. These kids in this room, they're the ones that are feeding our JV and Varsity programs and it's Franklin Township Athletic Association that's giving all the kids in this district that opportunity. I just hope that everyone knows that Franklin Township and Franklin Township Athletic Association have a good working relationship. We're able to work together to solve problems and also that Christmas Field, as noted before, is not only for Babe Ruth programs and softball but also coach pitch and T-ball which are the youngest kids and it's what gets them started. So, in summary, Lehigh Area School District has provided great facilities here at our high school for high school programs, but FTAA is where it all begins for these kids. So, please consider a solution for Christman Field that allows these kids and many more to have a home field.

10. Kristen Gelatko - Item G. - Christman Field

- I'm the mother of two (2) students in Lehigh Area School District. I have a son who's in 5th grade and a daughter who's in 2nd. I'm an active member of FTAA Auxiliary and the wife of an assistant coach for the past many, many years. I'm gonna echo a lot of what you've already heard, so please bear with me. But, I want to tell you something that happened two (2) weeks ago. Two (2) weeks ago we had opening day, it was a beautiful day, my son had his first game of the season. He plays in the 11 and 12 year old level. The game was exciting. It was all the way down to the end and I got to celebrate my son hitting the winning RBI. But, that wasn't the moment that shined the brightest for me of that game. That moment belonged to his teammate who got his first ever base hit. The smile on his face as he stood on 1st, the instant boost of confidence and looking to the stands to see tears of joy in his family's eyes, the celebratory cheers coming from his teammates in the dugout. That ladies and gentleman was the most special part of that game, and that is what FTAA is all about.

FTAA builds confidence and character in our youth, it teaches our young players to have humility when they win and grace when they lose. It teaches them to leverage their individual strengths to build a team and encourage one another. All of which add to the foundation for our players to grow into successful members of our community. I understand, for some, to sell to the highest bidder can be very appealing. But, selling Christman Field, would be the short term win with long-lasting impact on the community. What FTAA brings to these kids can't be measured in dollars, so please don't focus on the monetary value of Christman Field, focus on the priceless benefits FTAA program brings to our children and the community. Not securing the ball field at Christman Field for utilizing FTAA program would be devastating to the youth of Lehighton. Thank you for letting me speak and thank you to our boys who came to support.

Mr. Stern – Jim Albert, Jr.

Audience Member – Mr. President, would it be okay if I speak prior to him, before him? He's gonna follow me, if it's allowed. His speech is way over the three (3) minute mark and I know we have three (3) minutes.

Mr. Stern – We have to adhere to the three (3) minute limit.

Mr. Bradley – Actually, you don't. That three (3) minute time limit is a policy, it can be broken by the board and you can let people speak. You don't have to limit them. They can speak.

Mr. Stern – You are?

Audience member – Kevin O'Donnell

Mr. Stern – Kevin, you would like to go first?

Kevin O'Donnell – Yes.

Mr. Stern – Okay, yeah, we'll just switch you over, that's okay.

11. Kevin O'Donnell – Item G. – Christman Field

- I have been involved in the Franklin Township Athletic Association for a total of seventeen (17) years as both a player and a coach, along with sitting on the board. As you have heard, there's a lot of good our association has done for the youth at Lehighton Area School District from the last speakers that spoke on our behalf. FTAA is a very respected program in the area and one of largest youth programs within the school district. There are school board members here tonight that have had children and grandchildren participate in FTAA. With that being said, we request your help. Baseball diamonds are becoming extinct within the boundaries of Lehighton Area School District. I know of eight (8) fields that have seen the diamonds grow shut and they either lie idle or used for something else. Last month, our association attended the Lehighton Borough Council meeting as there was talk that the diamond at Baer Memorial Park was in danger of being eliminated for additional athletic fields and basketball courts. Council listened and agreed to play ball in a sense and it is our understanding that this is indeed the case. The high school baseball and softball

teams use this field for decades prior to this present campus being built. As we felt we plugged one hole, a much bigger one opened on the same night. We learned very quickly, via social media, and live-streaming that there was much discussion by this board about something with Christman Field, which is home to four (4) of our fields. This all hit at one of the most inopportune times as we were busy preparing our teams for the 2018 season. What that something is that this board does with Christman Field remains to be seen and will be known very soon. Board member, Mr. David Bradley, had reached out to FTAA back on April 10, 2016, when he had a child playing for the association. He was not on the school board at that time, however, he replied and urged 200 plus email contacts to organize and buy the land and school away from the taxpayers for a sum, a few pennies on the dollar, his words. Mr. Bradley offered his help in this email and was willing to donate his share to the cause. The email had a very contradictory tone with farfetched and belittled many, in my opinion. Mr. Bradley reached out again just last week via text messages to the FTAA phone and asked if he could meet with one (1) or two (2) of our own board members for fifteen (15) minutes along with a question and answer period as he had information for FTAA to review. He made it clear that he was doing this as a citizen, businessman and philanthropist. Our association did not feel the need to meet with him prior to this meeting, as he is one (1) of nine (9) board members. There are nine (9) members on this board, just like there are nine (9) players on a ball team. Please remember, we are a non-profit organization and plan to hold that status. We understand that there is a value in the property, however feel it is much more valuable to the youth of the Lehigh Area School District as it has been since 1979. We have the support of the Franklin Township Supervisors and have a great working relationship with the township. In addition, we have secured almost three hundred (300) taxpayers that have petitioned the school board to keep Christman Field and Franklin Township. In closing, we ask that you remain unbiased. We would greatly appreciate if this board would move to transfer Christman Field as inter-municipal transfer to Franklin Township, etc. as stated on the agenda. Show this community that this board can play as a team to protect our children and save our community. Thank you.

12. Jim Albert, Jr. – Item C – Christman Field Sale

- I'd just like to read the email Kevin was talking about. This was a reply to over two hundred (200) people. Sounds great, nice plan for a great day. The business owners in the area see a big opportunity for another nice plan as well. With the impending elementary schools closing, especially Franklin, with its land, we are poised for growth, think big. If we organize ourselves we can buy this building land away from the taxpayers for a song, a few pennies on the dollar. I'm willing to help and I will donate my share to the cause. We checked and the board has the authority to do things from discussions we suggest calling it Christman Training Center to get Wayne Wentz's support. He has a lot of pull on the board, just ask our supplier Zimmerman's. The board could donate the property to us. There's a great opportunity for the children, they deserve a free training facility, batting cages, pitching, rainy day practice, the sky's the limit. We could even bring in a Yankee or the entire Phillies organization as a corporate sponsor. Majors could attend opening day for some good press. This is big. Done right we can even build our own stadium right here in Franklin just like Lehigh's football state, but baseball and softball, let's not forget about the ladies. A special need field would also be nice. We could do a bike run for one, it's awesome. If we add a track and field to the association and put in an eight (8) track lane, we could

host the Special Olympics and maybe districts for Lehigh. They could rent it from the association. Now that's progressive thinking. We gave them the taxes to build Franklin school, they gave it back to us and we rent it back to them. They pay us with their tax dollars so it's like a tax rebate. As if some of the overpayments are getting returned. The Franklin Township Supervisors were offered the school and they declined. Probably because they'd lose big at the elementary center goes through. So does there beneficiary, the fire company. One of our other greatest assets, the local police would also be at risk of funding with the impending district payments coming due. This center will crush the Pyramids offering. No private sector gym will be able to compete with a free taxpayer funded training center. We deserve it, the kids earned it. It's the right thing to do. The taxpayers originally funded the schools so if we play it right, we should have the first rights to it. The nice thing about Franklin from the business side is that the elementary school has no debt. The board could just give it back to us, no charge. Some districts end up paying organizations to take old school buildings. Lehigh school board members we need on board with this are Wayne Wentz, Andrew Yenser, Gloria Bowman, David Krause, and Steve Holland. They have already voted to dump the old buildings for sake of progress. The plan is right in line with their thinking. They all voted to raise taxes and they are the ones promoting the new debt. We can make it work in our favor. The association needs to act fast and snag this asset before the rest of the fixed income people are weeded out from the area. The board signed a bond that shifts 5% interest soon. Once it does that, the tax increase will be steep. It will be added to the pension tax increase, the other big steep increase on the horizon. Knowing this, the board will rush to break ground on a new center before the next two (2) big tax increases. So time is ticking on this. If we can acquire the land now, we could have a training center for the kids up and running. Franklin is unique in the district in that it has so much land. If we let them sell it, it could be made into almost anything, a low income high rise, a hospice care center, tenements like in New York, a AIDS center or even a drug rehab facility could fit on the acreage. Private pensions are also big these days. If any of these happen, we will have lost the opportunity to help the kids.

Does somebody else want to finish this since my time is up?

Mr. Stern – No, go ahead.

We can organize a special meeting of the athletic associations and start the ball rolling. We will have to hurry up and put a bid in for Franklin Elementary School before the board gives it away to someone or something else. We are eager to help the kids of the association. Think big, the kids deserve it. The only other choice is to keep the safe, debt-free Franklin Elementary School open. To do so, the board would have to return the debt they borrowed on behalf without asking us. Since they didn't use it yet, the district would save twenty (20) million in interest if they give it back. We think they are too stubborn to see error in their ways. So, the Christman Training Center plan makes the best of a poor situation. If you are a fixed income family, or struggling to make ends meet, please don't reply. We appreciate your help but you need to focus on your finances. We are hoping that the rich people that can afford to still live here will help us. The teachers, retired administrators, retired railroad workers, rich tree farmers, rich employed tree trimmers, you know, rich people like that. Let me know when the organization plans to meet and address these options. We'd like to help. Dave.

13. David Bradley – Item G. – Franklin Field

- I'm addressing this board as a citizen. Everything he said was accurate. This district is in real debt. It's a problem. But, I did a Right-to-Know at the Franklin Township municipal building and I collected all the data that this board should have published prior to this event at all. Because it's this data that we need as Franklin Township to be able to acquire that field and keep it. There's three (3) ways and also the Pennsylvania, Barb, where's Barb? Barb, awesome job, you read PA School Code, thank you. I appreciate that.

Barbara Bowes – I looked it up.

So, there's a couple ways to transition a field. You guys, I just found out, because I was asking and I couldn't get hold of your President and I understand if you guys think I'm condescending, I am not. I'm a, I am all for sports, these kids, I learned to fly when I was a kid. We played ball when I was a kid, it's great. There's three (3) or four (4) ways to dispose of a property that's not being used. That elementary center is an anchor and it's gonna take four (4) schools out of our communities. Four (4) open spaces, four (4) shelters, four (4) playgrounds. It's wrong. Everybody know I'm against it. But, as far as the Franklin Township goes, the way to transfer this property should not go through the Franklin Township municipality. You can, and these guys know this and I don't know why they won't tell anybody, the Lehigh School District can give it to the Franklin Township Athletic Association for free, directly to them. The only one (1) caveat on that is that it has a reverter on it. A revert clause which means if you stop using it, they're taking it back. Now, rather than that, there is a lot of community support. You look at the cost of that school property, it's about \$55,000. I'm sure there's fifty-five (55) people like myself that will throw in a grand or two (2) and we could buy it. And now here's the advantage of buying it without the revert clause, you have it forever. You're no longer a pauper charity that's been in existence since 1970. We can teach these kids how an investment of time, energy, and effort can be made into a legacy for the group. It's easy to do. The fact that this information was not shared by this board, is why you guys were emotionally pawned into coming all here, all worked up, against someone like myself. It's a shame. I've been demonized, it sucks. The reality is transparency wins, you get the information, they have to give it to us. I've been collecting it since I've been on this board. It's free or it's very inexpensive, pennies on the dollar and there's a legacy. And I also met with, I wanted to meet with the owner of the organization and we weren't able to put that together. The reality is, if you own the field outright, you can use it as collateral. This board, this district, has to give you a mortgage for it at 5% for five (5) years, and you can add extra fields to that process and then you can continue that legacy forward. Because now you have something that is of value. When I started with the glider port back in Bucks County, we only had about eighty (80) acres, by the time we were done, one hundred and forty (140). Couple guys in 1941 came back from the service, needed a field and was afraid borrowing the field would have put them at risk of losing that field later. So they wanted to buy it. They all had to scrape their pennies together coming out of the war and we have paid those dividends back to them and that group and these kids since then. I think you're missing an opportunity if you don't get a private sale. Now hold on one more second, you're not putting it up for auction. The law says you can do it as a private sale, you just need two (2) appraisals. No other bidders. This is a great

opportunity to acquire this land, undeveloped land attached to a school which is worthless in the appraisals, which is awesome because it's valuable to us as the FTAA and you can just buy it. And, no other bidders are allowed to participate. This board decides to sell it only to an individual group and they own it forever and they're not borrowing it.

Mr. Cleaver – I just want to clarify some things that were just said. First of all, this motion came to the agenda as I feel that this is something the FTAA deserves. They have taken ownership, pretty much, and done so much maintenance in that area. I feel that if this is a possibility of going through the township, I did hear someone say there's a good relationship with the township as well, I see a bunch of heads nod, nodding, which is very positive. The other part of it too, in this recommendation, when I sent the information to the board, this includes everything from the bank behind the school, including the fields. So, this includes the soccer field and also the track that is there too. So when this motion, we are looking to include that as part of the subdivision, if possible. Now, not being an engineer myself, there may be something that says we have to move the line a little here, a little there, but to me, with this motion, and that was highlighted in the, that was sent to the board, and was highlighted, it includes everything from what I'll say the bank all the way back, so it's the entire property.

Mr. Stern – Walnut Street.

Mr. Cleaver – So, it's not just the...Walnut Street, excuse me. So it's not just the baseball fields, it does include the soccer, the track because we do know that the soccer field is used as well from other entities, not just the school district, so we feel that that should be included in this as well. So, when this motion on G., it does include all that property as well.

Mr. Bradley – Why do they want to give it to the municipality instead of the FTAA?

Mr. Cleaver – And, again, disruption is still inconsiderate. So, just so I want everyone to also be aware of that and the fact that there was some information that was shared that is inaccurate from emails sent from individuals who current are on the board, I apologize for that lack of information as well. But, I do want to just clarify that this motion, if possible, depending on how the survey would come up, would include all that property moving back. So, thank you very much.

Mr. Bradley – So, why was the motion made to give it to the municipality instead of directly to this 501 (3)(c) charity organization that makes sure that they can control their own destiny? And, the other side of that is why wasn't they taught and told and brought in to have a discussion in reference to what the revert clause means so that they can realize for a very small cash value they can own their own destiny. Why wasn't that done?

Mr. Cleaver – And again, Mr. Bradley, this comes from a request from the township supervisors. Which if you did all your Right-to-Know, you probably have that, a copy of, oh, excuse me, I believe I sent that to the board as part of...

Mr. Bradley – I have it, I got it in my Right-to-Know. My question is, why, once that came to you, why does that drive the decision rather than. Mr. Schwab, what's the difference between giving it to the FTAA directly or the municipality or selling it to them without a revert clause?

Atty. Schwab – Mainly, let's start out, you can't give it to a non-profit as you propose. The law would require us to petition the Court of Common Pleas and we would have to in a private sale show that we can't get a higher offer from any other party. If you're giving it to them, I doubt you're not gonna show that somebody else is coming in and saying, I'll give you 5% more than a dollar. So, what you're saying, under the law, I don't believe would happen. Let's suppose you wanted to. It needs to convince the Court of Common Pleas we can get more for it.

Mr. Bradley – Actually, the two (2) appraisals...

Atty. Schwab – And the court approval.

Mr. Bradley – ...and the court, right. So now you're gonna say that we're gonna take our FTAA organization to a judge and say we want to either buy these fields for fair market value, the reverse by the way of eminent domain when they stole the property from you people, the district takes it as eminent domain, they give you fair market value. This is like a reverse fair market value. We can take it back at this value. There shows already, at \$5,000 an acre inside of an appraisal, we need one other appraisal and then a petition to the judge and the legacy can be that they own the property. If the petition doesn't go through with the court, the board can still give it directly to the FTAA without having the municipality involved. So, you have one less level of government. It's direct to that charity and whereas the revert clause is a huge risk to not only this organization, but all the things that are happening within this district, that revert clause is in danger.

Atty. Schwab – But, it wouldn't happen. If you look at the White Marsh case, a developer could come in and say this is all flat land and go to the judge and say I give 5% more than Franklin Township would allow. So, it's not gonna...

Mr. Bradley – No. You could argue. You're on our team, I hope, Mr. Schwab. You could not. You're telling me you do not have the skills to argue that this FTAA can have that property as a private sale. I mean we got, we sold East Penn in like thirty (30) days at 70 cents on the dollar.

Atty. Schwab – At an auction sale, you can do a lot. And, it was 30 cents, 70 cents, 30 cents on the dollar.

Mr. Bradley – It was 70 cents on the dollar. Now,...

Atty. Schwab – But, regardless...

Mr. Bradley – Why are you arguing with me? You're telling me we can't do this. There's no way that this board can help this FTAA and own this property, make a legacy, use the two (2) bids make it a private sale and go up the flagpole.

Atty. Schwab – Sure and it only takes one (1) private individual, a developer, who says this 20 some acres, or 15 acres of flat land, it's worth to me \$20,000 an acre and buy it right out because they have a higher bid and the court will go with the higher bid. That's the White Marsh case. You know, it sounds good if we can guarantee that the whole world is not gonna bid against them or oppose it. Yes, we have a procedure.

Mr. Bradley – It's a process. It's straight-forward. It's right in school code. Two (2) bidders, what are you arguing over? Give them the land.

Mr. Cleaver – So your recommendation is to put the program at risk and the use of the fields...

Mr. Bradley – Zero (0) risk, Mr. Cleaver, zero (0) risk. Grandstand all you like. Zero (0) risk. You can give it directly to them as part of, since they're a charity. No municipality, no extra government, no other strings attached other than the revert clause. And, you can do a private sale with two (2) appraisals. You walk up to them and you say here's the money and the district will even hold the mortgage and you walk up to the judge and you ask.

Mr. Cleaver – And, again, doing it with the motion on the agenda there's no risk to the kids, thank you.

Mr. Bradley – There is, there's huge risk to the kids. There's a revert clause and you have the...

Mr. Stern – You had your time.

Mr. Bradley – No, no, no. You said there's no risk. He's lying.

Mr. Stern – Now he's a liar?

Mr. Bradley – Yeah.

Mr. Stern – Okay.

Mr. Bradley – You're saying there's no risk to the kids.

Mr. Stern – Mr. Wentz.

Mr. Bradley – Hold on a second. He said there's no risk to the kids. Show me there's no risk to the kids.

Mr. Stern – Mr. Schwab has highlighted.

Mr. Bradley – Are you guaranteeing that Mr. Cleaver?

Mr. Stern – Mr. Schwab has highlighted the risk, sir.

Mr. Bradley – What risk do you have?

Atty. Schwab – The risk is, and I'm just telling you, White Marsh Township, where it's district petition the court...

Mr. Bradley – No, no, I'm talking about the risk of giving it to the municipality has zero risk for these kids.

Atty. Schwab – Well, that's up to the, it shifts it to Franklin Township. If Franklin Township...

Mr. Bradley – But, there's a risk?

Atty. Schwab – If Franklin Township...

Mr. Bradley – But, there's a risk...

Atty. Schwab – ...doesn't use it, it comes back to the district.

Mr. Bradley – There's a risk. There's a huge risk.

Mr. Stern – There's no risk.

Atty. Schwab – Well, in forty (40) years, Franklin Township has not created an issue with these...

Mr. Bradley – I have a PFM paperwork here that shows that you have a loss projecting forward to 2023, 13 million dollars.

Mrs. Spinelli – Excuse me. Can we just take Item G now? I make a motion we vote on Item G and let these poor people...

Mr. Bradley – I think you should postpone Item G until the right information is given out.

Mrs. Spinelli – I know what you think Mr. Bradley.

Mr. Bradley – There's nothing in a rush that doesn't say let's get the information first. Why would you not want to give these kids a chance to have the information. They're being whitewashed.

Mr. Stern – I have a motion on the floor on Item G. Can I have a second please.

Mr. Wentz – Second.

Mr. Bradley – I'll second it.

Mr. Stern – Mr. Wentz makes the second. Roll call vote Mrs. Wagner.

Subdivision/ MOTION by Mrs. Spinelli, SECONDED by Mr. Wentz to transfer Christman Field
Transfer of as inter-municipal transfer to Franklin Township with right of reverter at no cost,
Christman contingent on a subdivision plan acceptable to the school district.
Field

Mr. Cleaver – Anymore discussion on G.?

Mr. Wentz – Could I, I filled a form out...

14. Wayne Wentz – Item G. – Christman Field

- As the old guy here, that's been there thirty-six (36) years, please don't listen to him. He's including himself in FTAA. He wanted to sell that land in the first place. That's why you're all here. So, hey, he can do whatever and say whatever he wants, now he's on your side. No he's not. Here's money and I'm gonna tell you something else. I

want everybody, especially these kids to know. You know why that's Christman Field? Because Ronnie Christman. I played baseball as a kid, midget league, teenager league, high school with Ronnie Christman. He joined the Marines, he fought for our country, he died at the age of 19 in Vietnam. The field was named...don't you ever put a dollar sign on a veteran or kids, and you did. Sorry.

Mr. Bradley – Mr. Wentz, you're gonna have to teach to have wealth...

Mr. Wentz - Don't listen to him.

Mrs. Spinelli – There's a motion and a second on the floor, Mr. President, please call the vote.

Roll Call Vote:

	Yes	No	Absent	Abstention
Mrs. Rita Spinelli, 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
Mr. Stephen Holland, Member	X	☐	☐	☐
Mrs. Gail Maholick, Member	☐	☐	☐	X
Mr. Larry Stern, President	X	☐	☐	☐

Mr. Beltz – I feel we should table this motion. May not be the right time to do it, but I'd like the Franklin Township Athletic Association to at least listen to what Dave is talking about. I would like them to hear him out. I'm gonna have to vote no at this time.

Mr. Bradley – I agree. I think they're being pressured into taking something and the reality is they should review the options prior to making a decision and they weren't given the proper information or the proper time to do it and that's a shame. Especially when someone is on this board. Now, Wayne can complain all he wants, my...

Mrs. Spinelli – The question is, what's your vote Mr. Bradley?

Mr. Bradley – Hold on, hold on.

Mr. Stern – Is it a yes or a no? Discussion time is over.

Mr. Bradley – My kids, my kids played. I sponsored teams, we're helping. Are you voting for me Mr. Stern?

Mr. Stern – Well, we are asking you to vote for yourself, sir. Since your time...

Mr. Bradley – I voted to...

Mr. Stern – Since your time was given prior to calling the roll call vote, this is not time for discussion.

Mr. Bradley – But they weren't given the information, and that's unfair. That's Sunshine Act and you know it. They should have been given the information with proper time prior to the vote.

Mr. Stern – You're continuing on with discussion.

Mr. Bradley – I'll abstain.

Mrs. Maholick – I'd like to see it tabled. What is another month gonna matter?

Mr. Stern – Yes, no or abstain.

Mrs. Maholick – Let's look at all the paperwork. Look at it, what are you afraid of?

Mr. Cleaver – Yes, no or abstention.

Mrs. Maholick – Abstain, I guess.

VOTE: YES - 5 NO - 2 ABSENT - _____ ABSTENTIONS - 2
Motion carried.

Atty. Schwab – Mr. President, in light of this vote, the board, I will raise to have conflict counsel step in. It's already been raised since I represent Franklin Township, I will not represent the district, I will not represent Franklin Township and there will be a cost incurred. Just so the board is aware and I normally we have standby counsel from a neighboring district that comes in.

Mr. Stern – Thank you, Mr. Schwab.

Communications

Mr. Stern – Thank you everyone for attending this evening.

Mr. Cleaver – Thank you very much for your attendance.

1. Superintendent's Report – *Mr. Cleaver*
 - Wanted to encourage individuals to visit the district website and take advantage of all the great spring programs we have going on at each level. The students and staff have spent a lot of time preparing for the programs and that is evident in their performance.
 - In addition, the reconfiguration meetings were held this past week. We had an average of 30-40 individuals at each elementary presentation. The presentation is posted on the district website along with the virtual tour of the elementary center.

- On the agenda we have a motion to approve a contract with Safeway Driving School. I just wanted to bring to the board's attention that that program services about 60-70 students per year.
 - Also on the agenda we are asking for approval to continue service with the Dental Van. Just for a little back up information on the Dental Van, the Healthy Smiles Dental Van/Happy Kids Mobile Van has been in service since February of 2007. For the past eleven (11) years, the team has provided dental care to low income children and adolescents who otherwise would have had to travel out of Carbon County to find a provider. The objectives of this program are to increase the number of low income children and adolescents who receive preventative dental care, reduce the number of children and adolescents who have decay in their primary or permanent teeth and increase the number of medical assistance eligible students to receive an education about good dental hygiene. The Dental Van also fulfills our state mandate requirement for dental exams in grades 1, 3, and 7. This year, we completed a 154 exams in grades 1 and 3 and 75 exams in grade 7.
 - We just received notice today that we are a 2018 NEF Merit Award recipient. This award is from the National Education Foundation and recognizes school districts who excel in promoting and offering STEM related programs throughout the district. I'd like to thank Melissa Volcskai for her continued effort with our STEAM programs and also putting this information together. It is an honor for the Lehigh Area School District to be named a 2018 Merit Award recipient by the National Education Foundation. The STEM+ Academy program has allowed our district to provide STEM experiences through our incentive program. Based on their individual growth in the SuccessMaker programs, students are rewarded with STEM-based prizes such as robots, tablets, engineering kits and STEM-based field trips. Through the help of the National Education Foundation, we have been enabled to expand our STEM initiatives with the goal of helping all students recognize their potential and shoot for the stars. So, again, I'd like to thank our staff and again, Melissa Volcskai, Mr. Tkach for all the efforts they've done with our STEM program. We are again honored to be named the 2018 Merit Award winner.
2. Finance Report - *Mr. Feick*
- I don't really have a report but I want to remind everyone we have a budget meeting tomorrow night at 6:00 p.m. in the administration building in this room.
3. Board President's Report - *Mr. Stern*
- Elementary Happenings - Both Franklin and East Penn Elementary participated in Earth Day celebrations last Friday.
 - The Franklin Elementary Center Science Night is coming up on April 27, from 6:00-8:00 p.m. Family event funded, event run by school staff members and funded by the PTO.
 - The One School, One Book program continues throughout all our elementary schools. Beginning their one book, one school project the event kicked off on April 16th with a school assembly. First chapter of the book *Humphrey* was read and explained the purpose of the project. Even included a visit from *Humphrey* himself. Now there were arguments, there was discussion on what *Humphrey* was, a mouse or a hamster, but it's a hamster, *Humphrey the Hamster*.

- High School Happenings – The Olympic of the Minds team completed at the state competition. Lehighton students won the Wilkes University Engineering Olympics for the first time. So congratulations to that team.
 - Isabel Meckes broke the high school girls' discus record over the last couple weeks with a throw of 119.8.
 - Anything Goes was the class play performed at the high school over the past weekend.
 - FBLA competed at states. Several top ten finishes.
 - Our CCTI students from Lehighton also placed at the USA SKILS competition.
 - Keystone tests will be administered in Literature on May 16th and 17th, Algebra I on May 21st and 22nd, Biology on the 23rd and 24th.
 - There was an Indian Tribe Pride Day for all students at the high school on Friday which included some activities from the National Guard, I believe were there with the rock wall, there was a concert by our local group ADD, which has our students and alumni in it as well.
 - Lastly, I want to piggyback off of what Mr. Cleaver had stated. Ms. Volcskai was able to obtain another \$20,000 project Lead the Way Grant. This will allow us to implement one, possible two, units of STEM at the middle school. It's all STEAM related. So again, congratulations to Ms. Volcskai and the curriculum group for being able to obtain those grants.
4. Lehighton Memorial Library Report – *Mrs. Maholick*
- We did not have a meeting yet.
5. Legislative Policy Committee of PSBA Report – *Mrs. Spinelli*
- I do have a few things I'm going to go over. Anyone can look anything up on PSBA.org. You don't have to be a member to go to the website.
 - First of all, Pennsylvania students outperformed their peers in national reading and math exams according to Pittsburgh Tribune.
 - PSBA is taking applications for nominations for leaders of PSBA.
 - The 2018 State of Education Report is out on the PSBA website.
 - PSBA is taking proposal for PSBA 2109 Legislative platform and I have here and the website has what you need to do should you wish to propose something to PSBA for their Legislative platform.
6. Title I Advisory Committee Report – *Mrs. Bowman*
- The Parent Advisory Council will meet this Wednesday at 6:30 p.m. in the Shull-David Library. All are welcome.
 - We started our One Book, One Program, One Read which is the World According to Humphrey and we know his is a hamster.
 - Interesting, today is World Book Day and the State of Pennsylvania also adopted one book and Mr. and Mrs., our Governor, went out to read and it's the book on Momo who's a flying squirrel.
 - The school district, when we go on to elementary, school-wide for this one book will help promote that unity.
 - Our next Title staff meeting will meet May the 11th at 7:45 a.m. here.
7. CCTI Report – *Mr. Yenser*
- Currently CCTI enrollment is standing at 386 students. Greater than 10% have made perfect attendance through three (3) marking periods.
 - NOCTI, AP and Keystone Exams as well as building student career portfolios to prepare the seniors.

- Annual Senior Awards ceremony will be on May 23rd as well as they're preparing for prom, graduation and all of the end-of-the year activities.
 - SKILS USA competition was last week where six (6) teams had earned a gold medal, two (2) silvers and seven (7) bronze medals at the competition. The winners will move on to the national completion down in Atlanta, Georgia in the coming weeks. So, exciting times up there.
8. CLIU Report – *Mr. Wentz*
- Met last Monday at CLIU 21 headquarters.
 - Discussed was the presentation on how CLIU students are in job placement of which Lehighton as four (4) such students. This program is called Work-Based Learning.
 - The 25th Annual Golf Tournament will be held on Tuesday, June 19th at the Olde Homestead Golf Club in New Tripoli, all proceeds go to the Carbon Lehigh Special Needs Children's Foundation.
 - Lehighton has 86 children being involved at CLIU 21.
 - Next schedule meeting is May 21st at 6:30 p.m.
9. Building/Grounds Report – *Mr. Holland*
- Met on April 10th.
 - You have a full report in your packet tonight.
 - J., K. & P. is on your agenda. It was passed by our committee to go forward on the agenda this evening.
 - Our next meeting is Thursday, May 10th.
10. Academic Affairs Committee Report – *Mr. Stern*
- Held on April 4th at 5:45 p.m.
 - PVAAS roster verification process and again it's an ongoing activity.
 - Homeless – identification and registration of our homeless students.
 - Technology curriculum revisions
 - Title I – school-wide plan that will be coming into effect once our buildings are consolidated.
 - STEAM update.
 - Full details on the meeting can be found on the website.
11. Policy Committee Report – *Mr. Stern*
- Policy will meet next month, May 2nd at 5:45 p.m.
12. Athletic Committee Report – *Mr. Wentz*
- Weather has not cooperated with our spring sports scheduling. We have our baseball and softball teams playing as many as 3 or 4 games a week.
 - A new gate is being installed at the new stadium to allow access in and out for people using the track.
 - We are currently having the gym floors reconditioned.
 - The next meeting is May 9th at 5:45 p.m.
 - The National Interscholastic Athletic Administrators Association is pleased to announce the Kyle Spotts, Director of Students Services and Facilities Planning at Lehighton Area School District has been recognized by this association as a Certified Athletic Administrator. To earn the distinction, Kyle has demonstrated the highest level of knowledge and expertise in the field of interscholastic athletic administration. The voluntary certification process included a thorough evaluation of the candidate's educational background, experience in professional contributions as well as a rigorous comprehensive

written examination. Kyle is one of an elite group of interscholastic athletic administrators nationwide to attain this level of professionalism.

Mr. Stern – Congratulations to Kyle and to us for supporting Kyle thorough that process.

13. Wellness Committee Report – *Mrs. Maholick*
 - The next meeting is May 15th at 2:45 p.m.
 - I did sit in on the meeting and I did learn that the school is doing well with feeding the children and that was very interesting to hear how they're giving them breakfast, they're giving them lunch and sometimes they're giving them bag lunches to take along to sporting events.
 - So, I'm really learning along with this committee and I was really pleased to see that the children are being fed as well as they are.

Approval of Minutes

MOTION by Mr. Wentz, SECONDED by Mr. Yenser to approve the Minutes of the March 26, 2018, regular meeting.

Mr. Bradley – Can we have discussion, please?

Mr. Stern – Yes, it's time for discussion, sir.

Mr. Bradley – Okay, thank you. I just didn't want to you rush off on a vote. I'm looking at the 84 pages that Melissa transcribed from the tape. Am I correct?

Mrs. Wagner – Yes.

Mr. Bradley – Wonderful job by the way. I found a couple discrepancies. I think we're in haste. She had mentioned that she spent 20 hours doing this one. Is that right? Which is an extraordinary cost and your taking this from an audio tape is that correct?

Mrs. Wagner – SD card.

Mr. Bradley – An SD card, an audio tape from the SD card. But, there's an audio, there's a file. What do you do with the file when you're done transcribing it?

Mr. Cleaver – Once the, in our policy, you'll see that once they're recorded and approved, then it's eliminated.

Mr. Bradley – Correct. Why are we eliminating that file? Why are you deleting it? Don't have enough space on the hard drive; what are we doing?

Mr. Cleaver – Because then the notes become the official report of the meeting.

Mr. Bradley – Correct. So, I believe from, instead of over 20 hours of transcribing things, we keep the audio tape so we have our records. Because that's what we're looking for and you doing these things in haste. How many of you read the 80, read and checked? I mean, Melissa's human, a

mistake could be made. How may read the 84 pages of minutes and checked against their memory or their videotape or their version of that?

Two members said yes.

Mr. Bradley – Awesome, that's two (2). Did you find any discrepancies?

Mrs. Spinelli – Not according to my memory, no.

Mr. Bradley – Excellent, right. The benefit of having that audiotape would have helped if there was a discrepancy to decide what it was. Is that correct?

Atty. Schwab – No.

Mr. Bradley – Why's that?

Atty. Schwab – Because once you adopt your official minutes, even if the audiotape is different, the case law is the minutes' control.

Mr. Bradley – Is that why we're transcribing all these?

Atty. Schwab – I can't speak for the recording secretary. I can just tell you if you have an audiotape and you've adopted the minutes, even if there's a mistake or discrepancy, the minutes' control under the law.

Mr. Bradley – So, we're doing this to make sure that these become official and whatever happened in the meeting is on longer the official record. Is that correct?

Atty. Schwab – What happens in the minutes is your representation of the board of what took place. If there is an error, you should be correcting it at the time.

Ms. Beers – Bill, couldn't we still keep it as part of the record?

Atty. Schwab – You can always keep it, but it's not the official record if there's a discrepancy the courts go to the minutes and say.

Ms. Beers – Sure, that fine. I think there's value to keeping the file.

Atty. Schwab – But that's your policy isn't that right now.

Mr. Cleaver – We can put it on the agenda for policy in May to discuss.

Mr. Bradley – Did you erase this one yet?

Mrs. Wagner – I don't erase it until I know it's approved.

Mr. Bradley – Get it approved, right? So, I agree with that. Let's not lose that or let's not lose that data, let's make sure it's not deleted until we actually get a chance to do the policy. Could we agree on that as a group?

Mr. Cleaver – You mean these minutes that we have right here.

Mr. Bradley – This recording that she just transcribed. Can we keep that one so that you don't; until we get a chance to do it with the policy and go through all your procedures.

Mr. Cleaver – Right, but if the policy's not recommended to move forward if we can recommend to stay with the same policy, then we would have to have something to fall back on so then they would be destroyed and follow policy.

Mr. Bradley – Right. So, before we take this vote can I make a motion. I make a motion that we do not destroy the audio...

Atty. Schwab – There's a motion on the floor.

Mr. Bradley – I'm sorry, Mr. Schwab were you gonna help...

Mr. Stern – We have a motion on the floor.

Mr. Bradley – I know and I'm adding to that so, point of order, prior to my ability to vote on this motion, I'd like to make a motion to save that audio file that Melissa used to transcribe these minutes so that we can move forward with approving them because otherwise we're gonna lose that record.

Mr. Stern – Very simply would just say and retain the copy.

Mr. Bradley – Retain a copy of the audio file that is used.

Mr. Stern – Retain a copy, the original recording.

Mr. Bradley – Correct.

Atty. Schwab – That's an amendment to your motion, it's not a new motion.

Mr. Bradley – Whatever. Works for me. I want to amend this motion that we retain the copy, the audio copy, from which these minutes were transcribed.

Mrs. Spinelli – Now, Mr. Bradley, before we do those on these minutes, you said there were discrepancies. Before we vote on them, you want to point them out?

Mr. Bradley – I can, but I didn't want to waste everybody's time. I'll just pick one or two, does that work?

Mrs. Spinelli – Once we approve them and they become official, then they're official. If there's something that's wrong, tell us that now before...

Mr. Bradley – Correct. It's minor. She did a great job. It's wonderful. I saw two hands raised that they read them.

Mrs. Spinelli – Yeah.

Mr. Bradley – Right? And therefore, it would not be responsible of them to vote on something they didn't get the chance to read and review. This was handed to us on Thursday, I think out of respect to the rest of the board members if we keep the audio file, we can always correct it in the future as well.

Mr. Stern – No you can't because this is the correct one. Once the minutes are approved, that is the record.

Mr. Bradley – I completely agree with that.

Mr. Feick – I'm on the board secretaries' forum for the state, once they are approved, they become official record and they stay that record. There's no going back and retention is for life.

Mr. Bradley – What happens if you don't approve these minutes? Just postpone until next month, what happens?

Mr. Feick – You have to be corrected until you finally approve them.

Mr. Bradley – Right. We can do that next month if we want.

Mr. Stern – Or we can approve them this month.

Mr. Bradley – We postpone the approval of these minutes...

Mr. Stern – I have two (2) motions on the floor.

Mr. Bradley – You tell me how you'd like to handle it.

Mr. Stern – I'll handle it cause there's two (2); there's a motion and a second on the floor. If anybody doesn't want to remove them, then we have to vote on the minutes. Andy?

Mr. Yenser – From what I read, as I read the minutes, they're accurate to my recollection.

Mrs. Spinelli – Same thing with me. If there is a discrepancy, somebody needs to tell me cause they are what I remember, all 84 pages.

Mr. Bradley – I'll just use one of them because I think it's relevant. On page 59, it says there has been prior motions to have two (2) appraisals done which would indicate we should go to a private sale under the school code. That was a statement made by Mr. Schwab in reference to Franklin Township's property. Are we gonna review that tape to make sure that's what was actually said? And do we really have two (2) appraisals for that thing so we can go directly to a private sale. Because that way there's nobody gonna step in take it from someone else.

Atty. Schwab – Well, that doesn't guarantee somebody coming in with a private sale, Mr. Bradley. The district always has to take the highest.

Mr. Bradley – But the district decides who they want to sell to and there's a value to selling it to an athletic association or someone else.

Atty. Schwab – Mr. Bradley...

Mr. Bradley – So, the question is on the floor is, did you say this?

Atty. Schwab – What I said is there was a proposal for both on, I believe that's accurate. That I believe, Rusty said that we should have two (2) appraisals, well that was a proposal on the floor. I don't believe there's been a motion and your changing it from their proposal to have two (2) appraisals to a motion. I don't know that the motion was ever made. I know there was discussion.

Mr. Bradley – You said, your words were, according to Melissa's transcription. There has been prior motions to have two (2) appraisals done which would indicate we should go to a private sale under the school code.

Atty. Schwab – Well, if you have two (2) appraisals and that's the proposal.

Mr. Bradley – But that you said it was a prior motion. You said...

Mr. Feick – Under Director's Concerns in February.

Atty. Schwab – February.

Mr. Bradley – Okay, so there was prior motions to have two (2) appraisals; so were they done?

Atty. Schwab – I wasn't here in February, if you recall.

Mr. Stern – We already approved the February minutes, as well.

Mr. Bradley – I understand. One of the reasons I want to keep those tapes. Okay, another one that I'd like to just clarify because I think is apropos. Page 77 and this is just the other one. I got most of it checked and you'll have fun because you're picking on me for this one and I'll like it. It says, page 77 says, audience member inaudible and my memory and my recollection that inaudible gentleman mentioned that I catch more flies with honey.

Mrs. Wagner – That was up further but then whatever he repeated after that I didn't catch.

Mr. Bradley – Yes, and I said, sir I appreciate that, be patient or I'm using honey. And you here you just switched it as I appreciate that, be patient, honey as a condescending female term and I want to make sure that is not.

Mrs. Wagner – It's not.

Mr. Bradley – I agree with that but it doesn't have the reference so therefore taken out of context without the context of the tape would be difficult at best. That's what we're trying to; that same issue and attitude across this minutes is why I would like the tapes retained, please.

Mrs. Spinelli – I do remember that honey comment and we all looked at each other because we thought why are you calling Mr. Cleaver honey.

Mr. Bradley – It's a function of using. You're the gentleman (audience member) that did it, right? It's out of context. We're not calling him honey. We're saying that we're using honey because Mr. Cleaver thought.

Mrs. Spinelli – But you didn't say we're using honey. You said that prior to that.

Mr. Bradley – Correct.

Mrs. Spinelli – Towards the end, you said honey.

Mr. Bradley – My point is that the written transcriptions are a little bit off because not everybody hears everything and even Melissa mentions that it's hard to hear so we should pull them up and check because I think there are mistakes. The reality was this was a discussion based upon the resource officer and to use honey to get you to convince that the fact that we don't want surveillance of our children we want security for our children.

Mr. Stern – Now we're off topic. There a vote. There's a motion and a second, no rescinds. Do we need a roll call vote?

Mr. Bradley – Read the motion. What do we have?

Mr. Stern – The motion is the original motion.

Mr. Bradley – I thought that we added that we were going to retain the...

Mr. Stern – No, we didn't. We didn't get that approved. Because we'd have to pull the second off and nobody wants to pull the second off to amend the motion.

Ms. Beers – I'll second it.

Mr. Stern – No.

Atty. Schwab – You can't amend it.

Mr. Stern – You have to have them remove their first and second.

Mr. Bradley – Who made the first and who made the second?

Mr. Stern – Mr. Wentz and Mr. Yenser.

Mr. Yenser – I seconded the motion and the minutes are as I recall.

Mr. Bradley – And I'm asking you to amend your motion to add that we retain the audio file where you can see that and retain the audio file so that this motion call go forward and we call all vote on it.

Mr. Yenser – These are gonna be the minutes regardless of what happens with an audio file, correct?

Mr. Stern – Right.

Mr. Bradley – So my question is will you amend your thing to save the audio file or do you want that audio file destroyed.

Mr. Yenser – Right now, let's follow policy. I have no reason to go against policy.

Mr. Bradley – So you want that audio file destroyed? There's no reason to save it?

Mr. Yenser – I'd like to follow policy.

Mr. Bradley – I follow that.

Mr. Yenser – We always follow the rules, correct? You asked us to follow the rules constantly.

Mr. Bradley – Capriciously.

Mr. Yenser – Well, when it works for you.

Mr. Bradley – Exactly, when it works for people. So, now why are we trying to destroy this record and file?

Mr. Yenser – Call to question.

Mr. Stern – Call a roll call vote please, Ms. Wagner. Thank you.

Mrs. Wagner – For the minutes the way they're written?

Mr. Stern – The way they've been transcribed.

Roll Call Vote:

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Abstention</u>
Mr. Andrew Yenser, Treasurer	X	☐	☐	☐
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	☐	☐
Mrs. Rita Spinelli, Member	X	☐	☐	☐
Mr. Wayne Wentz, Vice President	X	☐	☐	☐
Mr. Larry Stern, President	X	☐	☐	☐

Mr. Bradley – Voting in haste, I say no.

VOTE: YES - 5 NO - 3 ABSENT - _____ ABSTENTIONS - 1
Motion carried.

Financial Matter

Activities Fund MOTION by Mrs. Spinelli, SECONDED by Mr. Bradley to approve the Lehigh Area High School and Lehigh Area Middle School Activities Fund for March 2018.

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

Motion carried.

Payment of Bills MOTION by Mr. Wentz, SECONDED by ~~Mr. Bradley~~ Mr. Holland to approve the Payment of Bills:

General Fund	\$ 846,185.85
--Benefits	\$ 439,502.72
--Payroll (March)	\$ 2,109,216.97
--Debit Card	\$ 56.01
Capital Projects	\$ 2,349,022.05
Food Service Fund	\$ 59,213.13
	<u>\$ 5,803,196.73</u>

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

Mr. Bradley – The paperwork that was given to us was just this blue form, is that correct? Nobody else got anything other than this, Mr. Feick?

Mr. Feick – No other than the construction account.

Mr. Bradley – Correct. And, all the bills on this and the backups were made available to the board. I came in on Friday to review it. Can we amend this motion to add that backup and give it to the board so they can have it for review?

Atty. Schwab – That's subject to redaction. I won't say there'll be many, but anything that has to do with a student with a student name.

Mr. Bradley – Which we reviewed, which him and I reviewed and we found out that it was minor at best, correct. We reviewed it and we already have it redacted and it's ready to go. So, can we add to this motion that those files will be sent to the board members for their more diligent review under Section 6 of the School Code so they can review those.

Mrs. Spinelli – Which part of Section 6 are you referring to?

Mr. Bradley – The part that makes it's the responsibility of board members for the disposition of taxpayers funds.

Mrs. Spinelli – And what exact section is that. Because I read the entire thing. Is it 601, 604, 610? I saw what Mr. Schwab said that that particular part is only if we use funds for non-educational purpose, in other words purposes outside of the Act. The Act covered everything that we can pay

bills for. So, we are not personally responsible. We are only personally responsible if we use money that is not allowed in the Act.

Mr. Bradley – Okay, so do have any personal responsibility to them to review it?

Mrs. Spinelli – Oh sure and I can look at them. But you keep telling me the school code says that. It does not say that and if it does, please give me 604, 610, 630 whichever it is because I read the whole entire thing. It's not there.

Mr. Bradley – I will get it for you. I will get it for you with the case law that I found.

Mrs. Spinelli – Thank you.

Mr. Bradley – If that helps you. But, at the same time, your arguing did not have this information or you want this information. I missed the point there. Do you want all the bills, prior to approving them for payment?

Mrs. Spinelli – I can look at them when I want.

Mr. Bradley – I know but do you have them to look at them?

Mrs. Spinelli – I had them on my...No, I didn't have them.

Mr. Bradley – You don't have them yet. You've got this thing. Yeah, this is not the bills, this is just a summary.

Mrs. Spinelli – What on that summary can I say did or did not happen, was or was not received. When you and I can't take this anymore, we get to walk away. These people don't. This is their job. If they tell me they got ten (10) textbooks, that's fine with me. I trust them more than I trust someone who has no skin in the game. You keep telling me, you have all this responsibility to the people, but you can walk away at any time, so can I, these people can't.

Mr. Bradley – Rita, I respect that idea but the reality is I have look at myself in the mirror at the end of the day, so, you don't walk away. I did pull up the documents and I pulled up the bills and it's more than just saying did someone go fill up their gas tank and then, yes, they filled up a gas tank and then therefore pay the bill. There's also responsibility that we have, as a board, to find out was that gas tank filled up for school benefit and that's the duty of Mr. Feick, and we're not micromanaging it, but we're providing that oversight through reviewing of the bills to ask questions like why did you buy \$100,000 worth of stuff? Was it needed? Where's the backup? Where's the verification? Was there a quote? For instance, I saw that we bought recently, as an example as to why you want to look at it. So the question is, the argument I'm trying to make is that you should look at why.

Mr. Stern – If you look at why and it was purchased already and we agreed that it should have been purchased, how are you gonna not pay the bill, Mr. Bradley?

Mr. Bradley – You're gonna...

Mr. Stern – How are you not gonna pay the bill? No, can you honestly say if you agreed to purchase something and then you have it delivered, can you not pay the bill?

Mr. Bradley – Okay, so you're asking if I bought something and we didn't need it, can I return it? That's the question? Cause you can. So you can decide that bills not approved, they didn't get authorized to do it, and therefore you should return it, correct?

Mrs. Spinelli – How do you know it wasn't authorized?

Mr. Bradley – By looking at the bills and that's our job.

Mr. Stern – I don't think that's our job.

Mrs. Spinelli – But, so, how do you know it wasn't authorized? If I look at the bill...

Mr. Bradley – Because when he sends you the backup, if you've reviewed the bills, it has the request, it has the purchase order on most of them, some of them.

Mrs. Spinelli – Right.

Mr. Bradley – They'll have a request, a purchase order, a receipt, and then an invoice that goes with it and then from there a check is cut.

Mr. Feick – Correct.

Mr. Bradley – So, on the ones that do not have that, we have the opportunity, for the benefit of those people, to question these people that we're providing oversight for to ask them, what about this one and why? At which point, not only does the question get asked that you still might end up paying the bill, counted as a mistake, right an employee mistake, life goes on, you don't hang somebody over it. But, the reality is, it's a different choice and you can learn from those choices by reviewing that data. That's what business management does. That's what I'm suggesting we do under Section 6, meeting our responsibility.

Mr. Stern – I have a motion and a second on the floor.

Mr. Bradley – I withdrew my motion until we got an addendum to say that to approve the payment of bills provided that Mr. Feick sends the board the backups of all the invoices that are under this \$5,803,196 expenditure.

Atty. Schwab – Not every invoice.

Mr. Bradley – Minus redaction of those couple that he has. I think there's a dozen. It's really a small amount. It's the bus run and it's a couple that we had.

Mr. Feick – Charter schools.

Mr. Bradley – Yeah, charter schools. It's minor, hardly any and he can do the redaction without you and we reviewed that and we don't need the solicitor to get involved in that type of redaction.

Mr. Cleaver – So, you're asking to put that responsibility of something being accidentally not redacted and something being out there publically displayed will now fall on our business manager.

Mr. Bradley – Correct. He does his job, he does it for us, he does it for you. Yes, he should be able to do that job. So should the Right-to-Know Officer when we file Right-to-Know.

Mr. Cleaver – So, you're requesting that the responsibility of that and the legality of that...

Mr. Bradley – Falls upon the district, yes. Which is what we're here for, the district.

Mr. Yenser – So, there's obviously a thing you found in the bills which you don't agree with, you don't like. What do we have, what do we got?

Mr. Bradley – Well, there's a bunch of them. There's 4,000 bills here. But, you want a couple of them? Okay, here's one. We bought 10 Amazon Fire, like these things, ten (10) tablets on a credit card for a grand total of \$971 on December 21st, four (4) days before Christmas, so I'm assuming they were bought for a purpose. Mr. Feick and I discussed this particular invoice, we found out that they were a gift to children in the district, right, am I correct?

Mr. Feick – They were a reward.

Mr. Bradley – Rewards, they were rewards.

Mr. Feick – Reimbursed by NEF.

Mr. Bradley – A reward for the district. I also saw that the district bought sixty (60) of a very similar item almost identical for \$2,940 each, for a grand total of \$17,640. So, to review that, I wanted to question it, we didn't have the time, we go it on Thursday. But, apparently we bought \$17,000 worth of these things, these little iPad things.

Mrs. Spinelli – What were those things?

Mr. Bradley – They're called iPads, right, just like the Amazon Fire.

Mr. Stern – No, it's not.

Mr. Bradley – What's the difference?

Mrs. Spinelli – Not at all.

Mr. Stern – What's the difference? There's a significant upgrade on them.

Mr. Bradley – Seriously? For the children that we're buying the \$17,000 for, what are the difference on these items? That there \$2,940?

Mr. Stern – You want to request that information from the I.T. department, please do so.

Mr. Bradley – Yes, that’s what I’m aiming for. But, you can’t do that without having the bill; without reviewing it and that’s our job. And, yes, I’d also like to make the suggestion, since we’re having this discussion, that these items be tagged with asset riders so that we can make sure that they’re staying within the district confines. Are they all tagged, Mr. Feick?

Mr. Feick – No. Over \$500 they are, under \$500 they aren’t.

Mr. Bradley – They might not, right, thank you. Again, just all I want to do, without going through everyone.

Mr. Stern – I don’t want to spend the money to make the copies and I don’t want to put the district at risk.

Atty. Schwab – Mr. Bradley has withdrawn his second.

Mr. Stern – Right.

Atty. Schwab – There has not been a second to his request.

Mr. Bradley – I pulled my first request, making a new motion, right?

Atty. Schwab – You’ve made an amendment, but there has not been a second to your amendment.

Mr. Stern – Actually, if we’re going to amend it, doesn’t it have to go all the way? Mrs. Spinelli would have to remove her first.

Mr. Cleaver – Wayne

Mr. Stern – Wayne

Atty. Schwab – Yes, Wayne should as well.

Mrs. Maholick – I’ll second it.

Mr. Stern – No, he’s not removing it. So, you’re seconding it as written, Ms. Maholick,

Mrs. Maholick – No, as amended.

Mr. Stern – We didn’t amend it yet. Mr. Wentz would have to remove his first and he’s not going to remove his first to amend it. So either I’m opening for a second on the original motion or the removal of Mr. Wentz’s first.

Mr. Holland – I’ll second Mr. Wentz’s first.

Mr. Stern – Would you like a roll call vote, Mr. Bradley?

VOTE: YES - 6 NO - 3 (J.B., D.B., G.M.) ABSENT - _____ ABSTENTIONS - _____
Motion carried.

Construction Accounts MOTION by Mr. Holland, SECONDED by Mr. Wentz by to approve payment on the following projects from the corresponding construction accounts for a total of \$2,281,625.78.

1. Elementary Center

CDW Government- Inv. MGL5171, MGS6442 & MBT8206	\$ 15,269.58
EI Associates - Inv. #14005, 14006 & 14007	\$ 32,403.92
Integra One- Inv. #178955	\$ 23,484.00
Jay R. Reynolds – App. #13	\$ 49,503.31
JBM Mechanical- App. #11	\$ 255,538.11
Lehighon Water Authority- Inv. #30	\$ 118.34
Lobar, Inc.- App. #17	\$ 1,589,181.62
Phillips Brothers – App. #14	\$ 316,126.90
	<u>\$ 2,281,625.78</u>

Mr. Bradley - I was told that Mr. Yenser is the board's treasurer, so he signs the checks for these, is that correct Mr. Yenser.

Mr. Yenser - Sure.

Mr. Bradley - And, Mr. Feick mentioned that there's a process for the treasurer's approval. Can you describe your process that you go through for these bills?

Mr. Yenser - Again, I review the bills as presented to us, when the motions get approved here, I make sure that the amounts match up to the checks that I'm signing that was approved.

Mr. Bradley - And, the authorization of, other than the rubber stamp of the amount that matched the check, do you do any other analysis or any other review if there's two (2) of the same thing, do you pull out redundancies, any of that sort of thing?

Mr. Yenser - At the point when I'm signing, they're already approved. Making sure the numbers match the checks that I'm signing. You can stand over my shoulder and watch me sign checks.

Mr. Bradley - So you're just signing the check as the treasurer, but there's no process you have for reviewing these bills other than that the check and the bill match.

Mr. Yenser - No. Again, I review again what is presented to us, in our packets, as presented. Imagine a similar process for the board.

Mrs. Spinelli - If you have something you need to question, you can question it. But, once we approve them, then the treasurer, and I know because I was the treasurer, then you sign it. But you have no choice if it's been approved but to sign it because the treasurer has to disperse the funds and if the bills are approved by the board, the bills are approved. Beforehand, the treasurer can go over them and I do look at them but I know what a lot of these are, I've seen them.

Mr. Bradley - So, this district is running at a deficit for the next ten (10) years or close to it.

Mrs. Spinelli - That's what you say.

Mr. Bradley – Well that's what PFM says through the district information. So, if you don't have any input on these bills, including, now is this part of the, no that's different. Including what they spent it on before they spent it and you have no input during that process and you only have an input at the end of that process, which is a signed check, as long as the numbers matched; where's your input to save money for this district?

Mr. Cleaver – Mr. Bradley, you keep bringing up this deficit and everything else as were moving forward it seems to be your topic of discussion.

Mr. Bradley – Let's (*inaudible*) to this question first, please.

Mr. Cleaver – You brought up the deficit. A quick, just a quick one (1) minute explanation of what you're so calling this great deficit. This current school year, we are projecting to spend, and Mr. Feick, I'll lead to you because I know you've been working on it for a while, 1.8 million dollars in fund balance.

Mr. Feick – Yeah, I think it's 1.86 million.

Mr. Cleaver – 1.86 million dollars. Tomorrow, you'll be presented a budget that is recommending that we use \$350,000...

Mr. Feick – \$349,000 almost 350.

Mr. Cleaver – So, and that includes all raises and everything else, so you keep bringing up this budget. If that was the case, then we would continue to be moving in a direction where we would continue to move down this fund balance and I don't think you need to be a mathematician that 1.8 million dollars versus \$350,000 is a much less amount that would've been used. You don't have to respond.

Mr. Bradley – So, you're telling me this report, that I was given in a finance committee, that's from PFM, that says in 2018 you spent 40,000,999 million but you on took in \$39,000,132, so we spent, as a board, as a district, 1.8 million dollars more than we took in, correct?

Mr. Cleaver – Projected.

Mr. Bradley – No, no, this is budget.

Mr. Cleaver – I'm talking about the school year.

Mr. Bradley – Actual. So, then last year, let's use last year as an actual. So last year you took in 40.5 million and you spent 41.5 million.

Mr. Cleaver – Again, Mr. Bradley, those are projections. What I'm talking about...

Mr. Bradley – No, this is actual numbers for 2017.

Mr. Cleaver – is looking at, well moving forward with the deficit, the reality is projected 1.8 million today using for the fund balance, next year we're looking at estimating around \$350,000.

Mr. Bradley – Yeah, but you're still at a loss, you're spending more than you take in, Mr. Cleaver, for the next, till 2023.

Mr. Cleaver – At a much lesser amount.

Mr. Bradley – 2023 is 1.2 million dollars more than you take in. It's still negative. You can't have, you can't spend money you don't have, correct? So, where's the money come from. Your saying it's coming from the over-taxation of prior years, which is fine. You're gonna run out of that money at some point.

Mr. Stern – I don't think we're gonna get to where you want to...

Mr. Bradley – Did you have a copy of this?

Mr. Stern – I've see that. Yes, and you know what that is? The worst case projection.

Mr. Bradley – No, it's not. It's exactly what your budget is.

Mr. Stern – If you look at anything from PFM, that is the worst case that our district could do over the next 5-10 years. That's the worst case. That does not count in what we have done and what we're seeing in the next year's budget by only using \$300,000 or \$350,000 of the deficit out of the budget, should we say out of the bank account, we're using 350 versus the 1.8 here because we're realizing the savings of consolidation. Those are projections, those aren't real numbers.

Mr. Bradley – They are real. Look at 2016. In 2016...

Mr. Stern – Now you're talking about the budget, let's talk about the bills. We're off topic.

Mr. Bradley – No you're not.

Mr. Stern – We're off topic.

Mr. Bradley – You have an actual amount here that you spent 44 million and you took total revenue...

Mr. Stern – I have first and a second on the floor. Can I have a roll call vote, please?

Mr. Bradley – You're minus 6 million dollars of the actual, not a projection.

Mr. Stern – Roll call vote, please Mrs. Wagner.

Mr. Bradley – I withdraw my second.

Mr. Stern – Your seconds not on this one. You're on the previous motion, sir.

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	☐	☐	☐
Mrs. Rita Spinelli, Member	X	☐	☐	☐
Mr. Wayne Wentz, Vice President	X	☐	☐	☐
Mr. Andrew Yenser, Treasurer	X	☐	☐	☐
Mr. Larry Stern, President	X	☐	☐	☐

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

Treasurer's Reports MOTION by Mrs. Spinelli, SECONDED by Mr. Holland 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 - I still believe this is done in haste, you don't have the information and obviously your having trouble reading this yourself.

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

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

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

Occ. Tax. Assess. MOTION by Mr. Yenser, SECONDED by Ms. Beers to accept the Occupational Tax Assessment Changes as per the attached list.

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

Safeway Driving MOTION by Mr. Wentz, SECONDED by Mrs. Maholick to approve a 2-year contract with Safeway Driving School, July 1, 2018, through June 30, 2020.

Mrs. Maholick – I have a question, I’m new to this so I’m just asking. Do our kids have to pay anything towards the cost of this driving?

Mr. Stern – Yes.

Mrs. Maholick – Do you have any idea how much it is?

Mr. Stern – I don’t.

Audience Member - \$350

Mike Lusch – Approximately \$360.

Mr. Stern - \$360 per individual.

Mrs. Maholick – Okay. I know I was talking to someone today that came to my house to do some work and he said his school district it’s \$560, so I was kind of curious what we pay. So, our kids are getting a bargain.

Mike Lusch – It’s a private company.

Mrs. Maholick – They have something similar at their school too, the same way. So, I think that’s a bargain and I think all the kids should do it.

Mr. Stern – Okay, thank you. Any further discussion?

Mr. Stern called for a vote.

Mr. Bradley – Hold on one second. So, I’m looking at the contract, where does it say the \$350?

Mr. Cleaver – It’s a private company, that’s what they charge.

Mr. Bradley – I know, but I’m looking at it and it says compensation, district shall by \$1 per year to the company to make these services available to the student. Student should desire to use the company service the actual cost of said service shall be directly billed to the students without the right of reimbursement by the district. Company shall be solely liable to collect the fees or

expenses directly from the student. So what is the district's answer for what this cost? Do we know?

Mr. Stern – Well, we know when we had it previously, in-house, the system was bleeding money to approximately \$25,000 a year due to the maintenance of the vehicle, the vehicle and the instruction that was provided to the students.

Mr. Bradley – And, that was a free service we provided to the students?

Mr. Stern – Well, it wasn't free because the taxpayers were paying for it.

Mr. Bradley – I agree, but I mean the student didn't pay.

Mr. Yenser – I believe students did pay a fee for the class.

Mr. Bradley – Did they pay for it then when we did it?

Mr. Yenser – Yes.

Mr. Bradley – Okay. So, if we're gonna approve a contract, shouldn't we know actual numbers so we don't find out later it's a 500 thing?

Mr. Stern – It's between the student and the company. We're just authorizing them to be the representative.

Mr. Cleaver – It's up to the students and parents. The students and parents aren't required to do it.

Mr. Bradley – They're not required to do it but, Gail asked a question. She said is the \$500 somewhere else and some spurted out \$350. Does anybody know what the real number is or are we just make it up?

Mr. Stern – Mr. Lusch told us.

Mr. Bradley – Say it again?

Mike Lusch – At one time I worked for the company that's why I know the number.

Mr. Bradley – Okay, but does anyone on this side of the table know the number?

Mr. Cleaver – No.

Mr. Bradley – We need to care for the kids. Only because she's using a number and nobody knows what it is.

Ms. Beers – I have another question. If it's between the company and the students, why is the school involved at all.

Mrs. Maholick – David, they told me it was \$360, so.

Mike Lusch – I can tell you why the district has an agreement with the company. Because, in order for the company to provide the on-the-road driving test, they have to be affiliated with a school district. They provide the services to area school districts. But only the school districts they are affiliated with they can provide the final on-the-road driving test.

Mr. Cleaver – This is through PDE and PDE requires them to have an affiliation agreement.

Mrs. Maholick – Do they give the driving test also?

Mr. Stern – Yes.

Mr. Bradley – But, it's a monopoly that we're authorizing.

Mr. Stern – No, they're free to go to any other company if they want to, David. There's other companies that provide this service.

Mr. Bradley – But can we have more than one company that can provide the service or are you only allowed to have one?

Mr. Cleaver – You could have a contract with more than one of them.

Mr. Bradley – Correct and they just pay the same dollar. Okay, so you can have a competitive.

Mr. Cleaver – That would have to be up to the board.

Mr. Bradley – Correct.

Mr. Stern – As long as they have their certifications, their child abuse and all those types of things that come along with being an instructor.

Mr. Bradley – But, any other driving company can have the same agreement?

Mr. Stern – Motion and a second on the floor.

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

Mobile Dental Van MOTION by Mr. Holland, SECONDED by Mr. Beltz to approve the Memorandum of Understanding (MOU) between St. Luke's Health Network, Inc., and Lehigh Area School District for the Mobile Dental Van for the 2018-2019 school year.

Mr. Stern – Thank you for the background information, Mr. Cleaver.

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

Feasibility For Tennis Courts MOTION by Mr. Holland, SECONDED by Mr. Wentz to approve Carbon Engineering, Inc., for the completion of a feasibility study for the options and construction of tennis courts on school district property at a cost of **\$3,200.00** from the Building & Grounds Budget, as recommended by the Building & Grounds Committee.

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

Ventrac Municipality MOTION by Mr. Holland, SECONDED by Mr. Wentz to approve the purchase of a Ventrac Municipality with all attachments from Lawn and Golf Supply Co., Inc., in the amount of **\$45,933.04** from the Capital Reserve Budget, as recommended by the Building & Grounds Committee.

Ms. Beers – I have a couple of comments, since I was in the subcommittee. I asked some questions about what equipment we already owned and what was the age of this equipment. I think this new thing they want to buy sounds very interesting but they don't have a running list of the equipment they own and when it's being replaced. And, I did some research looking back through the old meeting minutes and it looks to me, a mower/snow blower was bought in 2014 for \$25,500 and in 2015, a zero-turn mower was bought for \$8,600. So, I would move for tabling this motion until we can do some study into what equipment is owned and what's the thought process behind replacing and getting new equipment.

Mr. Bradley – On the same notes, I noticed that this is a \$45,000 purchase and the board was only given one (1) option. Was the buildings and grounds committee done multiple bids on different equipment and reviewed that or did just Joe do that?

Mr. Cleaver – This type of equipment is off the state purchasing contract, state purchasing list.

Mr. Bradley – So, you don't have to bid it. You get to go shopping on this list? What a great opportunity, Rita, for us to, as a board, to review prior to it become an automatic that everybody has to rubber stamp. You're purchasing something without a review of bid or proposals and with only one (1) quote because it's off this contract and it's three (3) times as much as some mowers and twice as much as others.

Mr. Cleaver – What we could do is we could give you a full report of how the KPN and Co-Stars program works. We can get that together so you can see how the equipment that is on it has already been bid by the state and so that's how that.

Mr. Bradley – I respect that, but we also have, I saw a contract we did for 300 bucks and they mow the grass for you. So, the return on the investment, which is what I was looking at, isn't part of this paperwork, at all. So, you're buying something to save money, you're buying something to replace something that was broken, you're buying something for a reason? There should be a cost justification for it. It's not presented to the board.

Mr. Stern – Mr. Holland, do you want to explain what the piece of equipment is?

Mr. Holland – I'll give it my best...

Mr. Bradley – We know what it is, we have it right here. The whole detail...

Mr. Stern – Letting you know it's more than a grass cutter.

Mr. Bradley – I know that, we have it all here.

Mr. Stern – You just stated it was a grass cutter.

Mr. Bradley – We know what it is.

Mr. Stern – You stated it to inflame everybody.

Mr. Bradley – No, I said a grass cutter...

Mr. Stern – No you didn't, you didn't correct yourself. You stated it to inflame.

Mr. Bradley – Fine, let me help you out.

Mr. Stern – You don't have to help me, sir.

Mr. Bradley – Zero-turn for \$8,000.

Mr. Stern – I'm capable of helping myself.

Mr. Bradley – Okay, we read this, we get it, it's a piece of equipment. The question we are asking is, was it bid, and not as a function of buying this one, was it bid to other items that can be used to return that investment back to the district?

Mr. Stern – It came through the committee. The committee evaluated the products that were out there to support the needs of the district.

Mr. Bradley – So, they did this work.

Mr. Stern – Yes.

Mr. Bradley – Share that with the board?

Mr. Stern – Yes.

Mr. Bradley – Okay, where'd they share that with the board?

Mr. Stern – They shared their recommendation.

Mr. Bradley – No, they just shared this.

Mr. Stern – It isn't the committee as a whole, it's the building and grounds committee.

Mr. Bradley – So, and, the board, is as a whole. So, Steve can you please tell me the return on the investment? What's the return on this investment?

Mr. Stern – You need to vote no if you so choose, Mr. Bradley.

Mr. Bradley – What is the return on this investment, Mr. Holland?

Mr. Holland – Are you done?

Mr. Stern – Call a vote, please.

Mr. Holland – All I ask, if you're done, I'll speak.

Mr. Bradley – Yeah, thank you.

Mr. Holland – Okay, here we go. The equipment, a lot of it is obsolete. You won't understand that, but it is obsolete. This piece of equipment cuts banks also. We don't need one snow blower in the school district in the wintertime, we need multiple snow blowers. We need multiple trucks with plows. Again, you don't understand that because you're on a one (1) item basis. That's all you're at. If one works, it works for everything and it doesn't work that way, Mr. Bradley. And, bottom line is, we had a demonstration last fall with this piece of equipment and I made the comment at that time, that's one hell of a piece of equipment, pardon my French. But, I said, I worked with equipment that we worked in this district was very unsure of myself on some of these banks. I would jump on this tractor at any point and feel very, very confident today with that kind of equipment. You have to spend money sometimes, Mr. Bradley, to save money. Believe it or not, you spend money to save money. You're a businessman, you should know that. I don't know if you do, but you should. So, okay, I'm done. Thank you.

Mr. Bradley – Before you do anything, I agree that you should spend money to save money, that is called a return on investment. It's calculated. Businessmen calculate these things so they have that return on investment. They propose to the business manager and then he helps make that determination and that's how business really works, Mr. Holland. So, my question was, did you do a return on investment analysis of buying this piece of equipment. Did anybody, in this district, do one? Mr. Feick, were you given one?

Mr. Feick – No.

Mr. Bradley – Could one be done within the resources of our district?

Mr. Feick – Yes.

Mr. Bradley – And, what would the cost be to do a standard ROI or IRR for this piece of 55, 45 thousand dollar piece of equipment? What would our cost to do that analysis to bring to the board be? Just the cost of the analysis.

Mr. Feick – Probably an hour of my time.

Mr. Bradley – So, 160 bucks?

Mr. Feick – I wish. Are you giving me a raise?

Mr. Bradley – If you could this, I tell you what. When it comes contract time were gonna give everybody a raise because they'll have all this extra money because you'll actually be making business decisions with a return on investment and that's the value.

Mr. Stern – Okay, I've got a motion and a second.

Mr. Bradley – So, the question is. Hold on.

Mr. Cleaver – Just for clarification, you said we. I think about giving everybody a raise is you're probably speaking for yourself because...

Mr. Bradley – I'm a volunteer, Mr. Cleaver. So, I'm volunteering my business skills to recognize that the return on investment data should be presented to the board prior to making that investment as it only costs us less than \$160, we should have that. It's a very common business practice. I don't see why we wouldn't be doing it.

Mr. Stern – One (1) workers' comp case...

Mr. Yenser – Do we have a piece of equipment that can mow in the ditches?

Mr. Stern – Go ahead.

Mr. Yenser – Do we have a piece of equipment that can mow in our drainage fields?

Mr. Cleaver – Right now, this setup is set to help just in the bank mowing. So a lot of times in the bank, they're too steep. We have several individuals who are using weedwackers and those types of things that are cutting that. So, this will help with this. We did reach out to Panther Valley who does have this type of equipment and Panther Valley School District said it has taken over what would usually take anywhere from 6-8 hours for 2 or 3 people to do. If the machine can't make it all the way up the bank it makes it at least half to two-thirds and then it has just cut down on time in that area, according to them.

Mr. Stern – And, risk?

Mr. Cleaver – Yes.

Mr. Bradley – And, what's the cost to that person on that mower?

Mr. Stern – Loaded rate. It depends, it depends on who's on it.

Mr. Feick – Probably \$17-\$18 an hour for our people.

Mr. Stern – Loaded rate?

Mr. Feick – Loaded? Another 35% on top of that.

Mr. Stern – There you go.

Mr. Bradley – So, for \$20 an hour. So, the return on the investment. But, there could be other mowers that do banked angles and do other opportunities, not just picking the same one from Panther Valley. I mean, there's other ones out there. Which other ones did you guys review other than the guy that came here and demonstrated this one? Any?

Mr. Yenser – I'm one of the tree farmers you had mentioned in an email at one point in time and this machine is very impressive, it's very capable of what it can do. Firsthand knowledge, operated a machine of this type before. I feel that it's something we don't have in the district. Could again, prevent risk in some of the mowing areas that we have. Not could, will prevent risks that we have in some of the mowing areas. Not to mention, again if you go down through all the documentation, with all the attachments that are on this piece of machinery; it's not just the one season piece of machinery, it's a piece of machinery that's going to be used all year long.

Mr. Bradley – So, you mentioned you didn't use this exact one, you have another one similar. So did we review that one because you have firsthand knowledge and that's what you bring to the board and you can give to these guys so that can shop the idea.

Mr. Yenser – I'm saying this equipment, which is a very fine piece of equipment that you have selected from the building and grounds committee. I commend you for finding this...

Mr. Bradley – We're not arguing it's good.

Mr. Yenser – I understand that it had these attachments.

Mr. Stern – May we have a roll call vote, please.

Mrs. Maholick – I have a question though, how long do you think something like this'll last. A year, two (2) years, three (3) years?

Mr. Stern – Probably 10 to 15, at least.

Mrs. Maholick – 10 to 15 years, that's a long time. Do they need special training to use this?

Mr. Cleaver – No.

Roll Call Vote:

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

VOTE: YES - 7 NO - 2 ABSENT - _____ ABSTENTIONS - _____

Motion carried.

**LCCC
Budget**

MOTION by Mr. Yenser, SECONDED by Mr. Stern to adopt the 2018-2019 Capital and Operating Budget of the Lehigh Carbon Community College, Resolution #17/18-#02 as recommended by the Finance Committee.

Roll Call Vote:

	Yes	No	Absent	Abstention
Mrs. Rita Spinelli, 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	☐	☐	☐
Mr. Stephen Holland, Member	X	☐	☐	☐
Mrs. Gail Maholick, Member	X	☐	☐	☐
Mr. Larry Stern, President	X	☐	☐	☐

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

Motion carried.

**CCTI
Budget**

MOTION by Mr. Yenser, SECONDED by Mrs. Spinelli to adopt Resolution #17/18-#03 the 2018-2019 Proposed Budget for the Carbon Career & Technical Institute as recommended by the Finance Committee.

Roll Call Vote:

	Yes	No	Absent	Abstention
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	☐	☐	☐
Mr. Stephen Holland, Member	X	☐	☐	☐
Mrs. Gail Maholick, Member	X	☐	☐	☐
Mrs. Rita Spinelli, Member	X	☐	☐	☐
Mr. Larry Stern, President	X	☐	☐	☐

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

Motion carried.

**CLIU
Budget**

MOTION by Mrs. Spinelli, SECONDED by Mr. Wentz to adopt Resolution #17/18-#04 the 2018-2019 Proposed Budget for the Carbon Lehigh Intermediate Unit #21.

Roll Call Vote:

	Yes	No	Absent	Abstention
Mr. Andrew Yenser, Treasurer	X	☐	☐	☐
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	☐	☐	☐
Mrs. Rita Spinelli, Member	X	☐	☐	☐
Mr. Wayne Wentz, Vice President	X	☐	☐	☐
Mr. Larry Stern, President	X	☐	☐	☐

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

**Technology
Pool**

MOTION by Mr. Holland, SECONDED by Mr. Yenser to approve the Agreement between the Lehigh Area School District and Carbon Lehigh Intermediate Unit #21 to participate in the Technology Education Legal Pool Counsel consortium for the 2018-2019 school year. The technology pool provides proactive strategies, training and policies designed to prevent digital-age problems that can lead to liability. The cost to the district would be no more than \$792.00 per year.

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

**Gym Floor
Refinishing**

MOTION by Mr. Bradley, SECONDED by Mr. Wentz to approve the district to contact and schedule the annual gym floor refinishing for the High School and Middle School with Stack & Stack Flooring at a cost of \$9,663.00, as recommended by the Building & Grounds Committee, from the 2018-2019 Building & Grounds Budget.

Mr. Bradley – Where's Stack & Stack from?

Mr. Cleaver – They are out of Ambridge, Pennsylvania. They do PITT and Penn State campuses around the area.

Mr. Bradley – Was any local refurbishers reviewed or checked? I mean were just doing floors, right?

Mr. Cleaver – No, there's more to it, it's a gym floor, it's not like your living room hardwood that you would refinish. There was several people that we requested quotes from and I do believe, and I want to look at, I believe they did reach out to someone locally who did have experience who did Jim Thorpe Ballroom was one of things they referenced. But, they have no experience of doing gym floors.

Mr. Bradley – So, how many bids did we get for this one?

Mr. Cleaver – I'm not sure.

Mr. Bradley – Anybody?

Mr. Cleaver – I don't have that information right in front of me.

Mr. Bradley – Did we get more than one (1) bid at all?

Mr. Cleaver – Yes.

Mr. Bradley – Okay.

Mr. Cleaver – I believe, I want to say two (2) I know for sure and then the additional one. Because Miller Flooring was one.

Mr. Bradley – Can we add that backup to our packets so we can review what's actually taking place in these committee meetings?

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

Summer Music Prog. MOTION by Mr. Bradley, SECONDED by Mr. Wentz to approve the following summer music programs:

Band Orchestra – Grades 5 & 6 – 85 Hours

Band Orchestra – Grades 7 & 8 – 85 Hours

Band Camp – Senior High – 100 Hours

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

Annual Financial Reports MOTION by Mr. Yenser, SECONDED by Mrs. Spinelli to accept the year ending June 30, 2017, Annual Financial Reports, including tax collector reports prepared by Maillie LLC.

Mr. Feick – This is just on there that it's on the record that the board has received copies. That's why it's accept, not approve.

Mr. Bradley – Where is it?

Mr. Feick – You were given it at the last board meeting.

Mr. Bradley – So, it says purple and it's not in the purple thing here.

Mr. Stern – No it doesn't say purple.

Mr. Feick – Just like with all the budgets, I gave you the audits last board meeting.

Mr. Bradley – Okay, thank you.

Mr. Feick – So you had time to review everything. This is why it's accept. It's just getting in the minutes that it was given to the board members.

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

Personnel

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

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

Athletic Hires MOTION by Mr. Holland, SECONDED by Mrs. Spinelli to approve the **Athletic** hires for the **2018-2019** school year, as recommended by the Athletic Committee.

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

Course Approvals MOTION by Mr. Wentz, SECONDED by Mrs. Spinelli to approve the following requests for pre-approval of courses/Programs of Study for continuing education:
1. **Trevor Miller** – May 7-June 20, 2018/Internet Literacy for Educators
2. **Brandi Lees** – May 4-31, 2018/Teaching Students to Choose Responsible Behavior

3. **Brandi Lees** – June 3-26, 2018/Preventing Bullying & Cyberbullying: What Every Educator Needs to Know
4. **Simon Tkach** – May 4-31, 2018/The American Revolution for Educators
5. **Simon Tkach** – June 29-July 22, 2018/Classroom Instruction that Works
6. **Norine Zehner** – June 25-July 12, 2018/Curriculum and Instruction
7. **Rachel Klotz** – May 1-June 15, 2018/Effective Use of Mobile Devices in the Classroom

Mr. Bradley – Who on our team reviews the contract on these approvals? Are these added, are these part of the contract, are they requirements of the contract?

Mr. Cleaver – Yes, it's part of the teacher's contract where they receive approval. They have to give us a Program of Study. So, if they want to become a Reading Specialist, any request they make has to fall under that block of a Reading Specialist. So, they're reviewed by my office before they are handed in.

Mr. Bradley – And then you check the contract to make sure. Is there any tie back to retention to that person after we pay for this education?

Mr. Cleaver – There is in the contract. If they would leave the district, they are responsible for paying, depending on when they leave.

Mr. Feick – It's actually a downscale from year one (1) down to five (5) to pay it back.

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

Resignations MOTION by Mrs. Spinelli, SECONDED by Mr. Wentz to accept the resignation of the following employees:

1. **Jennifer Boyle** – Elementary Teacher – effective August 15, 2018
2. **Wanda Rousenberger** – School Psychologist – effective May 25, 2018

Mr. Bradley – Is this part of the attrition program moving to the elementary school?

Mr. Cleaver – No, these people are resigning.

Mr. Bradley – So, it's not part of the...

Mr. Stern – There is no attrition program.

Mr. Bradley – But there is.

Mr. Stern – No there isn't. They're resigning from the position. There's no forced attrition program.

Mr. Bradley – Not a forced attrition. The elementary had an 800 and some thousand dollars' savings due to attrition. Which means you're, a teacher leaves you're not replacing.

Mr. Stern – People will leave that we won't replace.

Mr. Bradley – So, will this person be replaced or not?

Mr. Cleaver – Yes, these individuals are being replaced.

Mr. Bradley – So, they're not part of that attrition savings?

Mr. Cleaver – No.

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

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

1. **Employee #848** – effective April 30, 2018
2. **Employee #157** – effective April 24, 2018

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

Retirements MOTION by Mr. Bradley, SECONDED by Mrs. Spinelli to accept the intent to retire for the following support employee, effective the end of the 2017-2018 school year under terms of their respective contract with eligibility of all retirement benefits:

1. **Keith Patterson** – Custodian – Hired May 23, 2001 – effective date of August 31, 2018 – 17.25 years of service

Mr. Bradley – Is this one of the attrition people?

Mr. Cleaver – No. Actually, the two (2) individuals, there was one last month too that did retire, so these two (2) are being posted and rehired. Recommend to be hired.

Mr. Bradley – And we'd like to thank Keith for his service. 17 and a quarter years is doing good. Thank you.

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

Summer Workers MOTION by Mr. Wentz, SECONDED by Mr. Beltz to approve the recommendation to hire the following summer workers, pending clearances:

1. **Nicholas Goff** – Summer Utility Helper – at a rate of \$ 7.25 per hour
2. **Haley Steigerwalt** – Summer Utility Helper – at a rate of \$ 7.25 per hour
3. **Gavin Zehner** – Summer Utility Helper – at a rate of \$ 7.25 per hour
4. **Hanna Schatz** – Summer Utility Helper – at a rate of \$ 7.25 per hour
5. **Jillian Beck** – Summer Utility Helper – at a rate of \$ 7.25 per hour
6. **Jena Smith** – Summer Utility Helper – at a rate of \$ 7.25 per hour
7. **Scott Kuzma** – Summer Utility Helper – at a rate of \$ 7.25 per hour
8. **David Henry** – Summer Cleaner – as per CBA Agreement
9. **Ellen Paez** – Summer Cleaner – as per CBA Agreement
10. **Doris Reed** – Summer Cleaner – as per CBA Agreement
11. **Linda Guy** – Summer Cleaner – as per CBA Agreement
12. **Ginny Fairchild** – Summer Cleaner – as per CBA Agreement
13. **Warren Malick** – Summer Cleaner – as per CBA Agreement
14. **Karen Hines** – Summer Cleaner – as per CBA Agreement
15. **Richard Armbruster** – Summer Cleaner – as per CBA Agreement
16. **Michele Stoffey** – Summer Cleaner – as per CBA Agreement
17. **Kelly Fadden** – Summer Cleaner – as per CBA Agreement
18. **Alicia Moyer** – Summer Cleaner – as per CBA Agreement
19. **Dolores Serfas** – Summer Cleaner – as per CBA Agreement
20. **Amy Rutan** – Summer Cleaner – as per CBA Agreement

Mr. Bradley – Can somebody educate me on the PSER qualifications for these part-time employees? I understand that they're part of, they can retroactively go back on this, this CBA Agreement you're talking about. Brian can you or somebody help us with that one?

Mr. Feick – The CBA's under the union contract. The summer utility helpers, they're not under PSERS but if they become age and get a school job they can buy back that time but it's not on us.

Mr. Bradley – And, what does CBA mean just the Collective Bargaining Agreement.

Mr. Feick – Correct, right. The support union.

Mr. Bradley – So, are these new people this year that we didn't have last year?

Mr. Feick – I think last year we had 12 or 13 summer utility helpers. I think this year we're a little bit less. I'm not sure.

Mr. Bradley – But these are all seniors or what are they?

Mr. Feick – Seniors, there's a couple, we already hired the ones that are college students coming back.

Mr. Bradley – Some are postgraduate. So, there's a value, long-term, for the whole state of Pennsylvania savings if we continue to use the same people if they're available?

Mr. Feick – Right. I mean, I think we got 3 or 4 of the college students come back this year that were working for us as high school.

Mr. Bradley – But, do we solicit them at all? The ones that we already had for before since they already have experience, already have opportunity, or are we trying to spread the load?

Mr. Feick – We try to, but a lot of times they get a lot better pay than \$7.25 an hour.

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

Motion carried.

Extended Medical MOTION by Mrs. Spinelli, SECONDED by Mr. Beltz to approve extended medical leave for the following employee:

1. **Employee #161** – effective March 20, 2018

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

Motion carried.

Miscellaneous

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

1. **LAHS Envirothon (B. Daubert)**– May 10, 2018, - 8:00 a.m.-2:00 p.m.- to travel Carbon County Environmental Center (HS Budget)
2. **LAHS FBLA (K. Kotch)**- May 10, 2018 – 7:30 a.m.-8:00 p.m. – to travel to Philadelphia Phillies for End-of-Year Trip (Activities Fund)
3. **Mahoning Students (A. Sebelin)** – May 10, 2018 – All Day – to travel to Shull-David and MS Stadium for Color Me Brilliant Run (No cost)
4. **All Elementary Students (A. Sebelin, M. McGalla)** – May 18, 2018 (Rain Date: 5/21/18) – All Day – to travel to Multi-Purpose Stadium for “Humphrey Kick-Off” (No cost)
5. **Mahoning Elementary (S. Rodgers)** – May 24, 2018 – 8:45 a.m.-5:30 p.m. – to travel to Medieval Times, Lyndhurst, NJ – Field Trip (PTO Sponsored)
6. **Shull-David 4th Grade (M. Dillman, B. Cressley)** – May 30, 2018 – 8:00 a.m.-5:00 p.m. – to travel to Lancaster, PA – Field Trip (Activities Fund)
7. **LAHS FCCLA (J. McHugh, K. Bond)** – May 30, 2018 (Rain Date: 5/31/18) - 8:30 a.m.-6:00 p.m. – to travel to Knoebel’s for Chapter Tourism and Recreational Project (Activities Fund)
8. **5th Grade Voyagers (R. Rabenold, J. Henne)** – May 31, 2018 – 7:30 a.m.-2:00 p.m. – to travel to #9 Mine, Lansford & Jim Thorpe Museum – Field Trip (PTO Sponsored)
9. **Franklin PTO (Mindy Scheirer)** – June 7, 2018 (Rain Date: 6/8/18) – 9:30 a.m.-2:30 p.m. – to travel to Baer Memorial Pool – End-of-Year Celebration (PTO Sponsored)

10. **Grades 6-8 ES Room (J. Habas, B. Statler, C. Bravo)** – May 2, 2018 – 9:00 a.m.- 2:00 p.m. – to travel to Coca-Cola Park – CBI Trip
11. **Shull-David 4th Grade (B. Cressley)** – June 12, 2018 – 9:45 a.m.-2:45 p.m. – Lehighton History Walk
12. **LAHS Band (B. Buffington)** – June 19, 2018 – 9:00 a.m.-1:00 a.m. – to travel to New York City – Senior Trip to a Broadway Show

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

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

1. **Student #53656**

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

Scholarship Addition MOTION by Mr. Yenser, SECONDED by Mr. Holland 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. Dr. Roland J. Wotring Scholarship

Atty. Schwab – Just so the board is aware, this is not a new scholarship for the district. In the past the Wotring had a trust fund that funded \$2,500 for four (4) years for two (2) students at the Lehighton School District. We were one of about, I think it's thirteen (13) school districts, include Allentown, Bethlehem, Nazareth, Parkland, Whitehall. They've now converted the trust to a private foundation through Univest. Instead of getting \$2,500 a year for each of the students, they're going to give us our prorated share of the income from the trust which is now about \$10 million. This year they're projecting that we will have \$49,000 to distribute. I think because it came in very late, they will give out four (4) scholarships this year using the same criteria as last year. Under the court order converting it from a trust to a foundation, this board has a right to set it's own criteria for awarding the scholarships going forward. And that's something that probably Academic Affairs will have to work on.

Mr. Feick – Between now and next January when they start putting applications in for the scholarships. The board have to come up with some type of criteria.

Atty. Schwab – This year we're going to use the same.

Mr. Feick – \$2,500 for four (4) students at \$10,000 a year for the next four (4) years. But there'll be an extra \$9,000 in that scholarship fund because it's now guaranteed to whatever the income of the trust is.

Atty. Schwab – And we’re using the same criteria that was used under the trust, but the board had a right to change it should it desire. It can decide for example to give a \$5,000 scholarship, a \$3,000 one, a \$2,000 one, a \$1,000 a year. However the board decides. But, it just came in. Well, Friday was the date and we got word on Thursday.

Mr. Feick – And we already had students apply for this year’s allotment. If anyone knows what Dr. Wotring’s affiliation with Lehighton is, we have no idea. We can’t find anything. We looked at original wills and he just picked certain districts in his will to give the money.

Atty. Schwab – We’re the only one in Carbon.

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

Motion carried.

Graduation List MOTION by Mr. Bradley, SECONDED by Mrs. Spinelli to approve the attached list of high school seniors as candidates for graduation on Friday, June 15, 2018, pending completion of all educational requirements.

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

Motion carried.

Bethany Wesleyan Donation MOTION by Mr. Holland, SECONDED by Mr. Beltz to accept the donation to the food service fund of \$500.00 from Bethany Wesleyan Church to use for student lunches.

Mr. Feick – It’s for student lunches at the middle school.

Mr. Bradley – I’m under the impression from our conversation that, this is just going to go into that fund or is it going to go to individual that have, because we already cover that.

Mr. Feick – It will go to people that don’t have enough money to pay at the end of the year.

Mr. Bradley – But, don’t we already cover all that, as the district?

Mr. Feick – By law, we have to.

Mr. Bradley – Right.

Mr. Feick – But, it's donated specifically for the middle school unpaid lunches.

Mr. Bradley – I understand that. But, I'm asking the question did anyone notify Bethany church that giving us funds for this purpose, that are already covered, maybe they should apply it...

Mr. Feick – They knew it. Since they're running that and the see the middle school, they just wanted to...

Mr. Bradley – I appreciate that. The generosity is amazing. I'm just saying that they are giving a generosity to an area where it's already is completely covered by the district.

Atty. Schwab – They were aware of that when we were negotiating the lease of the middle school with them. That was something that they brought up and said, you know I know the district, that they cover middle school lunches.

Mr. Bradley – We do cover it. They knew that already.

Atty. Schwab – They do it I think at Northampton down there.

Mr. Feick – I think their comment was, use you tax money for something else if we can help out.

Mr. Bradley – I agree, but it's the redundancy.

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

Veterans Memorial to Franklin Township MOTION by Mr. Bradley, SECONDED by Mr. Wentz to gift the Franklin Elementary Veterans Memorial to Franklin Township to be placed at the Phifer's Ice Dam Park, at no cost to the district.

Mr. Bradley – This is a great choice and I'm so glad that the board is listening to reason. Thank you.

Mrs. Maholick – I did talk to the man, that donated the bricks, today and he said that the monument cannot be picked up and moved. He said most likely your gonna have to be able to take the plaque off and build a new monument because he said it's gonna fail apart. He said they dig a hole, they put cement in there, they put the brick on it, they cannot lift is.

Mr. Cleaver – The township's aware of that.

Mr. Bradley – We'll make it happen.

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

Programs

- Use of Sch. Property** MOTION by Mrs. Spinelli, SECONDED by Mr. Wentz to approve Use of School Property for:
1. **Franklin Elementary PTO (Mindy Scheirer)** – May 11, 2018 & June 1, 2018 – 7:30 a.m.-8:30 a.m. – Franklin Elem. Cafeteria – Morning’s w/Mom & Donuts w/Dad
 2. **Zion U.C.C. (John Lopata)** – July 17, 2018 – 8:00 a.m.-10:00 p.m. – Multi-Purpose Stadium Parking Lot – Parking for Charter Bus Trip
 3. **Class of 1968 (Suzanne Howland)** – June 15, 2018 – 5:30 p.m.-9:00 p.m. – Middle School Lower Parking Lot – Parking for 50 Year Class Members
 4. **L.E.A.F. (Timothy Tkach)** – April 26-28, 2018 – 4:00 p.m.-9:00 p.m., 4:00 p.m.-10:00 p.m., 4:00 p.m.-10:00 p.m. – Middle School Lower Practice Fields – Community Carnival
 5. **Lehigh Valley Lady Bucks (John Dowbachuk)** – April 25-May 16, 2018, Mondays & Wednesdays – 6:00 p.m.-8:00 p.m. – Middle School Fields – Field Hockey Practice
 6. **LAHS Art Show (Rachel Klotz)** – May 21-25, 2018 (Show 5/24/18) – 5:30 p.m.-8:00 p.m. and Set-up – High School Foyer Area
 7. **LAHS Softball Parents Club (Sherry Kunkle)** – May 30, 2018 – 4:00 p.m.-9:00 p.m. – High School Cafeteria – 2018 Softball Banquet
 8. **Lehigh Softball League (Brian Knepper)** – May 7-August 31, 2018 – 6:00 p.m.-9:00 p.m. (Intermittent) – JV Softball Field – Adult Softball League
 9. **Lehigh Volleyball Program (Lehigh Volleyball Program)** – June 26-August 9, 2018 – Tuesdays & Thursdays – 9:00 a.m.-11:30 a.m. – High School Gym & Weight Room – Volleyball Workouts
 10. **Tricia’s Dance Extreme (Tricia Hettler)** – June 8-9, 2018 – 5:00 p.m.-9:00 p.m. and 1:00 p.m.-5:00 p.m. – High School Auditorium, Classroom & Concession – Dance Recital
 11. **Strawbridge Studios (Sue Howland/Sabrina Felder)** – July 27-August 1, 2018 – 9:00 a.m.-1:00 p.m., 8:00 a.m.-2:00 p.m., 8:00 a.m.-1:30 p.m. – High School Auditorium/Stage – Senior Photos
 12. **LAHS Fall Athletic Physicals (Abbie Guardiani)** – June 20, 2018 – 8:00 a.m.-3:00 p.m. – High School Nurses’ Office –
 13. **CPR Training (Abbie Guardiani)** – May 7, 2018 – 3:00 p.m.-6:00 p.m. – High School Cafeteria – CPR Training for Employees
 14. **Lehigh Boys’ Basketball Parents Club (Sue Howland)** – May 1, 2018 – 7:00 p.m.-8:00 p.m. – High School Classroom – Parent’s Meeting
 15. **Strawbridge Studios (Sue Howland/Sabrina Felder)** – April 30, 2018 – 1:45 p.m.-2:20 p.m. – High School Auditorium – Presentation of Class of 2019 Senior Photos
 16. **LAHS Boys Basketball Parents Club (Trevor Miller)** – July 9-12, 2018 – 9:00 a.m.-1:00 p.m. – High School Gym – Youth Basketball Camp
 17. **SAT Prep (Michelle Rohrbach)** – April 25, May 1 & May 3, 2018 – 7:00 p.m.-9:00 p.m. – High School Classroom
 18. **LAHS Cheerleading (Rebecca Schaeffer)** – June 20-22, 2018 – 5:00 p.m.-7:30 p.m. & 4:30 p.m.-9:30 p.m. – High School Gym & Wrestling Room – Tryouts

19. **Franklin Elementary Coding Grade 1 (Martha Cox, Laurel Zimmerman)** – May 10, 17, 24, 31, 2018 – 3:15 p.m.-4:45 p.m. – Franklin Computer Room – Intro. To Computer Coding
20. **FTAA Babe Ruth (Tony Fristick)** – May 1-July 15, 2018 – Various times after LAHS Activities as approved by Mr. Spotts – High School JV Baseball Field – Babe Ruth Baseball Practice

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

Special Ed. Plan MOTION by Mr. Yenser, SECONDED by Mrs. Spinelli to approve the Lehigh Area School District Special Education Plan – July 1, 2018 through June 30, 2021.

Mr. Bradley – I apologize, but on the last motion when your using school property. They’re all done at no charge, correct? This is all interscholastic stuff.

Mr. Cleaver – For the last one?

Mr. Bradley – Yeah, they’re all...

Mr. Cleaver – No. Some of them fall under different categories depending on our policy. We have three (3) different groups depending if their school affiliated, non-profit, or if there for-profit they’re charging. So there’s a different cost. The majority of them are school district. But, for example...

Mr. Bradley – Like Tricia’s Dance?

Mr. Cleaver – They would pay.

Mr. Bradley – They actually have to pay?

Mr. Cleaver – Yes.

Mr. Bradley – And they’re paying because?

Mr. Cleaver – Because we have to have a custodian there and people there to oversee it. People to open it up.

Mr. Stern – And, they’re a private institution.

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

CLIU #21 MOTION by Mr. Wentz, SECONDED by _____ to approve the 2018-2019 Facilities
Facilities Plan with the Carbon Lehigh Intermediate Unit #21.
Plan

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

Motion carried.

Old Business for Discussion

1. Sale of Franklin and Shull-David

Mr. Cleaver – Yes. We had some discussion on Franklin and Shull-David regarding possible sale of that property. This evening by passing the motion for the Franklin Township, once that is approved, and we move forward with that. What I'd like to ask the board for approval is to authorize administration to solicit proposals for the sale of Shull-David and Franklin Elementary to be reviewed by the Buildings & Grounds Committee prior to being presented by the board. So, what I'm asking for approval to is we do know that BHA has mentioned they were interested in both Franklin or Shull-David. We had an individual person who has mentioned interest and we also have Franklin Township who has expressed, said they would be interested. I'm not sure, I wouldn't know how that would turn out. But what I'm asking is permission to go to these three (3) groups and approach them if there interested, if they want to take a tour of the facilities they can and if they want to bring anything to the board's attention. That we would gather all the information and then it would be presented to the Buildings and Grounds Committee for review. So, I'm asking for permission, for administration to be able to do that.

Mr. Bradley – Did we advertise these things at all yet?

Mr. Cleaver – No.

Mr. Bradley – Are we going to?

Mr. Cleaver – I'm just asking for permission to do what I said.

Mr. Bradley – Can you add advertising within that?

Mr. Cleaver – I can but...

Mr. Stern – Solicit and advertise.

Mr. Cleaver - ...what I'd like to do is bring, before we advertise, I would like to bring all that information to the Buildings and Grounds for review. So any type of advertisement we do would go through the Buildings and Grounds Committee. I don't want to...

Mr. Bradley – But your already have these negotiations with these other people?

Mr. Cleaver – I have not. I'm just saying, I'm asking for permission. So, it would be to authorize administration to solicit and advertise initial proposals for the sale of Shull-David Elementary and Franklin Elementary to be reviewed by the Buildings and Grounds Committee prior to being presented to the board. So for example, if I would contact BHA and BHA says we would like to purchase Franklin, here's the amount we'd like to purchase it for. I could present information to the board and then they can decide, to the committee and then decide and go from there.

Mr. Bradley – But, you're saying you're going to do this. You're going to give it to the committee after you decide.

Mr. Cleaver – No.

Mr. Bradley – Read it one more time because it sounds like you're making the decision of how you want to advertise it.

Mr. Cleaver – No. That'll be presented to the committee. It won't go out until it's approved by the board. So what I'm asking you to do is be able to gather information and then present it to the Buildings and Grounds Committee to be reviewed and then be presented to the board.

Mr. Bradley – And, it's our intention to get it advertised to the whole world, not just our little group?

Mr. Cleaver – I can't speak for everyone. That may be what your intention, but I cannot speak for everyone else. So that is what I'm asking for approval.

Mr. Bradley – I'll make that motion that he read but adding that we want to advertise to the broadest base and for the 12 months that the appraisal recommended. Thank you. Prior to making a decision sale.

Mr. Stern – I thought the last thing you talked about was 6 months?

Mr. Bradley – It says 12 in the appraisal book. Thank you.

Mr. Stern – What appraisal book?

Mr. Bradley – The appraisal that we got when you read it?

Mr. Stern – The school code book?

Mr. Bradley – Mr. Stern, there was an appraisal that was done for Franklin and Shull-David.

Mr. Stern – Yes.

Mr. Bradley – And, in that appraisal, that appraisal is based upon...

Mr. Stern – The value is good for 12 months, is that what you're stating?

Mr. Bradley – That appraisal recommended to get the value...

Mr. Stern – So, you're stating that you want to hold that building for as long as possible prior to getting someone that would give you fair market value for it?

Mr. Bradley – My goal is to, the recommendation of the person that did the appraisal was to advertise it for a minimum of 12 months to get the biggest value equal to that fair market value. That's what the appraisal, that's what his advice as a real estate appraisal was. Clearly written, plain English.

Mr. Cleaver – But I have that motion but you want to change the motion. That's not my recommendation. That's yours then.

Mr. Bradley – Correct and if you want to change or your requesting the board to make a motion. I respect that solicitation. I'm trying to help you get that one at least past me by saying we want to advertise to the broadest base and at a minimum of what the recommendation of our hired professional told us to do.

Mr. Cleaver – I'm, again, what I'm asking for is not what you're recommending.

Mr. Bradley – I fully respect that. That's why I made a motion. It can either be seconded or it can be not seconded. Someone can make your motion, it don't matter. I made a motion, let's see if it lives or dies. I want, my recommendation is to follow what Mr. Cleaver asks and add the recommendations from the appraiser that told us that it was broad advertisement and a 12 month period.

Mr. Holland – Your saying that we can't sell the building for 12 months.

Mr. Bradley – I'm saying it was a recommendation to get the value out of the building. He recommended that you advertise it for 12 months because there's certain people that if they want to buy a building there's a whole business plan that goes with it. It takes time and to get the most dollar value for it, the district should give those people that opportunity. And, that's how you get the biggest bang for the buck, businessman.

Mr. Holland – Who's paying for the heat in that building over the winter while it sits empty?

Mr. Bradley – It can be winterized. You could winterize that building if it's dormant. Are you telling me it's going to be occupied or it's dormant?

Mr. Cleaver – It wouldn't be occupied.

Mr. Bradley – So, it would be winterized. You're gonna protect the building, correct?

Mr. Holland – We did that down on 3rd Street, did a hell of a good job, by the way.

Mr. Bradley – We're you on the maintenance?

Mr. Holland – No, thank God.

Mr. Bradley – Okay. No problem. Let's use skilled people to do the job.

Mr. Holland – As a community member, for the crummy job that our school district did, we did nothing.

Mr. Bradley – You’re assuming that...

Mr. Holland – We ended up with cracked pipes and everything else. We turned around and sold it to them for a dollar.

Mr. Bradley – Okay, but you’re gonna tell me that we’re gonna get someone to do this job poorly? I don’t understand your argument, Mr. Holland.

Mr. Holland – Your heating a building, who’s paying the dollar? I am.

Mr. Bradley – I will help you winterize, the procedure for winterizing that building.

Mr. Cleaver – Then you’ll be responsible.

Mr. Bradley – So that you can learn how to do it properly if you need.

Mr. Stern – You’ll be responsible for all liability then, right? Your regularly bonded to that type of stuff, right?

Mr. Bradley – Once again, Mr. Stern, it’s the scope.

Mr. Stern – My discussion at this time...

Mr. Bradley – Why are you fighting me?

Mr. Stern – Could you be quiet? My discussion at this time would be why would hold a building and advertise it for 12 months if we can get what we can get for it ahead of time? Because we all have to accept the bids.

Mr. Bradley – Because the appraiser recommended to get the most...

Mr. Stern – The appraiser said that if the building was on the books to be sold for 12 months you might get that value.

Mr. Bradley – No.

Mr. Stern – Ms. Spinelli is there any guarantee you’re gonna get an appraisal value of a school?

Mrs. Spinelli – Absolutely not. There’s no guarantee.

Mr. Cleaver – We have a motion and I want to make sure Missy if you could please respond to that motion.

Mrs. Wagner – I just have for a minimum of 12 months.

Mr. Cleaver – So the recommendation is that the board advertise for a 12 month period? That's what your motion is.

Mr. Bradley – Yes, per the recommendation of the appraiser.

Mr. Stern – Anybody have a second? (*No second*) Motion dies.

Solicit and Advertise Proposals For FR & SD MOTION by Mr. Stern, SECONDED by Rita Spinelli to authorize administration to solicit and advertise initial proposals for the sale of Shull-David Elementary and Franklin Elementary to be reviewed by the Building & Grounds Committee prior to being presented to the board.

Mr. Stern – Would you like a roll call vote?

Mr. Bradley – I'd like to have a discussion on that motion.

Mr. Stern – Okay.

Mr. Bradley – When we rushed the sale of East Penn, we only got roughly \$17 a square foot. The other buildings were worth closer to \$20. So having an opportunity to allow more people to review, get a business plan and have an opportunity, use that building, give the district more funds. Especially when you have to go to the township supervisors meeting and make sure you can meet the use that you might want to use it for or other criteria prior to making the bid. If not, you're restricting the number of bidders to the smallest pool of insiders that know all the things about the building and the smallest insiders that know about the township and know about the inner workings of that community.

Mr. Beltz – Rita, what's a reasonable amount of time to list a commercial building for sale?

Mrs. Spinelli – I was not a commercial realtor. I can't tell you. All I can tell you is appraisers are opinions of value, official opinions of value. They're no guarantee. But, I am not a commercial realtor.

Mr. Beltz – Right. But if we would advertise it for say 3 months and have it sold by October 1st or something like that, we wouldn't be in to the winter season and it would give a broader, potential purchaser whatever you want to call it.

Mrs. Spinelli – But then you are taking the chance that if someone. Say if you advertise it for sale for \$500,000 and someone comes and offers 400. You have to keep advertising it for those additional months and maybe that person will drop out and you'll only get 2 or 3.

Mr. Beltz – What if somebody comes in real close to the appraisal? We could agree to a sale at any point of those three (3) months though, right?

Mrs. Spinelli – Right. But, if you're gonna agree to advertise it for three (3) months? Then you're stuck advertising it for three (3) months.

Mr. Beltz – Three (3) months or until a reasonable bid comes in.

Mrs. Spinelli – But isn't that something we argue and decide after we get the information we need to invest.

Mr. Beltz – Yes. I'm just asking because I know you're a realtor.

Mrs. Spinelli – I understand.

Mr. Bradley – But to be fair, a person who wants to use this business this property as a commercial entity, so we can get it back in the tax rolls and use it. It takes more than three (3) months to get their financing together. It could take it more than three (3) months. You're assuming that they found out about the sale on day one (1) of the advertisement. They still gotta go to a township meeting. They still gotta go to a bank. They still gotta go get their finances and still make sure they can meet those requirements. It's such a short period of time. You're rushing a sale because we're concerned about someone being able to winterize something.

Mr. Cleaver – Just for clarification with this motion is I'm just bringing information. I'm not coming and say we should do it for six (6) months, twelve (12) months. I just want to be able to go out, contact people or people read it in the newspaper and say I'm interested in Franklin for sale. That they could come to me and myself, Brian, or Joe gets the authority to at least go and have them look at the building and if they want to give us a proposal, we can bring that to the Building and Grounds Committee and go from there.

Mr. Bradley – And my recommendation is you take your proposal and you give that advertisement of, like Steve said, you get the engineering done. You give it to them so they can make an evaluation of that property for their benefit. Are we selling this as is, still?

Mr. Beltz – But the Building and Grounds Committee will make a decision once they have the information, right?

Mr. Stern – Right.

Mr. Bradley – We don't know that.

Mr. Beltz – So, we'll make a recommendation and we'll vote on once the recommendation is made. I'm fine with the motion the way it is.

Mr. Stern – Okay, thank you Mr. Beltz.

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

Atty. Schwab – Mr. Chairman, as a result of that motion, we'll need authority to go back to Mr. Gownley to get a revised appraisal to reflect the gift to Franklin Township since we won't have that amount. So, we're gonna need a motion to authorize Mr. Gownley to revise his appraisal taking out what was...

Mr. Bradley – Prior to that, can you explain me to why we didn't donate it directly to that 501 (c) comparison to the other one?

Atty. Schwab – I think I explained it before.

Mr. Bradley – I just want to make sure it's on the record.

Mr. Stern – It is on the record.

Atty. Schwab – It is on the record.

Mr. Bradley – So what was your explanation? I missed it.

Atty. Schwab – To have a private sale...

Mr. Bradley – Not a private sale. I'm talking about privately give it to a 501.

Atty. Schwab – And then the district, if you read what you showed to me out in the hallway, the district would have to rent it back.

Mr. Bradley – What do you mean by rent it back?

Atty. Schwab – You were talking about where we have school authorities. Where school authority is a non-profit corporation, like the Vo-Tech School, where the authority owns the building and rents it back to the school district to use. But, Mr. Bradley, I don't know anything so we'll leave it go at that. But, we still need the authority to have Mr. Gownley revise it.

Mr. Stern – I'll make a motion that we authorize the previous appraiser, Mr. Gownley, to redo the appraisal minus the acreage that will be donated or sold or whatever it is...

Atty. Schwab – Inter-municipal.

Mr. Stern – Inter-municipal transfer to Franklin Township with the reversion clause stipulation.

Atty. Schwab – Yes.

Redo Appraisal MOTION by Mr. Stern, SECONDED by Mr. Yenser that we authorize the previous appraiser, Mr. Gownley, to redo the appraisal minus the acreage that will be an inter-municipal transfer.

Mr. Bradley – I think you should postpone that motion until Mr. Schwab has the time to review section 7.1 where it does not say anything what he's saying but it does say it can be given. It says right here, the Board of Directors, may upon approval of two-thirds of its member sell and convey real estate as a charitable organization holding except status under Section 501 (c) (3) for accepted consideration. May be limited to the party and you just transfer right to them, 7.1.

Mr. Stern – One of the safeguards that our proposal allows is the reverter clause. Should anything ever happen in Franklin or if the FTAA would no longer have it, the district would then have that property.

Mr. Bradley – This also has that same reverter clause which is why buying it is better, but, I respect that that's your logic and it makes sense. This still meets it. This still meets that requirement. Which I think is a detriment to FTAA.

Barbara Bowes – Before you vote, may I speak?

Mr. Stern – It is a new motion, yes.

Barbara Bowes – I have a question on the PA School Code of 1949. According to that code, in order to transfer, the way you have done, you have to have a two-thirds vote of the board. And five (5) is not two-thirds. So, I'm questioning the validity of the motion that was passed, Motion G, that was done early. Does stipulate that you can do a, whatever type of transfer it is, to a municipality, but it also says it has to be by two-thirds vote of the board.

Atty. Schwab – And I will check that and advise the board.

Mr. Stern – Okay. There were two (2) abstentions.

Atty. Schwab – 5-2-2, then it would approve because the abstentions go with the majority.

Mr. Stern – Okay. New business.

Mrs. Wagner – To revise the appraisal is still on the floor.

Mr. Stern – We have revise of the appraisal still on the floor.

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

New Business for Discussion

Mr. Bradley – I have some when you're ready. Anybody else what to go first? No, okay. As part of our taxpayer review of all the bills and invoices and discussions, I'd like to understand the Right-to-Know Policy within our district that sends the Right-to-Know requests directly to Mr. Schwab at which point we're being invoiced for reviews of Right-to-Know requests. I'm wondering why we need to have these reviewed by a solicitor in comparison to the Right-to-Know Officers which is trained to do it. Mr. Feick has training, I believe Mr. Cleaver has training for this process and the Office of Open Records said that many districts will use those people and will not send anything to a board. And, as a test I asked some people that had sent Right-to-Know's to multiple districts to ask what happened when they go them and some of them were replied to instantly with no cost to the district. And other ones required significant cost to the district. So if we can circumvent using our solicitor to review Right-to-Know's and just give the people the information.

Mr. Cleaver – In reference to Right-to-Know requests, if it's something that is public information for example, my contract, someone wants to do a Right-to-Know for my Superintendent's contract, that doesn't go to the attorney to be reviewed. But when someone constantly does Right-to-Know requests on individual's emails, even all the way back to 2014, to where there is, sometimes we don't even know if they even exist. Anything that would come through we would have the solicitor review for redaction because I'm not putting my commission or I would not recommend Mr. Feick put career on the line by sending out something inappropriately by accident. The fortunate part is Mr. Schwab says yes and we get sued then Mr. Schwab will be the one who is justifying his decision of sending it out. If it's me, I don't have authority.

Mr. Bradley – And I can respect that on some occasions you might want the solicitor to review it. But, here you paid for a list of them, right? That don't meet that criteria. So, who's the one who makes that criteria. Is that you? Who makes the decision, this one I want to get reviewed? Is it Melanie, is it?

Mr. Feick – Past practice is the Right-to-Know officer is supposed to notify the solicitor of any.

Mr. Bradley – According to our policy, she sends them all to him.

Mr. Feick – Right.

Mr. Bradley – And he looks at all of them, we get billed, and then you decide whether or not their need. There's no filter prior to that process. It's an automatic rubber stamp, it goes right from Melanie to the solicitor for review. Is that correct?

Mr. Cleaver – I'm pretty confident that Mr. Schwab does not bill us for a review of a yes answer for example if it's a contract.

Mr. Bradley – Well, I'm looking at the bills right here. Did anybody else look at the bills and check them? I'm checking them.

Mr. Cleaver – That's many of them, there's many Right-to-Know requests.

Mr. Bradley – I know and I'm seeing that there's a lot of bills for them. Thousands of dollars a month. They are not being checked...

Mr. Cleaver – Would you like to know who's requesting all those emails for thousands of dollars a month?

Mr. Bradley – I have them right here. It shows you.

Mr. Stern – So who's requesting them?

Mr. Bradley – Depends on which one it is. Mr. Campbell requests some, it looks like here's one for conference with the Superintendent, here's one for response to litigation Right-to-Know request, here's one for electronic correspondence to the board, here's correspondence with PSBA.

Mr. Cleaver – That's not Right-to-Know requests.

Mr. Bradley – Yes they are. It's on his Right-to-Know request bills.

Mr. Stern – They are.

Atty. Schwab – But they were the emails that requested all documents with PSBA which would include students, some may include students. They were requesting all board documents, which again may have to be redacted for students.

Mr. Bradley – But that redaction can be done by the Right-to-Know officer at a much lower rate than yourself.

Atty. Schwab – She doesn't feel comfortable. I'm not going to second guess the Right-to-Know officer.

Mr. Bradley – We're not either. We're making the comment that the Office of Open Records has meant that they have trained these people to do this responsibility and we're, we as a board, we as a community are abdicating that to a solicitor at...

Mr. Stern – We're not abdicating it, we're making sure that it's proper process and it's allowed to be released.

Mr. Bradley – But every one is going through this.

Mr. Stern – It's a process. If you miss one, guess what? Who's gonna get sued? Not David Bradley, the district of Lehigh. And I'd rather spend...

Mr. Bradley – So you're telling me the policy is, the policy is that 100 percent of Right-to-Know requests go to...

Mr. Stern – No, I didn't say the policies. He documents everything that comes over across. If it's a yes number he's not charging us.

Atty. Schwab – There is a monthly Right-to-Know request that you never see. Someone wants to know, get a copy of the tax duplicate. I don't review that every month. That last time I recalled the tax duplicate request from a company down in...

Mr. Bradley – Mr. Schwab, I respect that, but we're not talking about that. We're talking about Stacey Duerst sends you a Right-to-Know request to find out who filed a Right-to-Know request and you billed the district to review it with her.

Atty. Schwab – Yeah. We don't know what was in your emails or making what is requested...

Mr. Bradley – She was a board member.

Atty. Schwab – I don't care who she was. You're talking about a Right-to-Know says they can. Most districts....

Mr. Bradley – If we don't want to curtail this expense as a board, that's fine.

Atty. Schwab – Then you have the choice of doing it. But, most districts don't.

Mr. Bradley – I make a motion we follow the recommendation of the Office of Open Records and allow the Right-to-Know officer to process Right-to-Know requests without the need of the solicitor unless there is a student or other redaction required. That's my motion.

Atty. Schwab – So, privilege doesn't apply. Because we've had Right-to-Know's from a certain individual that wants copy of the Shull-David and Franklin appraisals. That is right in the code that says we don't have to give them until we sell them the building.

Mr. Bradley – Right, but I have a copy of a letter that you gave that information out to Franklin.

Atty. Schwab – No I did not.

Mr. Bradley – What's this letter say?

Atty. Schwab – It says that Franklin might be interested in a certain number but it doesn't tell all the warts in the building, doesn't say the square footage in the building, doesn't give a deed description. Mr. Bradley, you're telling the half-truths.

Mr. Bradley – So you're telling me that parts of it is there or you're telling me...

Atty. Schwab – No, I gave them a range if they were interested in purchasing it. I didn't tell them anything about everything about the building.

Mr. Bradley – You told them it had air conditioning working.

Atty. Schwab – Well in the office, yeah.

Mr. Bradley – Alright. So you're selling the, I mean you're giving out information that was obtained within that appraisal to a potential purchaser.

Atty. Schwab – Mr. Bradley, you have distorted a number of things tonight. This is another one of your distortions.

Mr. Bradley – So, you're saying that you didn't send that?

Atty. Schwab – I'm sorry, Mr. Stern, I'm not gonna answer this nonsense.

Mr. Stern – So you have a motion on the floor...

Mr. Bradley – It's not nonsense. You sent out information that you told us....

Mr. Stern – You want to restate your motion?

Mr. Bradley – I move that we allow the Right-to-Know officer follow the Office of Open Records training and implement and give...

Mr. Stern – Maybe you could give, why don't you come back with...

Mr. Bradley – I'll make it real simple. I authorize that the Right-to-Know officer does her job and releases the Right-to-Know information to the community that does not need to be redacted.

Mr. Cleaver – So we can still send it to Attorney Schwab to see if it does need to be redacted according to that motion.

Mr. Bradley – She knows and has been trained as to which one they are.

Mr. Stern – Does anybody want to second Mr. Bradley's motion?

Atty. Schwab – There's no privilege there. That's what concerned more about.

Mrs. Maholick – I'll second it.

RTK Motion Denied MOTION by Mr. Bradley, SECONDED by Mrs. Maholick to have the Right-to-Know officer follow the Open Records to process the Right-to-Know's without solicitor unless student or other redaction is required.

Roll Call Vote:

	Yes	No	Absent	Abstention
Mr. Stephen Holland, Member	☐	X	☐	☐
Mrs. Gail Maholick, Member	X	☐	☐	☐
Mrs. Rita Spinelli, 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	☐	☐	☐
Mr. Larry Stern, President	☐	X	☐	☐

VOTE: YES - 4 NO - 5 ABSENT - _____ ABSTENTIONS - _____

Motion denied.

Directors' Concerns

Mr. Stern – Mr. Bradley, you sent an email to the board and this is for the good of the order, directors' concerns whatever it falls under. About my reprimand to you concerning PSBA and you found a loophole where PSBA conference info accepted your email. Where I will amend my reprimand of you to state that it was Mr. Maines and Mr. Levin who have restricted or blocked your email from going to their addresses in PSBA. If you found the generic one...

Mr. Bradley – Do not believe that. Your statement was that I talked...

Mr. Stern – I said I will amend my reprimand to include that it was Mr. Levin and Mr. Maines that blocked your email.

Mr. Bradley – Did you prove that now? Do you have proof of that?

Mr. Stern – I have written statement from Mr. Levin that he blocked your email.

Mr. Bradley – I'd like to see that. Because him and I still have conversations.

Mr. Stern – (*Reading email*) Because you insist on being discourteous, I am blocking your email on our servers. If you wish to communicate with me, please use United States mail. Have a good day. Michael Levin

Mr. Bradley – I will test that to see if it works then we do your thing.

Mr. Stern – You want to see it?

Mr. Bradley – No, I said I can test it. I can send him an email...

Mr. Stern – Test away. At this point it was blocked.

Mr. Bradley – Out of respect whatever that letter says, I will test it and we'll find out. And I accept your apology, thank you.

Mr. Stern – I didn't apologize. I would never apologize because you did wrong.

Courtesy of the floor / Public Comment

1. Janice Bowman – Communications – Budget – Sharing Information with Taxpayers

- I was at the financial meeting and I want to thank Mr. Feick and the others that were there for listening and I want to bring it up to you because I am pushing this. I want to show you, I know you don't have the money Allentown School District does, but this is their minutes. So when you're saying Right-to-Know, there's a lot of Right-to-Know you are denying or not looking at that we do have a right to. And, it would be nice if it would be on the computer when you have a contract that done and approved for grants, teacher's contract, you said Superintendent's contract, that it was on there, that we have a right to look at things. Tuition reimbursement, they actually, if you go on their website, you can see, they have everything except students, they redact the names,

they have a number. Employees, they have a number. So, that's what they say. I have actually wrote a book and I have a lot of people questioning if I wrote a book and I wrote it on the school district because they actually gave this information and when I was mad enough to study it, I found out that their tuition program, which you're approving here, they went over their contract. They had nine (9) credits per year, I don't what your credits are because I haven't gotten to see anything. But they had people getting twenty-four (24) credits. They had a \$40,000 raise because they jumped two (2) steps. Now when I brought this up to them, I'm questioning them why do you have five (5) teachers or six (6) teachers that have \$13,000 raise and they're getting anywhere from twelve (12) to twenty-four (24) credits for tuition. And I'm saying the contract says nine (9). So you are acting like you can just look at everything, sign everything, everything's okay. But when I checked it out, and I have given you copies, you can see where I found it. I said I questioned where three (3) retired teachers got tuition. Over twelve (12) credits. Retired teachers that got \$12,000, \$11,000 and \$10,000 the last year they retired. Now my question was, why are we paying. Now I know you didn't do it here. But I'm saying, it can happen here. It can happen at any school. They retired with a \$12,000, \$11,000 and a \$10,000 raise the year they retired. Now you want to tell me how much that costs for retirement pay. Because we all know it costs a lot more. And because they retired, they did not have to pay back the tuition costs. Right? That's the way the contract states. Well, then, we just wasted money because we have 61% of Allentown students dropping out. I just wanted to say, I gave you this proof and I'm asking you, because you were talking about a scan program that scans the information on. So that if I ask you for a contract or that kind of thing, you don't have to pay somebody or me to thing. If it's in here, I know you can do it. So I'm just asking that you be more transparent, because I do look at things. I do know how to look up information but I'd rather look on your website and have you more transparent. I am working with Senator Dinamin because your grants have a lot of unfunded mandates that's costing us a lot of money we shouldn't have to pay out and he's actually looking into that. So there's other issues that I can see by looking at your grants or information and I would be willing to share that with you. So, I'm not talking to you as a district, I'm talking to every district in Pennsylvania and that's what we're pushing for, true transparency. So, I'm hoping that you hear what I'm saying cause I know you can holler or do whatever, but I am pushing it with my group to get this done so I can find out any information, be a good of that. So, I thank you for sharing it, I did give you information. I ask that you look on the Allentown website to see their minutes. This is actually one minute, one meeting. I won't give it to you because I have stuff that I'm using. I'm willing to talk to you about it. I will be going to financial meetings because I want to see, actually looking at bills. I don't believe in signing things until it's approved. So, I thank you for letting me share and I ask for you to consider that scan program you talked about. I think that's great. I hope you do that.

Mr. Bradley - I make a motion that we publish any document that's available under the Right-to-Know request on to the website without the need for a Right-to-Know request to be filed.

Janice Bowman - That would be transparency.

Mr. Bradley - And that would save all this lawyer time and everything else and it would also save the information and we'd be able to enroll hundreds of people to act as our mini-auditors and help us manage the district.

Mr. Bradley – We have a motion and a second.

Mr. Cleaver – So what was the motion?

Mrs. Wagner – To publish any documents that are available for Right-to-Know.

Mr. Bradley – Without the request, without a Right-to-Know request to be filed and publish them on the web.

Mr. Cleaver – Someone would have to decide what those documents would be.

Mr. Stern – What are those documents?

Mr. Bradley – The Office of Open Records has a list of all documents that are required under the Right-to-Know law to be released so therefore, a trained Right-to-Know officer would know which ones they are and, like Mr. Cleaver's contract, bills, things like that can be released. We can help you if you need to learn that.

Mr. Stern – Bills are again an issue, right?

Mr. Bradley – No, they can all be released. I have copies of them now if you'd like to get them. I'm gonna publish them on my site, I'm just trying to make it easy for the district so we can save all the attorney fees and solicit all those....

Mr. Stern – You don't have anything that shouldn't be published, Mr. Bradley, because it comes back on you then.

Mr. Bradley – All of it will be published, Mr. Stern.

Mr. Stern – You can publish whatever you like, I just said I hope it does not come back that there's something you shouldn't be publishing.

Mr. Bradley – Actually, it's kind of funny. So, I asked that question as well, the district, what's it called Mr. Schwab, the districts lack of liability for release of public information for the benefit of being transparent.

Mr. Bradley – What's it called, Mr. Feick?

Atty. Schwab – I don't know what you're talking about.

Mr. Bradley – I know, it's funny, I understand that. Mr. Feick, do you know what the term is that they use at the Office of Open Records that gives immunity to a Right-to-Know officer for releasing information that may or may not be available.

Mr. Feick – I'm not sure what that is but under a general liability it's called municipal immunity.

Mr. Bradley – There you go, but there's actually a term under the Office of Open Records. I'll get it for you before the next one so you don't have to have this fear, thank you.

Mr. Yenser – Is there a cost to that request?

Mr. Bradley – No.

Mr. Stern – So it just happens and goes up there happenstance?

Mr. Bradley – The cost to the request of publishing the information?

Mr. Stern – Yeah.

Mr. Bradley – No, it's on the web, it's already been scanned, it's already been taking the information in. The question becomes is there a better way to do it than what the district's currently doing it and the answer is yes. There's a much better way to do it and there's a different scanner you can buy, if you'd like, but right now, you're already do this for board members, we're just letting it go to the rest of the population.

Mr. Stern – Anybody want to comment?

Mr. Yenser – I don't see any parameters around this request.

Mr. Stern – No.

Mr. Feick – I can make a comment. I did look at Allentown's website. They use BoardDocs, which we use, but we only use the private end. They pay an additional \$9,600 a year to make it public of what was given to the board, like these attachments, and they put that as a public version. Now these attachments are already scanned in, so I see what he's saying that their not, it's not costing anything else because their already scanned. But right now it's just scanned to the board, it's not scanned to the...

Mr. Bradley – But, our I.T. Department can do the same thing as that program but just releasing. You could put a username and a password on that other. Instead of putting the file in one location, you can just put it in another second location, same thing. There's no real cost associated with it, if you manage it properly.

Mr. Feick – Right, but these aren't the only things that are available to Open Records.

Mr. Bradley – I agree but right now we have a solicitor that said we can be spending as much as \$100,000 to meet these requirements so anybody that can walk in and say I want this data, will cost the district. By giving it to them without them asking it, we reduce that liability.

Mr. Feick – Right, but what I'm saying is your motion basically someone can say all this for the last ten (10) years should be on our website, which isn't.

Mr. Bradley – I will amend the motion, moving forward. How about we do moving forward? Would that be helpful to you?

Mr. Beltz – I'm fine with that. It's getting more complicated. This is a lot of information.

Mr. Feick – So we’re talking the board attachments? They’re already scanned.

Mrs. Wagner – This is documents that are available by Right-to-Know. This is all documents available, not just what I attach.

Mr. Cleaver – Now, will this be after approval of board or before the approval of board.

Mr. Beltz – I think the intention is all documents that the Right-to-Know office lists as required documents to be included in the Right-to-Know documents.

Mr. Cleaver – So you want us to go through that list and every document that’s on there, someone’s gonna have to uploaded to the website.

Mr. Bradley – Correct, yeah, you’re going to be a transparent district, it’s so simple, yes, very easy.

Mr. Cleaver – We have a motion and a second?

Mrs. Wagner – Any documents that are available by Right-to-Know without a Right-to-Know request on the website, as per this date forward.

Mr. Stern – Correct.

Mr. Feick – I’ve got another comment. Does this have to also make our policies change? Because I know were talking about the auction and going to gov., I have to go through policy first because I couldn’t send it to the board without changing the policies. So do we have to go to policy?

Mr. Bradley – This board has the right to do anything it wants. Across the board, it’s like you said, it’s pirate world.

Mr. Stern – Call the vote please.

RTK on Website Denied MOTION by Mr. Bradley, SECONDED by Mr. Beltz to publish any documents that are available by Right-to-Know without a Right-to-Know request on the website, as per this date forward.

Roll Call Vote:

	Yes	No	Absent	Abstention
Mrs. Gail Maholick, Member	X	☐	☐	☐
Mrs. Rita Spinelli, 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	☐	☐	☐
Mr. Stephen Holland, Member	☐	X	☐	☐
Mr. Larry Stern, President	☐	X	☐	☐

VOTE: YES - 4 NO - 5 ABSENT - _____ ABSTENTIONS - _____

Motion denied.

Mr. Stern – Courtesy of the Floor, Mr. Tamburri (*no response*), Mrs. Flickinger (no response).

Mr. Tamburri and Mrs. Flickinger were not in the audience

Adjournment

Next regular scheduled meeting is Monday, May 21, 2018, at 7:00 p.m.

MOTION by Mr. Wentz, SECONDED by Mr. Bradley to adjourn the meeting at 10:35 p.m.

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

Mr. Stern – We will be going to executive session directly after this meeting.

*** Notice of Executive Session immediately following the meeting for personnel.*

Respectfully submitted



Brian Feick
Board Secretary

(Minutes of April 23, 2018, include Pages 1 through 81.)