

Lehighton Area School District

Lehighton, Pennsylvania

Regular Meeting of School Board
Monday, June 25, 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 7:00 p.m.

Mr. Stern - There is an addendum. One motion on the addendum, just so everybody is aware.

Roll Call

	Present	Absent
Ms. Joy Beers, Member	X	☐
Mr. Richard R. Beltz, Member	X	☐
Mr. David F. Bradley, Sr., Member	X	☐
Mr. Stephen Holland, Member	X	☐
Mrs. Gail Maholick, Member	X	☐
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	☐

Presentations - None

Public Comment on Agenda

1. Walter Zlomsowitch - Section VIII, Motion J.

- On November 20, 2017, a motion was made by Mr. Wentz, seconded by Mr. Stern to have Franklin Township do a possible subdivision of Christman Field. Attorney Schwab at that point says that for currently, the last 40 years, the school district has been renting Christman Field, and to keep this short, it should not include the track and will not include the building. So, my assumption is that this would be a legal motion to transfer just the Christman Field. I know Bill missed the last meeting and at the last meeting it came to light that the soccer field and some other land was added over there. Would that not need to be a new motion? Because what actually came out of that

meeting you weren't here Bill, was Mr. Cleaver admitted that he just added that piece of ground that he felt that the township deserved it.

Atty. Schwab – I believe there have been several motions since then. We cannot transfer ultimately the property, everything up until the time we transfer the property is preliminary because we have no metes and bounds description. So, would there be another motion? There's gotta be at least two more motions. I mean one would be to authorize that Franklin Township wants a two-thirds vote before they spend the money to subdivide and then there has to be a final vote with the metes and bounds description. Right now, what is Christman Field? I can't tell you what it is. I don't know how many feet it is, no one else in this room. We know where the ball fields are but nothing more than that.

➤ I understand that.

Atty. Schwab – As far as what they want. I mean, has there been surveys over the years, 2 or 3.

➤ What are they leasing?

Atty. Schwab – It doesn't say in the lease what, they're just generally they're leasing the property what they've maintained for 40 years but we don't have a legal description in our leases. We have some drawings.

➤ Right because in that lease it showed and described it as a deed.

Atty. Schwab – No, that's not right.

➤ What's not right?

Atty. Schwab – Just what you said is wrong.

Mr. Bradley – Okay, so when you pull up the...

Atty. Schwab – When you're referring to the deed, the deed is for all twenty-some acres and includes the school. We don't have a legal description of just the ballfield that this board has ever adopted.

Mr. Bradley – Has this board been given a copy of the lease that we currently have between the Franklin Township Supervisors and the school district?

Atty. Schwab – I have no idea what the administration has provided the board.

Mr. Bradley – Have we been given it? I mean, I got it from the township and I shared it with the board and it describes Christman Field pretty accurately from what I see, but I'm a layman. So, did you get a copy of that, Mr. Schwab?

Atty. Schwab – Yes, but again, you're looking that because you have one document that's a final legal description. That's not the case.

Mr. Bradley – It's a lease.

Atty. Schwab – Until we have a legal description, metes and bounds, that have gone through subdivision, everything else doesn't matter.

- I just wanted to know if the track is not included, nor the building.

Atty. Schwab – If that is what the board ultimately would agree to, that's what it is. But, we have to have a metes and bounds description of it.

- I also watched the last Franklin Township meeting and it sounds like they are in agreement to paying for the subdivision of Christman Field and allowing them to retain it at the district and then conditions of the lease. So, they consider that action as well. And, the other thing I want to address is the, Under Section 10, Item F, I know there's a lot of animosity here. I know there's 5 that usually go a certain way and I want to ask that you consider not putting us in harm's way by voting yes tonight on that. That's all I have.

2. David Bradley – Item F

- A student was falsely accused and strip searched by a Leighton staff member. Following protocol, the parents invited the Superintendent and the entire board to oversee their meeting with the Principal and Vice Principal. Director Beers and I attended. We heard what happened and it was unsettling. So, we, Director Beers and I, and I'm on the Policy committee, promise to review the district policy to ensure the parents of this community have an opportunity to be more involved with their students, our students, their children. The district actions that increase the retaliatory risks to these students should be reviewed seriously with the safety of the student in mind. From this event, focus was placed on me, and now the serious event that took place within the walls of our public school. Just because you can, doesn't mean you should. For a school to miss that teaching moment reflects poorly on our district. This is about students' rights and the rights of students' parents while their children attend our schools. Students don't have the right to a Miranda warning and they relinquish many of their rights under the Constitution, the First Amendment, the Fourth Amendment and even the Fourteenth Amendment, most of which are relinquished when they enter school property, even the parking lot. Policy needs to change, internally, so we can limit the use of power by the officials. Now, the state provides this power, but that doesn't not mean we need to use it, selective to be the term. We are not the inner-city school, we are a community school and supposed to be running an educational facility. With that being said, the response I received by mail, in form of a letter with a report from the Superintendent, filled with false accusations. The report recommended that I be banned for year. Yep, the board member that won the support of the community, banned for a year as a citizen, not as a board member, as a citizen from all my children's events. Banned my access to any school owned property and that's public property. The overzealous employees that strip searched our district children are not on this agenda, instead, I am. We have lot work to do. Let's focus on protecting the kids and saving the community as we promised when we got elected. Transparency is sweeping the state, and I am just the messenger.

3. Joy Beers – VIII, Item J and X, Item F.

- My first comment is related to Motion J under Section 8 under Financial Matter the Christman Field Subdivision. This is the third time we've seen this motion. I've requested some studies be performed in that special meeting, none of that happened. So, therefore, I agree with Walt and some other folks that I recommend we amend the

motion to subdivide the land separating Christman Field from the rest of the property so the district and maintain ownership and continue to be on the lease agreement with Franklin Township. My next comment is to Motion F under Section 10. This is really to me an investigative report, which Dave Bradley just commented on, I feel that the investigative report, professional report, recommending two incidences, the second of which I was a witness, and even though I was a witness, I was not interviewed. The following statements from the report conflict with my memory of the event. It states that two directors involved themselves in a parent/principal meeting. It does not recognize that the fact that the parents invited board members to attend. Secondly, it states that one of the directors' implied that one principal was sexually excited by searching a student. This is false in my remembrance that I recall the director implied that the principal enjoyed the use of power which is different. Currently, it states that the two principals were fearful. I cannot speak for them, perhaps they did feel fear, but based on my observations, neither of them appeared very anxious. The director is accused of being physically threatening, was separated from the principals by one or more persons. And finally it states that the principals were emotionally upset. I feel that the official report and motion are meant to be a distraction from the person it actually affects and that person was the student.

4. Barbara Bowes – Section VIII, Motion I and Section X, Motion F

- I too want to comment on the motion for Franklin Field. Subdivide, Retain, Lease. It's worked for forty years, let it work. Give it to the kids, get it done. Get this over and done with. Everybody's tired of it. Subdivide, Retain & Lease. It's a win-win for the district and the FTAA and Franklin Township. The next one is on Motion J. I've done some research myself and some investigating. I have found that no one else in the community, other than school administrators, were interviewed. That's not an investigation. You need everyone's input, not saying you have to believe it, but you gotta get it. It makes the investigation a little more believable. It seems to me, from various things that have happened, that there seems to be a pattern of behavior. We had first motion to reprimand Dave for his emails to PSBA, which was then downgraded because he couldn't email PSBA at all, it was downgraded to two people. It still shouldn't have happened. People shouldn't be blocking his email, I get that but it was embellished and seemed a lot worse than it really was. Then we had the motion of Christman Field, which we're told passed with five votes, simple majority. That's not the case, you need two-thirds. Had I not stood up and brought that to light, it would have gone through, it would have been a done deal. So there seems to be a pattern of behavior here. We need to all get along for the sake of these kids. The poor kid who was searched and wasn't guilty. Which of course you don't know until after you do it. If you couldn't do it, I understand there's certain times when you should. I mean, when there's a weapon involved, absolutely. But the parent should be present. I would have a real issue if my kid was searched without me present. I think you all would.

5. Fred Kemmerer, Jr. – Section X, Item F

- First I'd like to thank the board for allowing me to speak. I do want to start out by saying that my son was the child that was searched. While I was a 100 miles from home, to have my son text me saying they're searching my body. Now, as a parent, you feel helpless. You think, I hope this is being done in proper context. Since that day, I found out the reality of it is, it is factual. Our kids can go to school at any moment and be alleged of something and they can be strip searched with another student in the office. Their shirt taken off, down to their underwear, based on allegations and these

can be carried out by people that we should trust, principals, vice principals. Knowing that they have children of their own and wouldn't want that to happen to their child. Now, I truly believe that there are many inconsistent things that happened during this year. Many, many, that I've sent an email to the school board, I met with Mr. Cleaver and we had a very productive conversation. I was part of that meeting that they are talking about, quote-unquote, where the perversion was, which wasn't relative to me. Abuse of power, perhaps, but that's about it. But in the end, we have children in our school district that are looking to principals and vice principals. Also as mentors who lead them into adulthood and the last memory my son has is being strip searched for a called out allegation. Now, I don't know about you, if it's your grandson, your son, you would want to change policy. Have policies where we could have some sort of hold on some, one person just can't be like the law allows them to do whatever they want. Please just understand that I'm not here with any political intent whatsoever. I come as a father, as a taxpayer, and as a steward of the community.

VI. Communications

1. Superintendent's Report – *Mr. Cleaver*

- Another successful school year has wrapped up. We had a beautiful evening for graduation on the 15th. I would like to thank Sue, Dave & Kyle for their efforts for making the evening special for the graduates. I'd also like to thank the maintenance staff for again all their assistance in preparing for the evening and ensuring everything went smoothly during graduation night.
- I'd also like to wish the graduates the best of luck as they move into another part of their life which is of course, life after high school.
- We are currently finishing up removing all the items out of Mahoning Elementary school and have begun moving teacher items into the Elementary Center. We will be starting East Penn Elementary this week and then once we have completed removal of equipment and materials out of East Penn, we will then move to Franklin and Shull-David will be last because Shull-David is currently housing all our summer programs.
- For the first time in several years, we have a state budget approved and signed before the June 30th deadline. The district did receive a small increase in Basic Ed. funding, 1.27%, and a small increase in Special Ed. funding at 1.82% with this budget. So that is a positive for the increase.
- I'd also like to encourage parents and/or guardians to visit our district's website. There's a lot of summer programs that are being held this summer and I encourage you to take a look at that. There may be some that your students, your children may be interested in.

2. Finance Report – *Mr. Feick*

- Busy closing the year end.
- Our next Finance Committee is July 9, at 6:00 p.m. and we will have PFM and RBC do a presentation on bonds and if there's possible savings there.

3. Board President's Report – *Mr. Stern*

- Thank all the elementary schools for supporting the end of building activities. I know they all had reunions and such over the past months that allowed folks to come back in and celebrate the things that occurred in those facilities.
- Graduation was held on June 15th, 162 students, 75 girls, 87 boys. Again, a glorious evening for Lehigh Area High School.
- Summer school begins July 9 to July 27. Mr. Lusch has a summer gym class that is completely booked.

- Summer library at Shull-David is Wednesday's 9:00 a.m.-11:00 a.m. and 6:00 p.m.-8:00 p.m., June 27 to August 15.
 - Title I Math Camp is July 9-26 and Title I Reading Camp is July 30-August 16.
4. Lehigh Memorial Library Report – *Mrs. Maholick*
- Met May 29th.
 - The library has started the summer library program.
 - Story time is held Wednesday mornings at 10:30 a.m., evening story time is a 6:00 p.m. Thursdays.
 - One-on-one computer help is also offered at 6:00 p.m. Thursdays.
 - The library has received a \$800 Dollar General Reading Grant which will be used to purchase incentives and supplies for the summer reading program.
 - The next meeting will be tomorrow and I will not be available as I will be attending the Mauch Chunk Trust Hero Banquet.
5. Legislative Policy Committee of PSBA Report – *Mrs. Spinelli*
- The only thing I have is what would be in your packet. Whoever is interested in going to PSBA when it comes up on the agenda.
6. Title I Advisory Committee Report – *Mrs. Bowman*
- Title I Advisory Council with the borough incorporating our community, held our 9th Annual Pool Event on June 14th and the weather really held out on that date. Thank Mrs. Howland and Mrs. Ebbert because they have organized this for 9 years and we appreciate all the volunteers.
 - The Title I Parent Advisory Group met on May 30 and June 12. Worked on school-wide planning and the parents are asking a lot of great questions in that process.
 - Parents will be invited to “Teach Your Child to Read” with step-by-step learning. This will be facilitated by Carol Geary who is a retired Superintendent from Pleasant Valley.
7. CCTI Report – *Mr. Yenser*
- Held graduation June 8th. Wonderful evening to celebrate the 93 students.
 - Total of 9 students in the AP Literature and Composition course, 5 students in the Calculus, 33 students took advantage of taking the PSAT's, 84 students tested in the NOCTI with 100% of the students scoring advanced or competent in the written portion of those exams.
 - 57 students entered the workforce, 29 did go on to 2 and 4 year colleges, 3 went on to tech and trade schools, and 4 entered the military.
 - 432 students pre-enrolled for CCTI for next year.
 - Copy of the yearbook which will be placed in LAHS Library. Wonderful yearbook that they put out.
8. CLIU Report – *Mr. Wentz*
- Met June 18th at CLUI headquarters.
 - Informed that there are currently 430 students enrolled in Extended Year program which runs through the summer.
 - The golf fundraiser was held June 19th. So far they have raised \$23,553 sponsor dollars to benefit the IU students.
 - Lehigh currently has 89 students that benefit from the IU.
 - Next meeting is July 16.
9. Building/Grounds Report – *Mr. Holland*
- Met June 12.

- Discussed the Middle School press box. I want to thank Ms. Beers she presented two prints for us to look at. Mr. Spotts would prefer an elevated press box and we're still working on that situation.
- The gate at the stadium is now set for 6:00 a.m. that it opens and it will close at 8:00 p.m. in the evening. This is now through August when fall sports starts.
- Looking at a new shed for the band. That will come out of our budget from this year. That will be a little over \$2,000.
- The biggest thing I'm concerned about, but I'm not concerned it's getting the new school ready. I was down there today. People are moving in all directions. It's moving and the kids that are down there, fabulous. They're really doing a great job. A lot of the floors are already waxed and ready to go. The outside is pretty much set. Look forward to a new building and a new school year.

Mr. Bradley – Excuse me for one second. Steve, I got an email in reference to the roof of the dugout. Was that addressed yet?

Mr. Holland – Do I know that? No, I do not.

Mr. Bradley – Okay.

10. Academic Affairs Committee Report – *Mr. Stern*
 - Cover the Pre-K Assessment process and the FOSS Science curriculum which is on the agenda under Item T.
11. LCCC Report – *Mr. Krause*
 - You should have received LCCC Graduation Report. I'd like to highlight a few items.
 - Commencement was May 17 at the PP&L Center.
 - Academic awards received by Lehighton graduates were: Sara Serfass, Distinction and Psychology Award; Alyssa Smith, Criminal Justice Award and; Beth Hauser, Occupational Therapy Assistant Award
 - The girls' softball team was the college's first to become District F Regional 19 Champions and they finished 6th in the nation at the National Junior College Athletics Division 3 Championship Tournament.
 - Lehighton had 124 high school students this year take Dual Enrollment courses which is a pretty good number that continues to grow.
 - You also received information and notice about the proposed Donnelly Center move. As you know, the Center City developer reevaluated the long-term plans for that block. Therefore, the college will not be moving the Donnelly Center as proposed to the Morning Call building. LCCC Board will consider other opportunities as they arise.
 - There's a motion on the agenda this evening to renew my appointment as Lehighton's trustee on the LCCC board. I just want to let you know that I'd be willing and certainly honored to continue in that capacity.
12. Policy Committee Report – *Mr. Stern*
 - Next scheduled meeting is in July 11 at 5:45 p.m.
13. Athletic Committee Report – *Mr. Wentz*
 - Running summer camps.
 - Tonight we have the 7 on 7 passing clinic which was rained out this past Saturday.

- Kyle Spotts, our Athletic Director, has been named Athletic Director of the Year in the Schuylkill League.
 - Next meeting is August 8 prior to Meet the Tribe Night.
14. Wellness Committee Report – *Mrs. Maholick*
- Will not meet until August.

Mr. Bradley – Excuse me Larry. On the library, if we, if Gail can't make it, is the board gonna appoint someone else to be in her stay for the day she's gotta miss?

Mr. Stern – Usually does not occur but it can. If we have any volunteers that would like to attend in her place, that would be supported.

Mrs. Spinelli – I'll go.

Mr. Stern – Thank you, Rita.

Approval of Minutes

MOTION by Mr. Wentz, SECONDED by Mr. Bradley to approve the Minutes of the May 21, 2018, regular meeting.

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

Financial Matter

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

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

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

General Fund	\$ 2,286,606.60
--Benefits	\$ 429,335.31
--Payroll (May)	\$ 1,440,853.88
--Debit Card	\$ 2,892.80
Capital Projects	\$ 1,496,359.69
Food Service Fund	\$ 76,886.10
	\$ 5,732,934.38

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

Mr. Bradley – Did we check our end of the year budget versus what we projected and how close were we for the whole year? Are we above or below budget? Do we know?

Mr. Feick – We're scheduling right below, right now. We still have June and a lot of A.P. coming in but I figure we're gonna just be just under it, budget.

Mr. Bradley – So we should be under the budget for what was projected from last year?

Mr. Feick – Well, what was budgeted from last year.

Mr. Bradley – Yeah, from budget from last year. And that budget was 40, do you remember?

Mr. Feick – \$40,600,000...

Mr. Bradley – Yeah, almost 41 million. And, we took in roughly 17 million of taxpayers' money and the rest came from the state or what?

Mr. Feick – About 17,800,000 from taxpayers.

Mr. Bradley – And then the rest of it comes from the state.

Mr. Feick – State, federal.

Mr. Bradley – And that state and federal pays for education. Whereas the taxpayers have to pay for, when I'm looking at this, the most of the payroll, the debit cards, the capital projects, food service, things like. Well, food actually comes from federal, right?

Mr. Feick – Yes.

Mr. Bradley – So, how much of the \$17,800,000 of taxpayer money is used to pay for the elementary center? What percentage?

Mr. Feick – I'm not sure what you're getting at. It's one lump budget. We don't say the state money goes to here, the federal money. The only thing that's geared towards anyone, budget line, is the federal money. So the rest of its...

Mr. Bradley – How you so choose to...

Mr. Feick – High School, Middle School, it's education the whole budget.

Mr. Bradley – Yeah, but between PSERS...

Mr. Feick – Administration, PSERS.

Mr. Bradley – You have funded the...

Mr. Feick – Look at it this way, the elementary schools are a half our population so half the budget is gonna be elementary.

Mr. Bradley – Correct, but the unfunded mandates that their talking about.

Mr. Feick – It's still half the budget because you have the same number of teachers in elementary as you do in the middle school and high school. So, it's half the total budget.

Mr. Bradley – Okay, so about 8 million dollars will go towards that process?

Mr. Feick – Yes.

Mr. Bradley – And that's going to show a savings of 1.2 so it would have been 9 something?

Mr. Feick – Well, actually last year we used 1.86/7 million of fund balance this year we're down to only using \$200,000, so the difference is about 1.6 million plus we increased all the salaries and things moved up. So, there is a substantial savings.

Mr. Bradley – Yeah, but we didn't actually operate with that new elementary so we'll save another million two next year?

Mr. Feick – No, that's the budget I'm talking about. Last year we used 1.86 when we didn't have the elementary. This year were going to only use \$200,000.

Mr. Bradley – Coming up?

Mr. Feick – Correct.

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

Motion carried.

Construction Accounts MOTION by Mr. Wentz, SECONDED by Mr. Bradley by to approve payment on the following projects from the corresponding construction accounts for a total of \$1,572,213.70.

1. High School

Lobar, Inc.- App. #23

\$	35,000.00
\$	<u>35,000.00</u>

2. Middle School

Lobar, Inc.- App. #24

\$	50,000.00
\$	<u>50,000.00</u>

3. Elementary Center

Advantage Engineers- Inv. #107, 114, 115 & 116

\$	25,759.50
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CSI- Inv. #20182891P & 20182856P

\$	11,000.00
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EI Associates - Inv. #14059, 14060, 14061 & 14062

\$	10,458.72
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Jay R. Reynolds - App. #15

\$	30,068.78
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JBK Mechanical- App. #13

\$	203,499.50
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Lobar, Inc. - App. #19

\$	974,729.75
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Phillips Brothers - App. #16

\$	207,459.74
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Quandel- Inv. #40

\$	<u>24,237.71</u>
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\$	<u>1,487,213.70</u>
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Mr. Bradley – Andy, as our treasurer, did you get a chance to review them this month?

Mr. Yenser – This is the third month in a row you've asked me that, I review those to my satisfaction, not for other's satisfaction. So...

Mr. Bradley – We trust (inaudible) that you got a chance to do it.

Mr. Yenser - No need to trust me. You have the bills as well as I do for review.

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

Treasurer's Reports MOTION by Mr. Yenser, 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

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

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

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

Occ. Tax Changes MOTION by Mrs. Spinelli, SECONDED by Mr. Yenser to approve Occupational Tax Assessment Changes as per the attached list.

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

Unsold Properties MOTION by Mr. Yenser, SECONDED by Mr. Wentz, to approve the bid of \$ 838.00 on property, Map Number 39B-13-B16A, that is in the County's Repository for Unsold Properties.

Mr. Bradley - Can you explain how this works? So we're gonna approve a bid; who's paying, who's buying, who's getting what is it?

Atty. Schwab - When people have not paid their taxes for two years, it gets exposed to tax sale or Portnoff, if it's the school district taxes. After that, if it's not sold, mainly, maybe there's a mortgage on the property so it can't be sold free and clear. It gets exposed the next year to a judicial sale. If there is no purchasers, at that point, it's in what's called the repository. It sits there until the tax bureau can sell it and then the court orders that it be sold. And, the practice of the tax claim bureau is to contact all the taxing bodies to see if they will agree to the price. We have gotten no taxes for a minimum of three years when it hits the repository.

Mr. Bradley – But, somebody external to this property, not the district, is buying this \$838 and we have to accept that payment in lieu of...

Atty. Schwab – We don't get the full \$838. That's the bid for the property.

Mr. Bradley – So, some individual person is buying this tax sale property for \$838 of which some of that is gonna go to the Lehigh district, some of it's going to go to other...

Atty. Schwab – Municipalities. By the county it will be prorated.

Mr. Bradley – Prorated by what they're due. And that person that sold their, that lost their house to taxes.

Atty. Schwab – It may not be a house. For \$838 in all likelihood a lot.

Mr. Bradley – Okay, but that property. They've lost it for not paying their taxes and then there's a two year period and then you mentioned this Portnoff company.

Atty. Schwab – This is a three year since this is coming from the tax claim bureau. The third year is when it would be exposed to a judicial sale. So, it has to be over three years. Could be 4, 5, 6, 7 years for all we know. We don't have that information; the tax claim bureau has that.

Mr. Bradley – But, it wasn't like it's up for auction, or was it an auction that made the bid?

Atty. Schwab – You have two auctions it's been exposed to. You had an auction when the tax claim bureau sold it initially for a tax sale.

Mr. Bradley – And, nobody bought it.

Atty. Schwab – Nobody bought it. And then, you have the judicial sale a year later where there's another auction.

Mr. Bradley – Nobody bought it.

Atty. Schwab – Nobody bought it.

Mr. Bradley – This is called a bid. So, this is really a person going in to purchase it...

Atty. Schwab – And say, we found this property, I want to buy it.

Mr. Bradley – I want to buy it, right. So, it's a buy it now type of process, not necessarily competitive bid with a timeline or anything else.

Atty. Schwab – It is not a competitive bid.

Mr. Bradley – It's just a person who made an offer, a bid. Do we have a list of all those properties in our district?

Atty. Schwab – No. It's supplied to us by the tax claim bureau.

Mr. Bradley – So, it goes to the...you gotta get that from the county?

Atty. Schwab – Yes.

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

Motion carried.

2018-2019 Budget MOTION by Mr. Beltz, SECONDED by Mrs. Spinelli upon recommendation from the Finance Committee, to approve the final budget, **\$40,694,460.00**, as recommended by the finance committee, for the 2018-2019 General Fund Budget (no real estate tax increase proposed) Resolution #17/18 - #05.

Mr. Feick – This has been advertised for a minimum of twenty days, it's actually been twenty-five days it's been posted and I also put it online so people can look at it so they didn't have to come into the office to see it.

Mr. Bradley – And, just a question then. We're taking from our general fund to subsidize this budget because we're spending more than we're taking in by a couple hundred thousand dollars projected currently?

Mr. Feick - \$203,000, correct.

Mr. Bradley – Are we allowed to use that general fund to meet shortfalls in our budget from overspending?

Mr. Feick – Yes.

Mr. Bradley – Up to what level? Is there a limit?

Mr. Feick – It's up to the board. Right now that brings us right down on the 8 percent that the state wants under the Act 1 and that's what we're trying to get down to.

Mr. Bradley – An 8 percent fund balance?

Mr. Feick – Fund balance, correct.

Mr. Bradley – And, what was the highest our fund balance ever was?

Mr. Feick – 17%?

Mr. Bradley – Just checking.

Mr. Feick – That's a year I'm not...

Mr. Bradley – I agree. I just, I'm glad that we're putting this back into perspective but we're still spending more than we're taking in and your using excess taxes collected in the past, up to 17% excess.

Mr. Feick – And, when I came here we did a 4 or 5 year plan to try to bring it down to where it should be and pay for cash what we could like the stadium and things like that.

Mr. Bradley – Okay, so we used the excess taxes collected to pay things for cash and now we're paying off these budgets. But, has there been any conservative nature in reducing our costs?

Mr. Feick – I've been constantly reducing our costs. Not conservative, I go after it big time.

Mr. Bradley – Correct. And, the question is, do you have those benefits that you can share with the public so they can see the work that's being done.

Mr. Feick – We got the consolidation savings but just this past year we saved over \$100,000 on electric just at the high school and middle school because now they've been renovated and we have LED's and better, efficient systems. Those are just some of the examples.

Mr. Bradley – And, I think one of them was just by identifying the people using the copier, that's saves a fortune just by accountability.

Mr. Feick – Yeah, we're actually gonna be about 200 cases less this year than what we used last year.

Mr. Bradley – Just from a function of accountability.

Mr. Feick – Correct.

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 - 9 NO - _____ ABSENT - _____ ABSTENTIONS - _____

Motion carried.

Mr. Cleaver – Just a couple comments on this. I want to thank the business department and the business committee, financial committee on working hard and diligently. This again, Mr. Feick commented about, stole my thunder a little bit with the reserve amounts that we were using, proposed budget of \$1,867,684 last year. The first year now with the consolidation proposed we are looking at a reserve difference of \$203,590. So a difference of \$1,000,664.94 from one year to another with the first year of consolidation. We hope to continue to additional savings as we move forward. And, not only the savings part that's important, it's the amount we've been able to add a number of programs throughout the district with this. For example, the STEM program at the Middle School, the school police officers, technology curriculum with an instructor at the elementary level and instrumental lessons down at the elementary level, just to name a few. And I know moving forward with the Career Pathways, it has opened us up with a lot of options as

well there and additional programs being offered at the Middle School level now with the new schedule. And, I just wanted to thank again, the finance committee working forward with this. And, this and this has been a process, it didn't happen overnight, this plan has been in place for as many years as I could recall about moving forward with the plan of continuing to try in ways to save money. If you look at the average percent increase, in the district, I'll say that our local news affiliate, the Times News touches our district over the last believe seven years, Mr. Feick is the lowest percentage increased in the area. So again, this is not something that just happened the last couple of months ago, this is something that's been in the works and in place for several years now. So again, I think there's a lot of thanks to this board and a lot of thanks to the previous boards who worked hard moving forward with this plan. So, thank you.

Mr. Bradley - But, in all fairness the taxes were so high for so long and there was such a fund balance that you're just bleeding off of that over-taxation. You're saving over 1.2 million, but how much are we spending in interest every year on that elementary center.

Mr. Cleaver - Mr. Bradley, you could spin it anyway you want. I just...

Mr. Bradley - I know. The question of how much are we spending on interest, Mr. Feick?

Mr. Feick - About 1.6.

Mr. Bradley - So, it's a wash from the cash flow standpoint.

Mr. Feick - Yeah, but then we get \$900,000 and some back from interest. If Act 1 didn't come up, you would have saved your money and put it aside and when you got 40 million, built with that. But, the state Act 1 does not allow you to set the money aside for a rainy day anymore.

Mr. Bradley - Because too many districts were abusing it with this massive fund balances.

Mr. Feick - Live with what you have. One thing I did want to mention on the budget, this year, the increase for pension was a little bit over 1 percent, so the big jumps are not gonna be there anymore. The state finally has control of where they need to be. Over the last four years you saw 5 percent increases in pension every year, just to try to make up. Now it's still a 20 year process to get pension, state pension back into where it should be. But, they also changed the new pension years. So, as of July 1 of next year is going to be a defined benefit and a 401K type plan so that's also gonna drop down the pension liability.

Mr. Bradley - And, what's the percentage of the budget that's the pension again?

Mr. Feick - 32 percent of wages right now. And, the maximum, they say, might go up to be 34.5 over the next five years. Where the last four years it increased 5 percent a year just to get up to where we're at now. So, and the state index and the inflation rate was way, way less than that.

2018-2019 Homestead MOTION by Mr. Wentz, SECONDED by Mrs. Spinelli upon recommendation from the Finance Committee, to approve the 2018-2019 Homestead and Farmstead Exclusion - Resolution #17/18 - #06.

Roll Call Vote:

	Yes	No	Absent	Abstention
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. Richard R. Beltz, Member	X	☐	☐	☐
Mr. Larry Stern, President	X	☐	☐	☐

VOTE: YES - 9 NO - ABSENT - ABSTENTIONS -

Motion carried.

Motion Moot MOTION by , SECONDED by to reconsider motion to approve inter-municipal transfer of Christman Ballfield to Franklin Township subject to a subdivision and legal description satisfactory to the Lehigh Area School District Board.

Roll Call Vote:

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

VOTE: YES - NO - ABSENT - ABSTENTIONS -

Mr. Bradley - I'd like to modify that motion. I'd like to move, and give me a second, I wrote it down. I'd like to subdivide, retain and lease. I'd like to have the district subdivide the property. I'd like us to retain it and lease it either directly, I'd like to lease it directly to the Franklin Township Athletic Association for a dollar a year for the next, and we'll pick, a 100-year lease like the last one. Can I get a second on that motion?

Mr. Beltz - I'll second that.

Mr. Stern – You want to read the motion again please, Mr. Bradley. Did we get a first on it? Are you firsting it?

Mr. Bradley – I'm firsting, and we got a second. So, the motion on the table is for the district to pay to subdivide Christman Field alone, retain the property, and lease it to the Franklin Township Athletic Association for a dollar a year for the next 100 years.

Atty. Schwab – What you've done there is essentially a private sale, Mr. Bradley, when you put a 100 years on there. When you have a private sale, we need to have two appraisals, I don't think you're gonna get a court order. The existing lease is year to year. I don't know that a year to year lease to either Franklin Township or the Athletic Association is not considered a sale. A 100-year lease is a sale of the property and we don't have everything we need.

Mr. Bradley – By the advice of our Solicitor, I will modify the motion to make it as it was before, a year to year lease.

Barbara Bowes – Can I say something since it's a new motion?

Mr. Bradley – Most definitely.

Barbara Bowes – If it was a year to year lease, wouldn't it have to be reapproved every year by the board?

Board Members – Yes.

Barbara Bowes – Well, that's not in the minutes and I've been through them all from 2011 onward.

Atty. Schwab – There's something called a holdover tendency. If someone keeps on the property after, it automatically renews if you just stay there. And that's, you don't have to have an official renewal.

Barbara Bowes – Oh, well that's why it's not in the minutes then.

Atty. Schwab – No, it wouldn't be. I mean it's like you have a tenant that the lease is over of the tenant of your home, rental home that you have and they stay there.

Barbara Bowes – Right, if they take good care of it and you're happy with them you just let it go. This is not a signed lease.

Atty. Schwab – It's not a signed lease, but it's the same type of thing.

Mr. Beltz – If we did do the year to year lease we're talking about; we wouldn't have to talk about it next year. We can just let it go?

Atty. Schwab – It would now. We have never had a lease with Franklin Township Athletic Association so that would have to be new. We don't have a lease that's gonna come in...

Mr. Beltz – No holdover agreement?

Atty. Schwab – No, because we have rented to the township and the township essentially sublets it. Our lease is with Franklin Township, not with the Athletic Association.

Mr. Bradley – Yeah, but hold on. Right in the lease for the Franklin Township they're not allowed to sublet it. They don't charge them a dollar. They're not allowed to sublet. That was specific in that lease.

Atty. Schwab – I'm saying sublet, but it's the same thing as Phifer's Dam, it's the same thing as any public park. You have different groups coming in to use the "Park".

Mr. Bradley – Right, but it's not sublet at all. Don't challenge the Franklin Township to say that they're subletting. That would be a violation of their lease.

Atty. Schwab – But your motion...

Mr. Bradley – Is to the Franklin Township Athletic Association...

Atty. Schwab – And we have no lease with them.

Mr. Bradley – You can lease it to anyone and that's a non-profit, so it's the same scenario. Just so the kids get to play ball.

Mr. Cleaver – Just a question, in the event that the board would to decide then to sell it we'd be back with Franklin Township Athletic Association with nothing again.

Mr. Bradley – Absolutely not. If you lease that property and subdivide it. Subdivide, retain, and lease. They would not be at risk.

Mr. Cleaver – But, if you're leasing it, the following year they could decide, if someone comes in and offers the district a million dollars for the property, then the board has the right to say that we're not gonna lease it to them anymore and sell the property or go through a process of selling the property.

Mr. Bradley – As anyone else, correct. And that was also if the district goes bankrupt and the state comes in and decides to take it back. That's why, originally, I thought the best way to protect for the kids was that they bought it. This is the second best way.

Atty. Schwab – Franklin Township Athletic Association doesn't have to accept it; we have no indication that they would. We only have the letter from Franklin Township saying they would accept that.

Mr. Bradley – Correct. But, if we as a board, pass this motion, and we're subdividing it, cause it's still our property, we're gonna retain it and then we're gonna lease it. They can always make an arrangement with the Franklin Township Municipality if they so desire.

Atty. Schwab – That's not your motion.

Mr. Bradley – Not mine. I just said in the future if they choose to work with the Franklin Township Municipality, as they have in the past, they can make their own arrangement.

Mr. Feick – Does any other groups use the field besides the FTAA?

Atty. Schwab – Yes. Lehighton Soccer Association uses it.

Mr. Feick – This will preclude the soccer or anything else because only the FTAA would have insurance for their people.

Mr. Bradley – It would only preclude them if they choose to not allow that to happen. If they are friendly to the rest of the organizations, as was Franklin Township, it would be the same thing.

Mr. Stern – I think the issue that Mr. Feick was...

Mr. Feick – The liability insurances.

Mr. Stern – the liability.

Mr. Feick – The township has parks and recreation insurance which covers everyone on their, which the FTAA would only have insurance for their own events.

Mr. Stern – I also have a question on the actual subdivision costs and I know that auditors like to see costs that are directly attributable to education. What would happen if we pay for the subdivision and that's not directly attributable to education?

Mr. Feick – It's a fine line, but they're not gonna question. You're talking a small amount. Athletics we pay for is not directly attributable.

Mr. Stern – As far as the district provisions.

Mr. Feick – Right. So with the people using it, we basically use that field for years, or they've used that field. I think if it went to an outside organization what their gonna question is the liability insurance and who else is on the field besides the FTAA. Now you're telling me the soccer's there, so we'd have to have a lease with every single people that use that field. Just like when we rent out our buildings.

Mr. Bradley – Yeah, certificate of insurance just like you do for the church, correct?

Mr. Feick – Right.

Atty. Schwab – Then the district will have to manage it as opposed to right now it's Franklin Township.

Ms. Beers – Dave, would you be interested in modifying your motion...

Mr. Bradley – Correct.

Ms. Beers – Your motion to not lease to FTAA but to Franklin Township?

Mr. Bradley – No, because I think the government should not be involved in baseball. I think the FTAA and the kids should have control of it because it's for the kids and if you don't make it to the kids, they're at risk. Right now, this is the best way to reduce the risk to the children.

Ms. Beers – I think Dave, the difficulty is that people have a comfort level...

Audience Member – Dave, this is a dead subject, let's get this off the agenda. Let's try to get them to subdivide, retain and lease.

Mr. Bradley – That's what it is, subdivide, retain and lease. That's what we're asking for.

Audience Member – We already know Franklin Township's willing to do this.

Mr. Bradley – We're doing...you have this motion first. If I can't get this board to understand it's about baseball and these kids and let them have it so they have control, then you move it.

Audience Member – They can get that done with a subdivision and a retention and a lease to Franklin Township. I watched the last meeting, sounds like they're all on board. Let's get this over with. It's just one issue, it's not complicated.

Mr. Bradley – Let's have this motion first. We have a motion and a second, let's see if we can get it to the kids first which is the best interest, for the kids and then if not, if they don't want it. If they don't want it...

Audience Member – Are you listening? They don't want it.

Mr. Bradley – They should be offered it. I don't know if they've been offered it completely. According to the Franklin Township...at the Franklin Township meeting, but Kevin O'Donnell doesn't run the whole show. So, I talked to, at the Franklin Township meeting...

Audience Member – We get this on for, we actually get Franklin Township to pay for the subdivision, we retain it, and lease it to them. I've heard that in the last meeting for Franklin Township.

Mr. Bradley – Let's see if we can get it to fail first. After all, I'm the one who proposed, so what are the odds of it passing anyway.

Audience Member – May I say something?

Mr. Stern – Sure, Mr. Strohl.

Mr. Strohl – I'm with the Franklin Township Association, I don't have title or anything. We really don't want this, I know the coaches themselves because they're great at coaching, they do a great job coaching but as land (inaudible) we suck. Talk about maintenance, taking care of the field, I am the maintenance. When you look at me, you're looking at the whole maintenance. I admit, I do it a lot of years.

Mr. Bradley – But, the benefit of ownership. If you owned, do you think you'd have a better chance of getting other people to help you?

Mr. Strohl – Nobody helps me now.

Mr. Bradley – You don't think so? But, that sounds like a management problem more than a...

Atty. Schwab – We have the motion for the athletic.

Mr. Stern – Thank you, thank you Mr. Strohl. We'll vote on the amended motion if you could read that Ms. Wagner.

Mrs. Wagner – So, the motion by Mr. Bradley, seconded by Mr. Beltz is the district paying to subdivide the property of Christman Field, retain the property and lease it directly to FTAA for a dollar are year for a year to year lease.

Lease to MOTION by Mr. Bradley, SECONDED by Mr. Beltz to approve the district paying
FTAA to subdivide the property of Christman Field, retain the property and lease it
Denied directly to FTAA for a dollar are year for a year to year lease.

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 - 4 NO - 5 ABSENT - _____ ABSTENTIONS - _____
Motion denied.

Mr. Stern – Okay, back to Motion J. as originally done for the agenda.

Mrs. Maholick – Excuse me, I'd like to present a motion and I have a copy of it here and I'd like to pass one out to everybody. Can I speak now?

Mr. Stern – You sure may.

Mrs. Maholick – Okay, I would like to make a motion that the Lehigh School District agree to subdivide the Christman Fields only from the Franklin School property and not to include the soccer fields or any other property and to allow Franklin Township to hold a lease agreement for the 11.8 acres for a dollar a year for 99 years, with Franklin Township to pay for all subdivision costs and any other legal fees contained in this transaction. This includes a reverter clause that if the property is no longer is to be used for recreation it reverts back to Lehigh School District. The lease will allow the field to be used in the same manner as they have been for the past 39 years.

Mr. Bradley – And now that we learned about this 99, can you adjust it to a year to year?

Mrs. Maholick – We can take back year to year.

Mr. Bradley – Thank you.

Ms. Beers – I second that motion.

Mr. Cleaver – As year to year?

Ms. Beers – As year to year.

Mrs. Maholick – Year to year, thank you.

Mr. Stern – That's if Franklin Township is willing to subdivide if they're not going to own it, right?

Atty. Schwab – Well, I...while you've made the amendment, because of we're talking about a municipality, you can do it to a municipality for the 99 years as an inter-municipal transfer. I just want you aware of it while you've modified your motion, you did not have to because we're talking about a municipality if it gets 6 votes.

Mrs. Maholick – Okay, then let's go for 99 years.

Atty. Schwab – And then we also have to come back for a second vote when there's an actual legal description.

Ms. Beers – But Bill, this is not a municipal transfer.

Atty. Schwab – But, essentially we can treat it that way.

Ms. Beers – No.

Mr. Bradley – No, this is a lease. This is not a municipal transfer. I don't think we're voting on a municipal transfer. We're voting on retaining it as...

Atty. Schwab – Mr. Bradley, when give a, you rent property at a state park for 100 year lease...

Mr. Bradley – We talked about that, we reduced it to 99 years.

Atty. Schwab – That is still considered a transfer.

Mr. Bradley – We don't want to do a transfer and I don't think they want to do a 99 year lease if it's gonna be considered a transfer.

Ms. Beers – So with the amendment to year to year...

Atty. Schwab – It doesn't matter. But I'm just saying, she could have still had the 90 year it would be considered and would be structured as the inter-municipal transfer, that's all I'm saying.

Mr. Bradley – So, if you go year to year...

Atty. Schwab – And that's fine.

Mr. Bradley – We don't have an inter-municipal transfer, the district retains the property and we lease it the way it's been leasing forever. Does everybody understand that's how the motion's written?

Atty. Schwab – That's right. You would not have the reverter clause anymore.

Mr. Cleaver – Just for clarification, compared to what we have from the letter from the Franklin Township Supervisors, this is the request from them as the motion states on the agenda. Just so we're all aware. The Franklin Township Board of Supervisors would like to request that Lehigh Area School Board reconsider their vote and approve an inter-municipal transfer of the Christman Ball Field only to Franklin Township at no cost. As previously stated, Franklin Township will pay for the subdivision costs. If the decision remains not to enter into an inter-municipal transfer with Franklin Township, the Board of Supervisors would like to request a continuation of the original lease agreement which has been in place for the last 30 plus years. We believe this would be the best solution at the present time. And, they ask for us to advise us. So, it is different just cause I know clarification is different from what they were requesting, from the township from the letter.

Mr. Bradley – But, it should be acceptable. Larry, since Gail's motion is a new motion, can you please entertain the public participation portion of the Sunshine Act.

Mr. Stern – Thank you for reminding me, Mr. Bradley, as I was going to allow them to speak anyway.

Barbara Bowes - Can you please all vote yes?

Mr. Stern – Could you come up please, Barbara?

Barbara Bowes – Sorry.

Mr. Stern – Is that all?

Barbara Bowes – Yes. Just, Wayne, all of you, I don't know any of you personally, okay. I have nothing personal against you or anything else. But, for the kids, let's get this done.

Mr. Cleaver – But, just for clarification again, as I've stated before my concern with this the board could turn around then the following year and decide to sell the property, correct?

Atty. Schwab – That's correct.

Ms. Beers – And that's been the case all along.

Atty. Schwab – As of 39 years.

Ms. Beers – That's right, it has not occurred.

Mrs. Maholick – That's if they stop using it as recreation.

Atty. Schwab – Well, now you won't have a reverter if it's year to year.

Mrs. Maholick – Okay.

Atty. Schwab – Because year to year can be terminated at the end of any year.

Mrs. Maholick – They have to take the chance and we have to take a chance. I'm not turning it over, we need to keep that property.

Mr. Holland – Can I ask a question to Gail?

Mrs. Maholick – Yes.

Mr. Holland – Why not the soccer fields? Why's that not included?

Mrs. Maholick – Well, because if the soccer fields are included then there's no property surrounding the school. So, if we try to sell that school. Now that the hospitals coming in there, I could see maybe doctor's offices or some auxiliary offices for the hospital coming in and using that building. But, we take the soccer fields away, where are they gonna park their cars? Where would the staff go, where would patients go? So, we can't give that away and not only that I identified four different areas where the kids could play soccer and they don't have to use those fields. First of all, I talked to the Township Supervisors and Jason and Brenda told me that the Christman Field soccer fields are not being used. Number two, what is the old football field being used for? Couldn't they put a couple soccer fields in there? What about the practice field from the old football field? They could put a couple soccer fields in there. They could put soccer fields behind Howland's dental office on school district property. There's property there. And there's other soccer fields that are also in the, Baer Memorial. So, we're talking about two soccer fields that need to stay with the school and why do they have to...you know, we have to give something here. And if they can't give up the soccer fields for the baseball fields, there's something wrong with this because there's other places they can play. And, they're not using the Christman Field soccer fields. Am I right, Wayne?

Mr. Wentz – The field was up there and it's...we're actually gonna let the Booster Club use it for football, you know for that. But, Leighton Soccer Club even though they don't have a representative here, a lot of kids playing baseball and softball also play soccer and they enjoy that field up there and I can't sit here and undermine the soccer club.

Mrs. Maholick – I'm not undermining them.

Mr. Cleaver – They do use that for soccer fields because I know we ran into issues with the lawn mowing service where they couldn't...

Mrs. Maholick – Well then the township told me different.

Mr. Cleaver – Where they couldn't mow because the kids were playing soccer in the evening. I don't know, I mean I don't want to look. I mean, I'll ask, is that the case, the field is no longer used by, for soccer.

Jason Frey – The reason it's not used is because of the grade of the field is up there. But from what I understand (inaudible) and that's why we asked what we asked for because we understand that the people aren't using it. But because we were going to enjoy the inter-municipal transfer, we just thought, while we're at it, we'll take that (inaudible) too. We'll keep that space for community use. It makes sense to me.

Mr. Cleaver – Thank you.

Mrs. Maholick – It's make sense for the players, but it doesn't make sense for the community. We're here for the entire community.

Jason Frey – It is used for the community, not just the kids.

Mrs. Maholick – Because the community, there is...

Audience Member – Excuse me, I'm part of that community, and my child takes value at playing (inaudible) and she learned a heck of a lot more than hitting a ball or kicking a ball. So, I do get value out of that soccer field and I know hundreds of other parents who get value out of those field. So, to sit there and say that kids don't get value out of those fields is ridiculous.

Mr. Stern – Okay, alright.

Mrs. Maholick – And, I think that's what I said.

Mr. Bradley – Yeah, it's not what you said. That's not what she said. That's not what she said, but at the same time, I also talked to some commercial real estate property sales and I talked to people that buy some schools and that parking is very important for this property to maintain its value that we're looking at from the appraisal.

Mr. Yenser – Are you working on negotiating sales of...

Mr. Bradley – Absolutely not. I wanted to educate myself prior to a decision and understand what the land building to property relationships are and if you take those properties away, the amount of building space versus parking space reduces the value of the property. I own a property that has a very small amount of parking, so obviously it would be different if I had a lot of parking, and that's the value change and it's just a basic understanding, I'm sure Rita can help us with that. She has residential understanding. There's a value change.

Mrs. Spinelli – There is a value to parking, but that's only if you have a lot buyers who are looking for 1950 school buildings. I'm not too sure how many...

Mr. Bradley – Or location next to a hospital that's being built that just got sold for almost 3 million dollars. So, there's value to it even if they took the building down and just used the acreage and the location and the street, there's still value to that property and more than it was a month ago, more than it was two months ago, way more than it was five months ago.

Mrs. Maholick – I did identify other places where the kids can get soccer fields. It's not like they're taking anything away and not giving something back.

Mrs. Spinelli – I just have a question, if we're going to allow Franklin Township to pay for the subdivision, once it's subdivided must it be subdivided building and soccer and field or can it be subdivided, field, soccer field, building. And, at that point, we can then decide who wants what, who's gonna lease what, and who's we're gonna lease it to. Does it have to be all or nothing? Can it be in three separate parcels, Mr. Schwab?

Atty. Schwab – Yes, it can be. This motion doesn't do it in three. If you're doing a subdivision and you want it three lots instead of two lots, no big thing it's possible the same cost.

Mr. Cleaver – With Franklin Township paying for this, wouldn't they have the right to decide how it's subdivided?

Mr. Bradley – No. It's our property. We decide which portions we'd want to give to them as part of the lease, as the owner, and then from there they can make the valued decision of whether or not.

Jason Frey – For us, the inter-municipal transfer is perfect. But to keep the peace, we're willing to keep the lease. But our preference is to transfer. It's what we're looking for. But if we have to retain the lease, that's fine with us.

Audience Member – It can still work the way it is. If Franklin Township agrees to take Christman Field up, we still have the option later on as the school district to do a second subdivision on our own. It doesn't have to happen today; it doesn't have to happen in Franklin Township.

Mr. Stern – You're exactly right.

Mr. Bradley – And, you can wait until the person wants to purchase the building whether they want it or not. They can choose.

Audience Member – You may have a buyer that doesn't care about the soccer field, then we do a subdivision or make them pay for a subdivision.

Mr. Bradley – Excellent.

Audience Member – I just think you all need to vote yes for the children. Cause any no votes are against the kids in my opinion.

Mrs. Spinelli – We've had a lot of no votes on both sides, so, you know.

Mr. Wentz – I know Mr. Cressley, Mrs. Beltz on the board and I recently met Mr. Frey and what I get out of him is he's all for the kids also. So, if he's telling me they're gonna do this, hey, I trust him. Let's do this, we need six votes and we can.

Ms. Beers – No, five.

Mr. Stern – Five.

Mr. Wentz – We only need five?

Atty. Schwab – We're not doing an inter-municipal transfer.

Mrs. Spinelli – What are we doing exactly?

Mr. Stern – Subdividing and leasing the 11.8 acres at the top of the Franklin Township who can then do what they please.

Atty. Schwab – And the school district will retain.

Mrs. Wagner – Take the reverter off.

Atty. Schwab – Take the reverter off and the 99 years.

Mrs. Spinelli – Because it's going to be a year to year.

Mr. Stern – Even though it's stated by Mr. Frey the inter-municipal transfer of that property would have been the most preferred solution to this problem.

Mrs. Spinelli – I prefer to do what they want. I don't mean to be smart and I'm not trying to take my responsibility lightly, but if we just decide and just give them Christman Field, leave the rest there, and let the inter-municipal transfer go for Christman Field. If at the time, somebody and we have the other that wants to subdivide the soccer fields away from the building, we can still do that. But, for right now, I prefer we give the Christman Field to the township in an inter-municipal transfer the way they requested.

Audience Member – Franklin Township also agreed to a subdivision. So you're not doing what Franklin...Franklin Township agreed to do the (inaudible).

Mrs. Maholick – They want to do a lease.

Audience Member – They do agree. They agreed to do a subdivision in the paperwork for just Christman Field.

Mrs. Spinelli – Right, and that's what I'd like to see happen. If they're going to pay for it...

Mr. Bradley – No, no, they approved...

Mrs. Spinelli – They want the transfer.

Mr. Bradley – The Franklin Township Supervisor by himself, not as a supervisor, but as an individual, that you can trust, like Wayne said, agrees with this motion.

Audience Member – Mr. Schwab, is there going to be storm water issues if we subdivide the property and who's gonna be responsible?

Atty. Schwab – Is there going to be what?

Audience Member – Storm water issues.

Atty. Schwab – No, well, I can't tell you, I don't know, I'm not a surveyor, I don't know what the requirements of the township will be.

Audience Member – So who will be responsible if that happens?

Atty. Schwab – Well, the school district does it and they want to develop it of course, as the developer, the developer's responsible. But, I don't know if there's going to be any. You're speculating before we have a subdivision.

Mr. Bradley – If everyone had their opportunity to speak, I'd like to call the question.

Mr. Cleaver – Just for clarification, it wouldn't be the township, it would be the conservation group that would do that, not the township. So, really, the county conservation group is the one that takes over that. The township wouldn't be able to be involved.

Mrs. Maholick – Wayne, has there been any problems with that property in the past?

Mr. Wentz – With water?

Mrs. Maholick – Water.

Mr. Wentz – At the beginning there was and me and Jerome went up there and dug a trench around and it seems to be working, Jerome Dotter. Jason, you're the guy here and I appreciate you coming. If you, what I want to do keep it the same. Let you guys take it over, we lease it to you guys, whatever you want to do. And, let the kids play baseball.

Mrs. Maholick – Let the kids play.

Mr. Wentz – Jason, you okay with this? You're the guy.

Jason Frey – Well, like I said before, I would prefer the transfer but if you want to take the vote, I'm fine with it. I think it's time to move on with the issue but I do prefer the transfer like originally.

Mr. Wentz – Right, and I do too.

Mr. Stern – Why don't we do Motion J as it stands, and then come and do this one, Gail?

Atty. Schwab – Gail and Joy made the motion.

Mr. Stern – Would you consider rescinding it so we could vote on the way the township wants it?

Mrs. Maholick – No.

Mr. Stern – And then come back?

Mrs. Maholick – No.

Mr. Stern – Okay, that's the answer. No, that's okay, that's the answer. No is a no.

Subdivide and Lease to Franklin Township MOTION by Mrs. Maholick, SECONDED by Ms. Beers that the Lehigh School District agree to subdivide the Christman Fields only from the Franklin School property and not to include the soccer fields or any other property and to allow Franklin Township to hold a lease agreement for the 11.8 acres for \$1 a year for a year to year with Franklin Township to pay for all subdivision costs and any other legal fees contained in this transaction. The lease will allow the fields to be used in the same manner as they have been for the past 39 years.

Mr. Cleaver – Just to make sure everyone is aware then, with this, Mr. Feick and Mr. Holland, we will still be responsible to cut the grass there at the soccer fields, so we'll have revisit our current mowing service because we were looking if that so we'll have to...

Mrs. Maholick – Why can't that be part of the lease that they take over cutting the grass?

Mr. Cleaver – You're not talking the soccer fields.

Mrs. Maholick – Well, why can't it be put in the lease that they are responsible? How dumb are you?

Mr. Stern – We’re talking about the soccer fields, Gail.

Mrs. Maholick – Well, why can’t they? Why can’t they cut the grass?

Audience Member – Why would they cut the grass?

Mrs. Maholick – Well, they’re leasing it. Well, no, not the soccer fields. Oh, the soccer fields.

Mr. Stern – Yes.

Mr. Cleaver – We’re talking about the...

Mrs. Maholick – I thought you meant the one up on the Christman Field.

Roll Call Vote:

	Yes	No	Absent	Abstention
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. Richard R. Beltz, Member	X	☐	☐	☐
Mr. Larry Stern, President	X	☐	☐	☐

Mr. Bradley – By the recommendation of the Franklin Township, I say yes.

Mr. Wentz – Read that again.

Mrs. Maholick – You’ve got it in front of you.

Mr. Wentz – It changed.

Mrs. Wagner reread the motion.

Mr. Yenser – I prefer the inter-municipal, I say no.

Mr. Stern – Although I hoped that we would perform and do the recommendation that was requested by both the FTAA and the township and hope that future consideration of this agreement can be reviewed to accommodate their initial request, I will vote yes to maintain the fields to be used in their current capacity.

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

Mr. Stern – Motion J is now tabled, or moot.

2018-2019 Insurance Package MOTION by Mr. Beltz, SECONDED by Mr. Yenser upon recommendation by the Finance Committee, to approve the 2018-2019 insurance package policies for property, general liability, auto, boiler and machinery, workers' compensation, umbrella, security, error and omissions, in the amount of \$277,288.00. Requesting payment to be made July 1, 2018, out of the 2018-2019 fiscal year.

Mr. Bradley - How many bidders did we have on this policy or how many places did we shop?

Mr. Feick - Six different for liability, two for workers' comp because there's only two that'll cover. Actually, it's a combination of the boiler and machinery I think it is Hartford and general liability, I'm trying to think who that was. Workers' Comp we ended up with cheapest was PSBA.

Mr. Bradley - And, I don't have a copy of the actual policy. Did the finance committee get a physical copy of the policy to review or just the quote?

Mr. Feick - They got the quote and the whole breakdown. The policy's actually issued, but I can show you last year's if you want to look at it.

Mr. Bradley - Yeah, I would like a copy, please.

Mr. Feick - It actually comes on disk now.

Mr. Bradley - Perfect.

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

Issue Checks Dated 6/30/18 MOTION by Mrs. Spinelli, SECONDED by Mr. Wentz upon recommendation by the Finance Committee to approve issuing checks dated June 30, 2018, to pay invoices remaining for the 2017-2018 school year. Payments will be included in the July 2018 Board agenda for confirmation.

Mr. Bradley - I'd like to commend the finance department and Mr. Feick for keeping such a diligent job by being fiscally responsible per year. I was amazed that when we inspected the books, that he actually tracks things within that budget and tries to keep them within that budget. He'll even separate a bill depending on which month or which day has more dates straddling the end of the year. Commendable, thank you.

Mr. Feick - Thank you.

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

Transfer MOTION by Mr. Yenser, SECONDED by Mr. Holland to authorize a transfer from
General to the General Fund to Food Service Fund in the amount not to exceed \$5,339.00 to
Food Service close out the school year 2017-2018.

Mr. Feick - I just have a comment. The reason it's not to exceed, this is the unpaid student balances. By federal law, as of June 30, year-end, you have to transfer that collectable to the general fund. It cannot sit in the food service fund. And, the reason I have not to exceed two weeks ago it was \$7,000, last week it was down to the \$5,339. It'll probably end up being around 3 or 4 thousand because parents make the payments once they go their bill. But, it'll still be due to the general fund, not the food service.

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

Motion carried.

Fund Budget MOTION by Mr. Wentz, SECONDED by Mr. Yenser to approve a Fund Budget
Transfer Transfer, from the budgeted amount of \$110,000.00, from the General Fund to the Food Service Fund.

Atty. Schwab - Madam Secretary, just reference that N. was an 8-0, Mr. Bradley had left the room. He did not vote on it.

Mr. Bradley - I raised my hand.

Atty. Schwab - Okay.

Mr. Bradley - I thought she saw me. Good catch, Mr. Schwab.

Mr. Stern - Okay, move on?

Atty. Schwab - Yeah, so long as we have to reflect the vote.

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

Motion carried.

2018-2019 MOTION by Mrs. Spinelli, SECONDED by Mr. Bradley upon recommendation
Lunch from the Finance Committee, to approve the following: student lunch price and
Price adult lunch price to increase \$.10 and the A la Carte prices (memo attached) for the 2018-2019 school year.

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

Motion carried.

Purchasing Cooperatives MOTION by Mr. Yenser, SECONDED by Mrs. Spinelli to approve the continued use of previous board approved purchasing cooperatives (KPN, COSTARS, NJPA, TCPN, LVBC).

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

Motion carried.

LERTA MOTION by Mr. Beltz, SECONDED by Mr. Yenser upon recommendation from the Finance Committee, to authorize the Business Office to develop with the Carbon Chamber and Economic Development Corporation a Local Economic Revitalization Tax Assistance Act (LERTA).

Mr. Bradley - Do you want to explain what this is Mr. Feick?

Mr. Feick - It's a tax assistance not an abatement. Good example is someone buys a property for \$300,000, it's on the tax rolls for \$300,000. There gonna develop the property and put maybe 2 million in to it. When they're done, that property is supposedly worth 2.3 million, it's gonna be taxed on that. The LERTA (Local Economic Revitalization Tax Act allows you to faze in the additional 2 million or the new increase over a 10-year period. So, the first year would be \$300,000 plus 10% of the 2 million. The second year would be \$300,000 plus 20% of the 2 million. By the end of the 10 years, it's the full amount. It's not an abatement. You're actually still getting what you had, but you're giving an incentive with people to come there. What I'm gonna work with the development office is to come up with a rules. Like Hazelton did it, they had at least 2 million dollars and a 100 employees, I think that's a little bit too much for Lehighton but you know maybe 25 employees and \$500,000 improvements. They were originally talking to me about Weissport and I said let me talk to my finance committee and let's see about doing this district-wide because why just look at one of our tax authorities when we have six.

Mr. Bradley - So this will also effect the hospital. Will the hospital be a taxable property or will it be under the non-profit?

Mr. Feick - I'm not sure...

Atty. Schwab - The hospital, St. Luke's, is not taxable. Auxiliary buildings that they're talking about may be taxable. They're talking about physician's offices, they've talked about rehabilitation, possibly, center, they've talked about a radiology center. Offices such as that, if they would come about, would be taxable.

Mr. Bradley - Do they fall underneath this program?

Atty. Schwab - It may.

Mr. Feick - It may but it has to be in an area that was already zoned commercial/industrial and has not seen the economic growth that you were hoping for so it's more of the areas like that have been used or old factories or old commercial buildings that haven't been sold. But, I want to come up with recommendations and come back to the finance committee and come back to board. This authorizes me to work with them and come up with some recommendations and come back to the board.

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

Motion carried.

2018-2019 D&A Agreement MOTION by Mr. Wentz, SECONDED by Mrs. Spinelli to approve the Agreement between the Lehigh Area School District and Carbon-Monroe-Pike Drug and Alcohol Commission, Inc., for Drug and Alcohol Primary Prevention and SAP/Intervention Services for the 2018-2019 school year in the amount of **\$28,000.00** paid through the 2018-19 Ready-to-Learn Grant.

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

Motion carried.

J. Schwab Contact MOTION by Mr. Yenser, SECONDED by Mrs. Spinelli to approve contract between James Schwab, Clinical Psychologist Services, and the Lehigh Area School District for school year 2018-2019, in the amount not to exceed **\$30,000.00**, to be paid from 2018-2019 IDEA Grant.

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

Motion carried.

FOSS Curriculum MOTION by Mr. Yenser, SECONDED by Mrs. Spinelli to approve the adoption and purchase of the FOSS Science Curriculum for Grades 3, 4, & 5 in the amount of **\$44,929.56**. Funding through the 2018-2019 Curriculum Budget.

Mr. Bradley – I was at the curriculum committee meeting, I guess we'll call it, and they mentioned that they're gonna purchase this curriculum from a third-party company. Do we have a current curriculum and can we adopt things that are not through a third-party? I mean, our teachers' have this ability to write lesson plans, can they emulate this rather than spending \$40,000 that doesn't get in to the classrooms?

Mr. Cleaver – Currently, our curriculum doesn't offer what the FOSS program offers. For example, there's many different types of consumables, there's also animals that get sent to our buildings. Part of this, there's crayfish that are involved, there's owl pellets, there's a lot of hands-on activities. Currently, our science is more of a book curriculum, this is more of a hands-on approach.

Mr. Bradley – I mean, my kid has a crayfish in his classroom in Franklin and he also had an owl pellet come home.

Mr. Cleaver – Exactly, because he was the pilot of this program.

Mr. Bradley – But, at the same time, we had a birthday party and I went out and bought owl pellets for my kids, back in the day and same thing with the crayfish and same thing through our local butterfly and local other communities rather than giving this to an outside vendor. There's a lot of animals available. There's the Lehigh Valley Zoo that has all sorts of capabilities that this money, if we're doing science, between Allentown, Lehigh Valley, butterfly and other community service which you can buy owl pellets anywhere, just so you know. But, that's a lot of money going outside our community rather than doing the same things. If we already know what they're offering, I'm sure our teachers are capable of emulating that and providing this value locally. Did anyone even look at this idea versus just wanted to buy something from someone else?

Mr. Cleaver – I'll let Mr. Tkach...

Mr. Tkach – Yes. Can I ask, Mr. Bradley, do you think you're just expecting teachers to draw this from scratch?

Mr. Bradley – Absolutely not. I believe we have very experienced...

Mr. Tkach – Are you gonna let me speak?

Mr. Bradley – No, I believe we have...

Mr. Tkach – May I talk?

Mr. Bradley – You asked the question. I'm gonna answer it if you don't mind.

Mr. Tkach – I'll give you an answer too.

Mr. Bradley – Well wait, do you want me to answer your question, first or do you want to go?

Mr. Tkach – It's either your way or no way.

Mr. Bradley – No, no, no, I just wanted...do you want me to...

Mr. Tkach – Can I explain?

Mr. Bradley – Sure.

Mr. Tkach – This curriculum was recommended to us and it was given to the teachers to run as a pilot, okay. They take this, look at the material. It was at a no cost. Based upon recommendations from other districts. There is not any other district in the state that takes this curriculum, expects their teachers to write from scratch and also maintain math, science, social studies, language arts, health/P.E., everything else. Their boat is already filled to the max with state mandates. This is the curriculum that is highly recommended. I'm assuming if you read the packet, you got all the information from teachers and from students vouching how they love this program. How the interaction of kids increased. It was hands-on. Our teachers do not have the time to sit and run the curriculum from scratch. This is the curriculum that they take. They then mold and make it fit their needs based upon differentiated instruction based upon all the kids that are in their classroom. So, I know you do many things and you do them well, but I do not normally think the board expects our teachers to sit and write curriculum from scratch. This is not a waste of money. If you look at it, when it came down, just about \$4,992 per year per grade level. That's roughly

what consumables cost. This also goes through, we went and looked at a second edition from Follett, 2002 discounted, that came to over \$35,000 and that was no interactive materials, no kits, no online licenses, no living organisms and that was a textbook. I think if you would ask some teacher here that have used it and piloted this, they found it very beneficial. It's nice to go to a curriculum, take a look, what do I have, what can I use as my foundation and building upon that based upon my students' needs. Because their trying to learn all the differentiated learning styles for all their kids. There's 25 kids in that classroom. So, it's not a waste of money, it's not a third-party, it's not canned, it's something that's very beneficial to the kid. And, that's why we've used that for a whole year. We rolled this out now, it's the third year. And it has really increased student participation. You were at the meeting when Mrs. Wentz spoke and said I can't believe how the students get excited for FOSS.

Mr. Cleaver - Just so you know this is, this includes the living organisms, the classroom kits and supplies, the online content access, which you know we wouldn't have access to without it, as well as there is textbooks that do come with it. And, also a big part of it is professional development that is part of it, that's included in the cost. And, you know as we replenish things, if in your packet, it does make the comment about replenishing kits, you know we could look to purchase such as the owl, the things that need to be replenished year to year. So that's something we could look at.

Mr. Bradley - They were limited within the classrooms that they had this year, correct? During that pilot program. Only a certain number of kids had certain amount of stuff.

Mr. Tkach - Kids had all access, it was certain classrooms. All third grade classes had, some fourth.

Mr. Bradley - But, in my third, in my kid's third grade class, help me out, did they have owl pellets for all the kids or they had a lottery? Does anybody know? They cost a dollar, I'm just wondering. This is not, make sure you understand, this is not about the money, this is about where you spend it. So what I'm looking at is the idea that you make a decision based upon your resources and where you spend it.

Mr. Tkach - Right.

Mr. Bradley - So, if I'm not mistaken, teachers have this skill, I agree they're taxed, meaning they have a lot of time that needs to be put towards other avenues for our students. However, once it's established, it is repeatable. You have administrators, we have a community full of people, you have a community full of science, within our own community. I believe even Ms. Duerst was a science related skills. Correct, Ms. Duerst?

Stacey Duerst - Yes, that is correct. But you know what I do, I pay for expertise all the time.

Mr. Bradley - I'm sure you do.

Stacey Duerst - There are people out there that know more than me and I pay for expertise and I know all the scientist out there pay for expertise. And, I would be happy for my tax dollars to go pay for the expertise of this well-designed curriculum.

Mr. Tkach - We will continue to look at that. I'm not just going to go and spend and go through Carolina Biological Service for starfish if they're charging a certain amount. If we can get it cheaper somewhere else local, we'll do that.

Mr. Bradley – I understand that. But, what I wanted to understand, they had time to review this over a year, during that period, did anyone actually even talk to these other organizations that provide these services locally that have that expertise that we could tap within our community. That not only gives the kids the opportunity to do these things that's hands-on, which I'm very excited about, but it also gives them a mentor within the community to look up to because it is local and it gives them that opportunity.

Mr. Tkach – Yes, Mrs. Volcskai is working with that. We are working with Project Lead the Way. We are also working with Carnegie with the DaVinci Center and going through there and also from local people as well. As we're working and growing, yes, we're expanding.

Mr. Bradley – And, is this a one-year commitment or a multiple year commitment. I understand the curriculum's for the year, that's what this is on the budget. But was any agreements made?

Mr. Tkach – This would be for about three.

Mr. Bradley – For this year's. Say it again?

Mr. Tkach – No, no. If you're looking at that for the \$44,000, we had enough supplies and materials that that would last us. If you take a look at the breakdown that was in the packet sent to you, it shows that it's for at least three years.

Mr. Bradley – Correct. And, what we just talked about before was authorizing things within a budget year. So, how much is this being used per year and why are we approved. Does it have to be purchased as a package, for a three-year package?

Mr. Tkach – Yes, you get a better price on it.

Mr. Bradley – Okay. And, what was the difference? Do you remember?

Mr. Tkach – I want to say at least around \$5,000 to \$8,000 difference.

Mr. Feick – It was over ten percent.

Mr. Bradley – Ten percent?

Mr. Feick – Yes.

Mr. Bradley – I would like the committees to recognize that we need to think a little bit outside the box and keep things within. I heard we are hiring expertise to do scheduling, we're hiring expertise to do a variety of things and those skills, I'm sure, with our talented teachers and our talented administrators have that ability to do it.

Mr. Tkach – I trust all that with this and our teachers and faculty.

Mr. Stern – Any further questions?

Mr. Bradley – Is this a roll call vote specifically because of the spending of more than a certain amount of money?

Atty. Schwab – It's textbooks.

Mr. Feick – It's curriculum textbooks, it has to be a roll call.

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 - 8 NO - 1 ABSENT - _____ ABSTENTIONS - _____
Motion carried.

FOSS Consignment MOTION by Mr. Yenser, SECONDED by Mr. Wentz to approve the payment of the Consignment Agreement for the 2017-18 pilot of the FOSS Science Curriculum for grades 3, 4, & 5, in the amount of **\$30,866.40**. Funding through the 2017-2018 Curriculum Budget.

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

Automatic Logic Contract MOTION by Mr. Holland, SECONDED by Mrs. Spinelli as recommended by the Building and Grounds Committee, to approve the Service Solutions Contracts for Automated Logic in the amount of **\$17,718.00** for the High School HVAC and **\$19,408.00** for the Middle School HVAC per year.

Mr. Bradley – Excuse me, Mr. Stern, wasn't the high school done through an ESCO program?

Mr. Stern – Mm hmm.

Mr. Bradley – So why is it extra dollars for their logic system on the automated if it's part of that ESCO? Weren't they responsible for?

Mr. Stern – No, they're not responsible for the maintenance after one year. Is that Mr. Feick?

Mr. Bradley – No.

Mr. Feick – The maintenance, they just guarantee the savings.

Mr. Bradley – So if they guarantee the savings, one of the things that they’re gonna use to guarantee the savings is the control of those items.

Mr. Feick – Right, and we have to make sure we maintain it. Otherwise they’ll say we didn’t maintain it and we don’t have guarantee your savings anymore.

Mr. Bradley – Correct. So, is this buying the new process or is this part of what was installed as part of the ESCO?

Mr. Feick – From what I understand, this is basically them taking care of the maintenance for us. Am I correct, Mr. Holland?

Mr. Holland – Yes it is.

Mr. Feick – So to make sure it’s done right cause I don’t...

Mr. Bradley – So you don’t get the call.

Mr. Stern – Maintenance and support.

Mr. Feick – Maintenance and support of it.

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

Motion carried.

Project Lead the Way MOTION by Mr. Wentz, SECONDED by Mrs. Spinelli to approve **Employee #204** to attend the Project Lead the Way Summer Training Institute at Bucknell University, July 22-27, 2018, at a cost not to exceed **\$3,500.00**. Funding through the Project Lead the Way Grant.

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

Motion carried.

CARR Software MOTION by Mr. Yenser, SECONDED by Mrs. Spinelli to approve contract with Carbon Lehigh Intermediate Unit #21 for Child Abuse Recognition and Reporting Tracking Software from July 1, 2018, through June 30, 2023, at a cost of **\$500.00/year**.

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

Motion carried.

ALICE Training MOTION by Mr. Yenser, SECONDED by Mr. Holland to approve ~~Employees #382, #624, #1207, #1375 and School Police Officers (2)~~ Six (6) LASD Employees to attend ALICE Instructor Certification Training at Schuylkill Tech Center-South, August 7 & 8, 2018, at a cost not to exceed \$3,700.00. Funding through the 2017-18 Superintendent's Budget.

Atty. Schwab – Before you have a motion on this, you may wish to consider the motion as subject to the court approving the district having school police. That's not scheduled to July 10/11, whatever the Tuesday is of that week.

Mr. Feick – July 10 is the Tuesday that week.

Atty. Schwab – Okay. That's the date of the...what I'm saying is suppose the judge says we can't have, why are we spending the money. I'm bringing that to your attention, that's all.

Mrs. Wagner – We're also allowed to put other people in.

Mr. Cleaver – So, if it's not approved, we could substitute others.

Mrs. Wagner – And, there are other people interested besides the police officers.

Atty. Schwab – Okay, but you're saying the police officers.

Mr. Stern – Why don't we just say for six employees to attend. Does that work?

Atty. Schwab – Yeah.

Mr. Stern – So, scratch the employee numbers and to approve six.

Mr. Feick – I have a question. Under the motion shouldn't it say 18-19 budget?

Mr. Cleaver – No, it's 17-18 because we're paying it now, early bird.

Mr. Stern – That was my question initially to Mr. Cleaver, sorry I didn't make it public.

Mr. Bradley – Wait, wait, we changed the motion, right? When I went to the men's room they changed the motion.

Mr. Stern – We changed it from the employee numbers to six employees.

Mr. Bradley – Did you give those people a chance to speak before you voted?

Mr. Stern – Anyone like to speak on the topic?

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

Motion carried.

Supervisor of Alt. Ed./ Asst. Ath. Director MOTION by Mr. Wentz, SECONDED by Mr. Holland that the Board hereby establishes under the Act 93 agreement the position of Supervisor of Alternative Education/ Assistant Athletic Director and to approve the Supervisor of Alternative Education/ Assistant Athletic Director Job Description.

Mr. Bradley - So why are we adding two more employees, is that right, two?

Mr. Cleaver - No, this one, shared responsibilities.

Mr. Bradley - Why are we adding an extra? I thought we had an athletic director that was gonna be part of the maintenance department.

Mr. Cleaver - That is correct. He is taking over that and part of that also to help him assist with some of this general day to day athletic responsibilities in addition we have always had discussion about bringing alternative education program in currently cause the amount that we spend to send students to other alternative ed. programs. We now with the building projects we have the room to start our own and the plan is to bring some of our students back as part of that program.

Mr. Bradley - And what was the dollar value of this person?

Mr. Cleaver - We don't have one.

Mr. Stern - This is just the job description.

Mr. Cleaver - This is the job description, the position. If this is approved, the person comes recommended, there will be a dollar amount then at that time.

Mr. Bradley - And, we don't have anyone within our staff that would like to add this on or are they trying to add it on to existing employees?

Mr. Cleaver - Add the responsibility on?

Mr. Bradley - Yeah. I mean, are we getting, are we looking at attrition through the elementary school. Are we taking somebody that would've been on attrition and then moved over to here to be able to fill that place.

Mr. Cleaver - Currently, if we move someone now, we would have to replace that person. It would be six of one, half dozen of the other.

Mr. Bradley - Right. So, we're adding an extra person to the staff.

Mr. Yenser - Because cost savings in this position as well as Mr. Cleaver indicated that were looking to bring alternative ed. students back to our district, educate them ourselves. There is a cost savings to do that than paying someone else to do it. So there is an off-setting cost, so it's not a full burden cost.

Mr. Bradley - But a board member would want to know those numbers prior to making that decision.

Mr. Yenser – That’s correct. This is, again, just the job description of that person. We’re not approving the position.

Mr. Cleaver – And, if we did again to go back to your question, Mr. Bradley, if we would take a current employee than that person would have to be replaced. And, then also, as part of the, even if we would split the Assistant Athletic Director into a half a position, we’d still have full boat schedules for our teachers. So, we’d still be, you know, looking at “1.5” positions instead of one.

Mr. Bradley – Thank you.

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

Motion carried.

Personnel

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

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

Motion carried.

Resignations MOTION by Mr. Yenser, SECONDED by Mr. Holland to accept the resignation of the following employees:

1. **Corrine McConville** – Head Field Hockey Coach – effective immediately.
2. **Angela Harris** – K-5 Citizenship Department Head – effective immediately.

Mr. Bradley – Did we do an exit interview on these two employees or ask for the one to be done?

Mr. Cleaver – I will not do that until after we accept the resignation. However, I could tell you that one of them is resigning because she is taking a position at the high school, so the K-5 Department Head would a little difficult. And, then the other one mentioned to us that she had an opportunity at the collegiate level to move up. But, no, I don’t ask...to answer your question, that really didn’t answer, I apologize. Is that, once their...accept the resignation then I will reach out to them and see if they would be interested.

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

Motion carried.

Course Approvals MOTION by Mr. Holland, SECONDED by Mr. Yenser to approve the following requests for pre-approval of courses/Programs of Study for continuing education:

1. **Amber Williams** – June 25-September 8, 2018/Current Research in Curriculum and Instruction
2. **Amber Williams** – June 25-September 8, 2018/ Assessment of Young Children I
3. **Amber Williams** – June 25-September 8, 2018/Teaching in Urban Contents
4. **Beth Hudlow** – July 16-July 20, 2018/Rehearsal Strategies and Repertoire for Young Band

Mr. Bradley – So are these part of the contract or this is an extra?

Mr. Cleaver – These are, they’re allowed to take courses within their contracts, current contracts.

Mr. Bradley – How many are they allowed to take?

Mr. Cleaver – For Bachelor program fifteen, but once they reach Master’s then it’s down to six.

Mr. Bradley – I look forward to getting the contract, Mr. Feick, thank you.

Mr. Feick – I did send you the last two.

Mr. Bradley – You got them? Excellent, I’m getting the other one, thank you.

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

Motion carried.

Summer Hires MOTION by Mr. Wentz, SECONDED by Mrs. Spinelli to approve the recommendation to hire the following summer positions as per hourly rate in Collective Bargaining Agreement:

1. **Christina Brong** – Title I Summer Math Camp Teacher
2. **Justin Fritz** – Title I Summer Math & Reading Camp Teacher
3. **Marijane Petit Clair** – Title I Summer Reading Camp Teacher
4. **Diane Brownmiller** – Title I Summer Reading Camp Teacher
5. **Bonnie Helmer** – Title I Summer Reading & Math Camp Paraprofessional
6. **Brenda Eckley** – Title I Summer Reading & Math Camp Paraprofessional
7. **Christina Bravo** – Title I Summer Reading & Math Camp Paraprofessional
8. **Diane Brownmiller** – Summer Reading Program

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

Motion carried.

Miscellaneous

School Journeys MOTION by Mr. Wentz, SECONDED by Mrs. Spinelli to approve the following School Enrichment Journey requests:
1. **LAMS Theatre Students (L. Welkey)** – November 28, 2018 – 7:15 a.m.-7:00 p.m.
– to travel to New York City for Broadway Workshop & Broadway Show
(Activities Fund)

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

Motion carried.

Homebound MOTION by Mr. Beltz, SECONDED by Mr. Holland to approve homebound instruction for the following student:
1. **Student #54172**

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

Motion carried.

Credit Waiver MOTION by Mrs. Spinelli, SECONDED by Mr. Wentz to approve the credit waiver for Student #58026.

Mr. Cleaver – You will see these, time after time, for credit waivers, they happen for different reasons. Could be out at a different district, some districts do not require as many credits for us to retire. For example, a district may require twenty-four credits to graduated or twenty-one and they may only be limited by the amount of credits they can take a year up to six. So, if they would come to us as a senior, even though they passed all three years with their full credit gamut, even by taking a full load of course here at the high school, they still wouldn't meet our credit requirements, so you'll see credit waivers that will show up time to time for different scenarios, and we'll get you the information on the scenarios so your aware.

Mr. Stern – Thank you, Mr. Cleaver. All those in favor say aye.

Mr. Bradley – Hold on one second, excuse me, Mr. Schwab this letter that we received in reference to this motion is that now considered a public document since it's part of our package.

Atty. Schwab – I did not see the letter, so I don't what you're talking about.

Mr. Cleaver – It has student information on it.

Mr. Bradley – It doesn't have any names or anything on it.

Mr. Cleaver – No.

Mr. Bradley – But here, let's give him a chance to look at it.

Mr. Cleaver – He already has it from Mr. Feick.

Mr. Bradley – Okay, good.

Mr. Cleaver – We did remove the names.

Mr. Bradley – So, I’m under the impression that since it’s part of our package, and part of the deliberation of this motion, that those items, pertinent to agenda, become part of the public.

Atty. Schwab – It should be available.

Mr. Bradley – Correct, because it’s part of the pertinent data, thank you.

Atty. Schwab – It doesn’t have a student name on there.

Mr. Bradley – Thank you for the clarification.

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

D. Krause MOTION by Mr. Yenser, SECONDED by Mr. Wentz to reappoint **Mr. David L.**
LCCC **Krause**, as Lehigh Carbon Community College Trustee for the Lehigh Area
Trustee School District. The term of office runs from July 1, 2018, through June 30, 2024.

Mr. Bradley – I’d like to consider that we pass on this motion and allow Rusty if you’d accept the responsibility since I believe he has relationships with that LCCC College with some family members and Mr. Krause, I believe. How long have you been doing it Mr. Krause?

Mr. Krause – Three.

Mr. Bradley – Three. So changing of the guard once in a while, term limits, is a worthwhile venture.

Mr. Beltz – I think Dave Krause is doing an excellent job as the representative to LCCC, I’d like to not take that position.

Mr. Stern – Thank you, Mr. Beltz.

Mr. Holland – I’d like to say something. I’d want to thank Mr. Krause, personally, because to go out of their way and just be a single individual anymore, just not a school board member, from our local community, to do this, I want to thank him very much for volunteering and for the previous great job that he’s also done before. So, thank you again Mr. Krause.

Mr. Cleaver – And, just to echo those remarks, I could speak for Dr. Bieber, the President of LCCC, and she feels exactly the way you do, Mr. Holland, with his expertise and his knowledge and also his wide range of experience for the years he’s been on the school board and been involved. She has nothing but praise for Mr. Krause and the knowledge and the committees that he also takes

extra time. Because not only you know at the meetings, they also have committees. So, he's also taking time to go to additional committees and I know he's on the building facilities committee, I believe finance, so there's a lot of other times, so it's not just that once, there's many other meetings. So, thank you Mr. Krause.

Mr. Stern - And, just as being the former representative, I was representative for several years before I was on the Lehigh Area Board and it is challenging from a time perspective to be able to attend the meetings that we have here in our own district plus the meeting at the college. There's always conflict with times. So, at some points, it is advantageous for an individual, having had the experience of being on a board, as for myself, it gave me the opportunity to learn how a board functions by being on the LCCC board prior to being on the Lehigh School Board. So, again, thank you very much Dave and we know what a time constraint it can be. So, thank you again.

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

PSBA Voting Delegates MOTION by Ms. Beers, SECONDED by Mr. Bradley to approve **Joy Beers and Gail Maholick** as Board Voting Delegates at the PSBA 2018 Delegate Assembly, Hershey, PA.

Ms. Beers - I would like to motion for myself and Gail Maholick to be the voting delegates.

Mr. Bradley - I'll second that.

Mr. Stern - Anyone else?

Mr. Bradley - I'm also a little disappointed you didn't pick me.

Mr. Stern reread the motion.

Mr. Stern - Any comments from the public?

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

Prohibit Board Member #003 from Contact with District Employees w/o appt. MOTION by Mr. Wentz, SECONDED by Mr. Holland per recommendation of investigative report, to prohibit Board Member #003 from having direct contact with any district employee. In such incidences where his/her elected duties require contact with district employees; the board requires Board Member #003 to schedule appointments in advance only with the Superintendent or Business Administrator. They shall determine, in their sole discretion if other employees are needed at any meeting. Should there be a disagreement as to employee attendance, Board Member #003 may appeal to the entire Board at its next regularly scheduled meeting the Superintendent or Business Administrator's decision. The Board's decision shall be final.

Further, Board Member #003 shall be barred from the high school and the administration building unless attending an advertised public meeting or a duly called executive session in connection with his/her elected duties or at a meeting set forth above with the Superintendent or Business Administrator.

Upon approval of this recommendation, it shall remain in effect for one (1) year from date of approval.

Ms. Beers – What does this phrase, the Boards' decision shall be final, what does that indicate, what color does this add to?

Atty. Schwab – It means it's not an appealable decision, it's an administrative decision. That's how it's frequently done.

Ms. Beers – Okay.

Atty. Schwab – I mean there's no further appeal process in the district after that.

Ms. Beers – Okay. So, even the Board cannot on these.

Mr. Stern – Sure.

Atty. Schwab – Basically, yes.

Ms. Beers – Okay.

Atty. Schwab – It's final. The person can go onto local agency law and appeal it to the Court of Common Pleas.

Mr. Bradley – And, if I'm not mistaken, Mr. Schwab, this can be done to any board member at any time for no reason, report or no report, correct?

Atty. Schwab – You can do it to any third party whatsoever can be prohibited from coming in to school unless you are under the school code one of the designated folks that are allowed to come to visit a school.

Mr. Bradley – And that includes any parent?

Atty. Schwab - In theory, yes.

Mr. Bradley - And, any other contractor?

Atty. Schwab - In theory, yes.

Mr. Bradley - And, any other citizen?

Atty. Schwab - In theory, yes.

Mr. Bradley - And, the time limit can be unlimited, not just one year, correct? I mean my life expectancy is another maybe 30, you could make this for 30 if you wanted to right? The Board has that authority and power?

Atty. Schwab - I believe that would probably be considered by a court arbitrator, capricious, it's not a reasonable, normal term of six months, a year.

Mr. Bradley - So, the term arbitrary and capricious could also be applied to the method in which this was done?

Atty. Schwab - I, you, this according to everything that I've seen has followed the policy of the district. The policy of the district is not, I wouldn't consider it arbitrary or capricious.

Mr. Bradley - However, the person that filed this report, which I believe is Mr. Cleaver, is that correct?

Atty. Schwab - He followed policy, he is the compliance officer.

Mr. Bradley - He's the compliance officer. He didn't interview any other witnesses other than the two and the employees associated with the district, correct?

Atty. Schwab - I don't know everyone that he talked to with the two incidences. I don't know if he looked at video.

Mr. Bradley - Let's ask him. Did you look at any other witnesses, Mr. Cleaver?

Mr. Cleaver - Again, Mr. Bradley, you have my report and again there is more than one incident in this report. You have the report.

Mr. Bradley - But, did you interview any other witnesses, Mr. Cleaver?

Mr. Cleaver - Again, Mr. Bradley, you have my report.

Mr. Bradley - I know, so, the answer is no. Did you interview me as the accused?

Mr. Cleaver - Mr. Bradley, you have my report.

Mr. Bradley - Okay. Did you apply the correct policy to the correct person? Mr. Schwab, can you reply to that? Cause I know that my attorney looked at that and was concerned that Mr. Cleaver's application of these policies to a board member, instead of the student to which they were written, could be considered capricious.

Atty. Schwab – They weren't written for a student, they were written for the general anti-discrimination policy of the district, anti-sexual harassment in the district, anti-bullying in the district. These are general policies that this school district adopted and you're talking two incidences here. This is not really the place for a board to decide. They either have the opportunity to say we accept the investigative report that followed our policy or they could say no, we're not going to accept it or they could, if this motion would fail, some middle ground by sending the compliance officer back to do additional investigation. But, it's a board decision, but they don't have to do any of that because they have a right to ban any third party from the school, period.

Mr. Bradley – Correct. So...

Mrs. Maholick – I'd like to see the video.

Audience Member – Are you familiar with the Barna case in Lansford, Panther Valley School right now. Do you know what that's costing to this point? Yeah, you have the right to do what you want to do. But, he has a right to get an attorney and cost us a ton of money here. Look at the Barna case in Panther Valley and look what they spent already. I don't think it's public, but that guy. Look where he's at in a federal court right now and what they've spent. I hope you use your minds up here tonight when you vote on something like this. They spent a ton of money in Panther Valley for something that probably shouldn't be allowed at a meeting, but he's probably gonna win and they've already spent a ton of money to defend themselves.

Atty. Schwab – Again, I think that's a board decision.

Mr. Bradley – As part of the deliberation of this motion, I will officially deny the accusations. I also would like to state that the responsibility of the administration and the compliance officer was to provide confidentiality and it was supposed to be maintained as part of the district policy. So your statement saying that he followed the policy was in error in that regard, correct?

Atty. Schwab – No it wasn't, Mr. Bradley, you did courtesy of the floor and identified yourself.

Mr. Bradley – The, he violated that in this report that was already published.

Atty. Schwab – You exposed yourself. The Board as a decision maker has to know these individuals.

Mr. Bradley – Correct.

Atty. Schwab – Other than that, everyone else has been maintained but they have to know.

Mr. Bradley – Everyone else but myself, just checking. This is targeted as means of public embarrassment. It lacked due process with an individual, due process. A legal right of the individual. The report used truncated language from Policy 348, a policy geared towards sexual harassment. Yet, in the policy itself, my attorney and others could not find where the allegation of sexual harassment occurred. Can you please identify that, Mr. Cleaver?

Mr. Cleaver – Again, Mr. Bradley...

Mr. Bradley – Let's save us a lawyer and let's do it here.

Mr. Cleaver – Again, Mr. Bradley, you have the report.

Mr. Bradley – Okay. The false accusations don't even...

Mr. Stern – Sexual harassment isn't by the person projecting, it's by the person receiving.

Mr. Bradley – So, the false accusations don't even violate the policy in this regard. And, the actions listed don't constitute sexual harassment legal, Mr. Stern.

Mr. Stern – It's your opinion.

Mr. Bradley – Okay, and that of a judge. I did not believe that the...

Audience members interrupted.

Mr. Bradley – Hold on a second, excuse me...

Atty. Schwab – This is a board discussion; this is not a town meeting.

Mr. Bradley – So, I did not feel that this was a fair and impartial recording of these events. No proof that the accusers were even in the same room that the meeting took place. No risk of making false reports were considered. No proof of video, audio or additional testimony was presented. However, tonight we had two individuals that were actually in the room that contradicted this report. Now, as a board member, I'd love to hear what anyone has to say. So, you don't have to, anybody wants to speak, have at it. I'd love to hear what they have to say before I vote.

James Zelrick – My name's James Zelrick. Couple brief points on this. Mr. Schwab, you said that the bullying was (inaudible).

Atty. Schwab – Yes.

James Zelrick – So, what's written here, is this verbatim on what bullying is.

Atty. Schwab – I don't know what you're showing me. I can't see that far, I'm sorry.

James Zelrick – I'm talking the report where it's written here, bullying shall be unwritten, verbal, electronic, cyber or physical conduct directed at a person or persons by a student that has intent or effect on blah, blah, blah. So I'm saying it says student. It doesn't actually say that rule, I was just checking to see what.

Atty. Schwab – Well, it also says your permitting all student/employees with a safe and civil environment free from harassment or bullying. It's not just for the students.

James Zelrick – That's correct, but...

Atty. Schwab – The policy then defines it as to a student or employee if you go to number 3. Placing a student or employee in reasonable fear of physical or emotional mental harm. So, employees are talking there. Placing a student or employee in reasonable fear of damage or loss of personal property. Again, that's right from the policy. You were selective reading it. But it really

doesn't matter for the Board because the Board can exclude anyone. Remember we have two incidences here.

James Zelrick - I understand.

Atty. Schwab - The bullying came from the first incident.

James Zelrick - I'll get there, I'll get there, would you let me, please?

Atty. Schwab - Sure.

James Zelrick - You are correct. You did list the offense that the victim would feel. Were both confident with the offence. Correct, those were things you listed?

Atty. Schwab - I, that's what's in the, well, you're showing me a report, yes.

James Zelrick - All I can show is based on what I have.

Atty. Schwab - Well, I don't know how this report was disseminated.

James Zelrick - Okay.

Atty. Schwab - I don't know how you got it.

James Zelrick - I understand.

Atty. Schwab - How did you get this internal report because I don't believe there's a Right-to-Know out?

Audience Member - Mr. Bradley posted on Facebook.

Audience Member - Mr. Bradley handed them out.

Atty. Schwab - Well, how do you say you have a problem in confidentiality if somebody disseminates it?

James Zelrick - That's great, but this my questions, it's my turn, thank you. So, that does state (inaudible) where somebody would be (inaudible) bullying. But, this directly says that it has to be done by a student. So, your consideration (inaudible) just something I noticed. (Inaudible) and enforcing the no contact (inaudible). I recommend the board member (inaudible) direct contact with any district employees. So, if he sees the building principal in Giant and says, good morning, that's violates the sanction. Does the board actually have the authority to do a protection order for every school board member?

Atty. Schwab - No. Normally that would be read more narrowly as employee while on their duties.

James Zelrick - Okay, so as long as we understand that. So, Mr. Bradley, please, in the morning don't (inaudible) that conversation because you might violate this. But, if even half of what they said your treatment of the other folks was, shame on you.

Mr. Bradley – None of it (inaudible).

Mrs. Spinelli – Okay, now it's my turn. Mr. Bradley, we have asked you several times to please work within the system. You refuse to do that. Unless you learn to play well with the rest of this Board, you will be sanctioned and that's what this is about. Second of all, you talk about how no other board member came to that meeting. I never received Mr. Kemmerer's email until after the meeting. Coincidence? Maybe? Maybe not. So how could the rest of the Board have gone there when I didn't even get the message. Mr. Wentz didn't get the message either. So, you like, you very much like to say that you want to work for the public and listen to the public but what you want is the public to listen to you and do as you say. And, you may get away with that at home, in your business, in the local watering hole, I don't care, but you won't get away with it here. If you can't act like a normal, reasonable adult, put the phone away during meetings, listen when other people are talking, stay in the room as much as possible, then this is the kind of stuff that's gonna happen.

Mr. Bradley – If you were given, if you received the email and you were given time in advance, would you have attended?

Mrs. Spinelli – Of course I would have.

Mr. Bradley – Why would you have attended?

Mrs. Spinelli – Just to see and because I did not get the chance to attend, I called the meeting the following day with the principal and the assistant principal to find out exactly what happened. I looked at the report. I looked at the procedure. I had two kids that went through high school. They didn't go through failing without any controversy. But, as a board member, I always respected the decision and the action of the administration because I trust them and I still do. I went and I talked to these people because I didn't get the email and I am satisfied that it was handled according to policy.

Mr. Bradley – So, the question is, which policy do you feel that I violated by attending this meeting?

Mrs. Spinelli – You, as a board member, as one board member has absolutely no authority. The only way you could have had authority in that meeting is if you had a majority. If we were all there and we all decided to do something. But, you and Ms. Beers were the only two there. As I said, coincidentally, maybe, maybe not.

Mr. Bradley – The entire board was invited including Mr. Cleaver which follows protocol by that parent. Hold on...

Mrs. Spinelli – But, I was not.

Mr. Bradley – One at a time.

Mrs. Spinelli – I was not.

Mr. Bradley – You were.

Mrs. Spinelli – Not until after the meeting was over.

Mr. Bradley – That’s your ability to check your email, not mine.

Mrs. Spinelli – No. No, I never got it. I got it from Mr. Yenser because he noticed that I was missed on the email.

Mr. Bradley – No problem. It’s probably because you’re not in that system. But here’s the question for you.

Mrs. Spinelli – I am in the system.

Mr. Bradley – Okay, that’s fine. You’ll have to ask Mr. Kemmerer.

Mrs. Spinelli – You can have as many excuses as you like.

Mr. Bradley – You’ll have to ask Mr. Kemmerer. But, I happen to be, just so you know, I happen to be going to a track practice here at the school when I received the email, at which point I called my wife and said hey, I’m gonna go over to the school, a parent needs me.

Mrs. Spinelli – Well that’s great for you because you had the email in time to do that. I did not.

Mr. Bradley – Correct. That’s my responsibility. And then, I physically called the people I had in my cell phone which would have been Gail, I notified her, and I notified Joy because I have her phone and Richard.

Mrs. Spinelli – Again, if we’re talking about people voting together...

Mr. Bradley – Not voting.

Mrs. Spinelli – Coincidentally, you have those two in your contacts, correct?

Mr. Bradley – Because I know them and we were elected by them. But, more importantly, in that meeting, in that meeting, no authority, as a board member, was taking place. We were there as observing and documenting what took place and that was what was so disturbing to watch what took place.

Mrs. Spinelli – And then you sent it out to the entire board as if we were supposed to do something about it. What do you mean no board action was taken?

Mr. Bradley – I want, as you read the email, it was sent to the board and the action that was supposed to be taken was to put it on the agenda and review what happened here, in public, so that the public can see what administrators were doing to these kids, multiple kids by the way.

Mrs. Spinelli – They weren’t doing anything to those kids. They were searching kids with suspicion because of a report.

Mr. Bradley – Correct, but they searched multiple kids, strip searched multiple kids.

Mr. Cleaver – Now wait, wait, wait.

Mr. Bradley – No, this is all part of it.

Mr. Cleaver – No.

Mr. Bradley – They did. This is part of it.

Mr. Stern – Your using the word...

Mr. Bradley – Hold on a second, were still talking, wait one second please. Show some respect. Hold on a second.

Audience Member – I want to know why it's okay for you to pass out something that has two teacher's numbers on it that was specifically, I'm assuming, given to you, put it on Facebook®. I'm sorry, if that were my husband that your accusing of, of God knows what in those papers, I would be fried. Honestly, I don't know who that is you're implying but why is it okay. What if it was my student you were referring to?

Mr. Bradley – I didn't make those accusations, ma'am. So, two things, one I did not make those accusations. Joy knows I did not make those accusations. Mr. Kemmerer knows those accusations were not made in that meeting and we have multiple people stating that. So we don't know here they came from.

Audience Member – Let me have my question, sir.

Mr. Bradley – As soon as it became part...

Audience member and Mr. Bradley speaking back and forth.

Mr. Bradley – Can I answer the question you asked? Thank you. You asked four times. As soon as it becomes information for the Board to deliberate, it becomes public (inaudible).

Mr. Feick – No, it does not.

Mr. Stern – No.

Atty. Schwab – No.

Audience member speaking.

Mr. Bradley – We don't know who those employees are. We don't even know if they were in the room.

Audience Member – But, for you to plant those seeds about an employee that you don't even know if it's true.

Mr. Bradley – I did not write this report. Mr. Cleaver wrote this report. Those seeds were planted by the individual.

Audience member and Mr. Bradley speaking back and forth.

Mr. Bradley – Make sure you understand this.

Audience Member – There was a school Facebook® page that went on to say that employee number 3, if you go alphabetically...

Mr. Bradley – Right, it's me. So, make sure we understand ourselves.

Audience member and Mr. Bradley speaking back and forth.

Mr. Cleaver – Guys, could we just...excuse me could we please gain some order cause right now we're not hearing anything.

Mr. Bradley – Wait, I'm saying something because you asked. Let's be clear. I did not write this report.

Mr. Cleaver – Correct.

Mr. Bradley – Mr. Cleaver did. Number two, I did not say the things in those reports and I have witness that show we did not and they were not asked. Due process was not taken on my benefit and the other witnesses weren't even offered the opportunity. So, whoever said those things was the person that made those accusations was the one that said those things.

Audience Member – My question was why would you pass out documentation with people's identification numbers, hand it out in a public setting?

Mr. Bradley – Confidentiality was maintained.

Audience Member – What Walter was speaking about is exactly what is written on Motion F and that's on Concerned Voices. But, the other documentation, which is what you passed out, was on the other page. My question and my concern is, why would that be first with numbers of teachers, and I would be. All I'm saying is, it's a problem.

Mr. Bradley – Transparency is painful for those trying to hide it, number one. And, number two, the numbers, nobody knows who they are. None of us know who they are. We don't even know if they were in the meeting.

Mr. Stern – For transparency, my number is 7.

Mrs. Spinelli – I'm 6.

Mr. Wentz – I'm 8.

Mr. Yenser – Transparency, my number is 9.

Mr. Bradley – It's okay, it was already on, published on Facebook® of all your people's transparency.

Mr. Yenser – That's fine. Let me address something else. And again, I understand there are financial implications to the district if we're wrong. There's also financial implications to the district if we're right. It goes both ways.

Audience member interrupted.

Mr. Yenser – Let me finish. Our employees, it's our duty to protect our employees.

Mr. Bradley – Oh, whoa, whoa...it's your duty to protect your district sir and if they are gonna strip search kids, you better be there at that meeting.

Mr. Yenser – Can I, may I finish? I'm not gonna be on a Board of Directors which will allow harassment and bullying within the district. I will not be part of that.

Audience Member speaking.

Mr. Yenser – Policies were followed. If we want to rewrite policies, we bring it back to the policy committee and we address it at that point. We don't freelance and make rules on our own. We have policies in place.

Mr. Bradley – Actually, the testimony of the person in the meeting said he does exactly that.

Mr. Yenser – Once again, I will not be part of a board that allows harassment in this district or bullying.

Audience Member – You allowed a student to be harassed. He was found innocent.

Mr. Cleaver – Again, again...

Mr. Stern – He was not strip searched.

Mr. Cleaver – Again...

Mr. Bradley – Absolutely was strip searched. Multiple children.

Audience members arguing.

Audience Member – We need to define the word strip search. If you're saying your son was stripped down to his underwear, that is the definition of strip searched.

Audience members arguing.

Mr. Cleaver – And, again, I...

Mr. Bradley – You're doing more investigation now than this Board did or that Superintendent.

Audience members arguing.

Mr. Bradley – You're actually asking him a question that wasn't even asked by them.

Mr. Cleaver – Mr. Bradley...

Mr. Stern – How do you know? How do you know?

Audience Member – You keep saying the words strip searched.

Mr. Stern – How do you know I didn't ask that question.

Audience Member – Everybody here has a different definition of the words strip searched and that's making the public go crazy.

Mr. Cleaver – First of all, please understand, we're having discussion. I would like to consider the fact that we're talking about students. So, could we please at least be respectful to everyone and so everyone has a chance to talk. Everyone has a different opinion and that's fine. But, again, talking over top of each other, nothing's getting accomplished. We talked about bringing it up to the policy committee. We can definitely have that discussion at the policy committee. But again, there's things being made, there's accusations being made and there's different situations out there and again, there's a report that is completed. The Board has this report. There's a motion on the agenda to be voted on and I just want everyone to have an opportunity to at least talk and be heard. I don't want anyone to continue to be disruptive. Just talk and please be heard because you know, no one in this room is gonna be able to say everything is a 100% right, 100% wrong. Like Mr. Yenser said there's a chance of wrong, there's chance of right. What we make is a good faith effort every day for the safety and wellbeing of our students, our staff and everyone in the district. However, with the information I had, there is a report that was completed by myself that was given to the board and was only given to the board. How anybody else has it, I cannot justify, say, or even what that report has. Who knows the report you have is exactly what is this? It could be a report that someone writes and makes up and sends it out there to them. But again, can we just remember that, let's give everybody a chance to talk and be a little bit less disruptive with everyone because right now there's too many things being talked about and let's just concentrate on what we have in front of us now.

Audience Member – And I'm just asking because everybody here has a different opinion of what the words strip searched is and I think it's setting people off. So, you as a parent can decide what you feel what was said or done to your son, then maybe that would put some more people, like me, or not and I just want to clarify that.

Mr. Stern – Mr. Kemmerer.

Mr. Kemmerer – The true definition of strip search is, if you do your due diligence to look it up, any time a person requires or is asked to remove articles of clothing. That's any article of clothing. It doesn't mean all of it, it doesn't mean down to your underwear. Any definition of strip search means to remove articles of clothing, shoes, socks, bandana, reveal your underwear line, okay. Now, I don't know if my daughter comes to school next year, I'd feel comfortable (inaudible) over a JUUL. If she had a gun or controlled substance that was the activation, perhaps that would warrant a strip search (inaudible) stomach, which by our school code isn't even allowed. Now if we can't even have a school code to allow to see your daughter's stomach, I'm okay leaving my daughter come to school with a possibility that the next day, two kids could come up with a situation that should be investigated, okay. As a parent, it's as easy as that. And, we have to think about our children. Mr. Cleaver's up there with his report, however, I talked with Mr. Cleaver for an hour and a half, and I brought up many situations that I was concerned about with a faculty member. Now I want to make sure that due diligence has been taken forth for a voted official (inaudible) for students. If we are here (inaudible) about students, and Mr. Cleaver has an awesome responsibility now with a whole bunch of stuff on his plate to follow up on. And, we had conversations behind closed doors because I didn't want this out in public and embarrass my son to where it already did. Now, if you don't have the compassion for that, then there's a problem. (Inaudible) Mr. Cleaver, you have a lot of responsibility and you are putting forth all this effort on a member that was voted in. I would assure you, I would hope that you put forth that same due diligence with the people who are upholding your policies. Now I understand that the

policies set forth by the state, you're within your boundaries and I don't refute that, not at all. But what I do refute is the fact that the testimony on students that were looking to get out of trouble created this whole snowstorm effect on what happened down the road. A kid showed up with a knife the very next day because he was questioned. And then he gave up other kids and they gave up other kids. Out of all of the kids, some strip searched, some not. Beginning of the year, my son got caught in the parking lot. Was he asked about anything about other students, was he scared about other students at that point. He would've been asked, he wasn't. Why on the last day did we have to go through this instead. That's my question and to answer your question, strip searched under the true term of strip searched is when you're asked to remove articles of clothing. If you play strip poker, your first shoe that comes off, are you playing strip poker, yes.

Audience Member – So, your saying that he was...

Mr. Cleaver – Again, this is a board discussion. We don't need to get into discussion.

Mr. Bradley – And, as part of the board discussion, this is more information that you asked of that person that is contained in this report and this is a big diversion cause Joy and I showed up at this meeting. We were respectful, we were attentive, we did research prior to getting there on what it means within the couple minutes on our phones because we wanted to learn. And, what we found was scary and very unsettling. And, because of that you are now being diverted into attacking Mr. Bradley, because I'm an easy target, I can write martyr on my side, Mr. Transparency, go ahead. But the reality is, you have individuals that, in my opinion, were turned into informants against other students that put them at risk of retaliation within a school district and that is wrong and it should be stopped. And, if it's going on now, we should change the policy. We don't need to make kids informants. There's no reason, okay. Now, as part of that puzzle, hold on, as part of that that puts that kids at risk from other kids. You're in an environment where they don't have their first amendment right, fourth amendment right or their fourteenth amendment right. I mean literally. No also, to put it in perspective, when a kid's locker is searched and these lockers don't have locks on them, that's a mess. I mean that's just a whole bunch of mess and when you're talking about kids that accuse other kids and then you selective choose who you're going to pick and not pick, that's a whole other mess that needs to be addressed. And these are the things, Joy, I and this parent, learned that occur multiple times inside of our district. I mean there's a lot of kids strip searched on this event. We also learned that when we said, well what happens if you find something in a locker that doesn't have a lock on it? The person said, that's happened, what do you think, I'm naïve. Well, wait a second, what are we doing. So, there's a whole bunch of stuff going on here. You're being diverted, this is not about Dave. He showed up a meeting because he was invited. He followed protocol. He was respectful. We took lots of notes. Other people took notes. We read the policy. My attorney said this is a witch hunt, basically. If you want to fix the school, make it transparent, get the facts. Hold the administration to the table to get due process, which means you ask for multiple witnesses. You talk to other people. You find out what's going on. That was not done. This report does not have any of that in it.

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

Mr. Bradley – Well, hold on. One last sentence, one last sentence, hold on. No, this is me on the hook here, buddy. So let's take a look at this a second.

Mr. Stern – Thank you.

Mr. Bradley – Yeah, sure. So, who put this on the agenda?

Mr. Cleaver – I did.

Mr. Bradley – Did you put it on before or after my attorney gave you a dissertation on the report?

Mr. Cleaver – I don't have a dissertation from any attorney.

Mr. Bradley – Mr. Schwab, did you get a copy of an attorney's dissertation on this report?

Atty. Schwab – I got an email from an attorney that apparently doesn't know education law and doesn't have the foggiest idea of what the United States Supreme Court has said...

Mr. Bradley – In reference to the application of school policy or in the application of state law?

Atty. Schwab – Application of everything. There were so many errors that my first letter, my first words were to him, there are so many mistakes here, I'm not even gonna address them all.

Mr. Bradley – Thank you, Mr. Schwab.

Audience Member – I'm not gonna argue with Mr. Yenser. I've looked at the argument and I understand you want to work with your employees. There's great teachers here. I know we do. I grew up here and went to school here. I know many teachers and most of them (inaudible). My thought though is, if Mr. Cleaver put this on here, then he actually did this stuff. Does that not make us now vulnerable to a lawsuit because he did something wrong? Do these two teachers and they now have to come back and forth and cost us a lot of money.

Atty. Schwab – Yes, they can, Mr. Zlomsowitch, the teachers that were, the employees that were bullied have a right...

Walter Zlomsowitch – (Inaudible)

Atty. Schwab – No, that's incident number one. Let's not even talk about Mr. Kemmerer. Incident number one, the district can get sued. Incident number two, we can be dealing with something with the state human relations commission, that costs the district money. That has nothing to do with Mr. Bradley directly. It involves the district and taxpayers monies because the employees have separate rights under the state human relations commission and bullying in the work place as public employees.

Walter Zlomsowitch – I don't know who was present at the first meeting but I'm saying we have a parent here.

Atty. Schwab – That's the second incident. There are two incidences in the report.

Mr. Bradley – But you're also, at that level, that person giving testimony would be giving sworn testimony with the risk of perjury. Correct, Mr. Schwab?

Atty. Schwab – Well, once the district gets sued, yes. At this point, you don't, there's no requirement to have it.

Mr. Bradley – So, false accusations can be thrown around willy-nilly as happened here.

Mrs. Spinelli – You do them all the time, Mr. Bradley.

Mr. Bradley – One more time...

Walter Zlomsowitch – You guys vote tonight on incident number two to make him guilty, that allows (inaudible).

Mr. Stern – We're not making him guilty. All it is, is that anytime he meets with a school employee it has to be authorized by the Business Administrator or Superintendent and it will be custodialized during that meeting.

Mr. Bradley – No, you're saying that I can't go to my kids events in this motion, sir. You're saying I can't go on school property. I can't go to by kid's events. I have a child in this district and he's at risk.

Atty. Schwab – It only says the high school where incident number two took place and the administration building where incident number one took place. That's the only two buildings you be precluded. Where your son is in the elementary center, you can go there. You can go to the middle school.

Mr. Cleaver – And, also too, just to point out some of this. By not acting on the information I got, also makes the district very liable. These are employees of the district and I will do everything in my power to protect them if they're being bullied, harassed or whatever it may be. Whether it be by an elected official, a board member, a parent, it doesn't matter. When they come to me and they're in tears over things that have happened, yes, I will take as much action as I feel necessary and I will make a good faith effort every day to keep the employees of this district safe no matter what it takes. And, if that means going to court because someone thinks they said something or they didn't, then that's what will end up being. But, it also means that when people come to me, they have the trust in me that I will take action and do what I feel is fair to these employees. Because, no one deserves to be harassed, bullied, threatened or anything at any time whether it's a student, whether it's an employee, it doesn't matter. These employees here have rights, they have privileges as also as being employees of the district and I will follow through with the policy every time and make a good faith effort to keep these employees safe so they don't have to feel threatened or have to come to my office in tears, thank you.

Mr. Bradley – But, will you protect a board member from false accusations by actually interviewing other people that were in the meeting or witnessed the meeting, Mr. Cleaver?

Mrs. Spinelli – Call the question please, Mr. President.

Mr. Bradley – Will you actually interview anyone else that was at the meeting?

Mrs. Maholick – I have a question. Do we have, did we get see any of the information, do we get to the video, do we get see the sworn statements?

Mr. Bradley – There is no sworn statement.

Mrs. Maholick – Why not? Why not?

Mr. Bradley – There's none.

Mrs. Maholick – There no sworn statements, there's no videos.

Walter Zlomsowitch – We have a parent who should have a real problem with this, who's saying it didn't happen.

Mrs. Maholick – We also have another board member that said it didn't happen that was there.

Mr. Stern – That's number two.

Mr. Cleaver – Again, we're looking at two separate incidences. And number one is the incident that took place. This has nothing to do with the procedure that took place. This has to do with the comments from the board members, thank you.

Mr. Bradley – But, there was witnesses at that event as well and they were not questioned.

Mrs. Spinelli – Mr. President, please call the question.

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	☐	☐	☐

Mr. Bradley – Absolutely not.

Mr. Stern – Based on previous behaviors, emails, actions by yourself, yes.

VOTE: YES - 5 NO - 4 ABSENT - _____ ABSTENTIONS - _____
Motion carried.

Programs

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

1. **Lehighon Fire Department (Stephen Ebbert)** – June 25, 2018 – 6:30 p.m.-9:30 p.m. – Lehighon Area Middle School – Tour of LAMS for First Responders
2. **Summer Mapping K-5 (Tiffany Strausberger)** – June 26, 27, July 9, 11, 12, 16, 17, 18, 2018 – 8:00 a.m.-2:00 p.m. – Shull-David Elementary Computer Lab/Library – Mapping
3. **LAHS Band (Bryan Buffington)** – July 2,3,10,11, 17, 18, 24, 25, 30, 31, August 1, 2, 3, 6, 7, 8, 9, 10, 14, 16, 21, 23, 2018 – LAHS Auditorium, Classrooms & Outside Fields – Summer Rehearsals
4. **LAHS Guidance (Kelli Costenbader)** – July 9-27, 2018 – 7:30 a.m.-2:30 p.m. – LAHS Library – Summer Credit Recovery
5. **LAHS Softball (Todd Weaver)** – July 17 & 18, 2018 – 9:00 a.m.-1:00 p.m. – LAMS Gym & LAHS Outside Fields – Softball Camp

6. **LETRS (Timothy Tkach)** - June 26, July 10 & 24, 2018 - 8:30 a.m.-3:15 p.m. - LAMS Classroom - Training
7. **Summer Band (Beth Hudlow)** - July 23-August 16, 2018 - 8:00 a.m.-2:00 p.m. - LAMS Band & Choral Rooms
8. **Lehighton Touchdown Club (Tanya Haydt)** - July 19 & August 16, 2018 - 7:00 p.m.-9:00 p.m. - LASD Multi-Purpose Stadium - Monthly Meeting
9. **Summer Band (Beth Hudlow)** - August 10 & 15, 2018 - 8:00 a.m.-2:00 p.m. - LAMS Band & Choral Rooms - Summer Band Concerts
10. **The Pale Moon Players (Laurel Zimmerman)** - July 21, 2018 - 8:00 a.m.-4:00 p.m. and July 23-28, 2018 - 5:45 p.m.-8:45 p.m. - LAMS Auditorium & Classroom - Children's Musical Theatre
11. **Lehighton Girls' Basketball Parents Club (Joe Berezwick)** - July 30, 31, & August 1, 2018 - 4:30 p.m.-8:30 p.m. - LAHS Gym - Youth Girls' Basketball Camp
12. **LAHS Guidance (Kathy Martin)** - August 25, October 6, November 3, December 1, 2018, March 9, May 4, & June 1, 2019 - LAHS Classroom - SAT Testing
13. **District Nurse (Avril Guardiani)** - August 13, 2018 - 1:00 p.m.-3:00 p.m. - Administration Building Board Room - Training for Health eTools
14. **LAMS & LAEC (Melissa Volcskai)** - July 10 & 11, 2018 - 8:00 a.m.-3:00 p.m. - LAMS Classroom - FOSS Training

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

Motion carried.

2nd Readings & Approvals MOTION by Mr. Holland, SECONDED by Mr. Wentz to approve the 2nd Reading and approval of the following Lehighton Area School District Policies:

1. **#138** - Language Instruction Educational Program for English Learners
2. **#311** - Suspensions/Furloughs
3. **#707** - Use of School Facilities

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

Motion carried.

Old Business for Discussion

1. Sale of Franklin and Shull-David

Mr. Cleaver - I wanted to talk a little bit about this. Now, with the other motion that may be a moot point a little bit, but I do have information of the district engineer that did the complete survey of Franklin Township that I would share anything you need from the district to help you with the process, it may be a little bit less of an amount of money for the township to spend. Please feel free to reach out to me. I will get everything I can for you. Also, for the subdivision process, just that when that comes back to the district if the Franklin Township sends it to me, we'll forward it to all the board so as soon as I get it, I'll forward it the information to the board. Because, this will have to be discussed, and I'm looking at Steve and Joy and Wayne, at Building and Grounds as part of it once we get that information too. It'll be something, if we get it ahead of

the Buildings and Grounds meeting then we can discuss it there. But, if it comes after Buildings and Grounds meeting, is it okay, and I'm asking the Buildings and Grounds committee, to put it on the agenda even though, if it comes after our meetings because I'm not sure when their meetings take place for discussion on a regular board meeting.

Ms. Beers - I'm fine, so.

Mr. Cleaver - Okay.

Mr. Holland - Our meeting's next Tuesday.

Mr. Cleaver - Yeah, and I know there's will be depending on...but I'd hate to see it fall like the week after and then they have to wait. Again, I don't know how long it will take for the subdivision to be complete too. But, just because of timing it may just miss the school, I don't want it to...

Atty. Schwab - Normally a subdivision will take 90 to 120 days to go through the township and county process.

Mr. Cleaver - Okay, but if it comes, if we get the report after Building and Grounds meeting that month, I'll still send it out to the entire board so they have it for discussion then at the board meeting.

New Business for Discussion

Mr. Wentz - I just got a text and you know how important Christman Field is in this area. Our Babe Ruth team just beat undefeated Pocono Mountain for the league championship. So, thank you.

Mr. Bradley - I'd like to make a new business motion that the Board prints out a board packet for the people in the community to be distributed prior to deliberations so they can be educated as per legally allowed by our district.

Mr. Cleaver - Are you considering a complete board packet as we send to the board members?

Mr. Bradley - Correct. A complete board packet you send to board members. The one's I have right here that I'm gonna put on this table right now. But, I make a motion that we do this probably two copies I think would be best so that people can share and take an opportunity to see what the board sees because it is pertinent data associated with the agenda and therefore public knowledge.

Mrs. Spinelli - Mr. Schwab, would it need redaction?

Atty. Schwab - Depends on what's included in the board packet. In most board packets there's nothing in there that needs to be redacted but there are occasionally items that need to be reviewed. Especially things that involve students, that involved employees, discipline, reprimand, things of that nature that the board may get un-redacted that would have to be redacted to go to the public. Normally, there's not a problem but that doesn't mean every time.

Mr. Stern - How do we, what parameters can be put around that?

Atty. Schwab – Well, Mrs. Wagner pretty well knows what can go out.

Mr. Stern – We can refer that to our Right-to-Know Officer and those types of things to get that.

Mr. Feick – As board secretary, I can redact and go through it, usually pretty good at that.

Mr. Stern – Okay, Mr. Bradley, would you like to formalize your motion, please.

Mr. Bradley – I moved that the board puts out two board packets available to the public for review and it gets published for their review.

Mr. Stern – When? As soon as it's published to the members?

Mr. Bradley – Yeah, when it goes to us, give them opportunity to review.

Mr. Stern – If it goes out Thursday, then?

Mr. Bradley – Publish it. Put them at the district office. You can do a lot of things, whatever you guys so desire.

Mr. Stern – They can't walk away with it, they can come and look at it.

Mr. Bradley – They have a right to see it, they should be given access to it. Most board members, most boards at other schools put it on the table in piles for anyone that has interest in seeing it. It gets published as a book and is handed out to every individual that so wants it. I'm just asking for two, for now. And, if they get used and there's value maybe they'll print some more.

Mr. Cleaver – Could we add to that pending redaction from Mr. Feick?

Mr. Bradley – No need, because you can't put things in there that are gonna go to the board that don't go to the public, you're not allowed to do that. If there's a student name or number, we're not supposed to see it, so don't put it in there. There's nothing in there. You're not allowed to put it in there if it's gonna be public as soon as they get here. So, it's all pertinent data associated with the agenda. It's how the law works.

Mr. Stern – Let's still, according to Mr. Schwab, it's not how the law works.

Atty. Schwab – There are things that you get in your board, they can't go beyond board.

Mr. Bradley – Name one. Wait, name one.

Atty. Schwab – One?

Mr. Bradley – Yeah.

Atty. Schwab – The report that included your name in it that was disseminated.

Mr. Bradley – But that's only because he put my name on it. He was supposed to put board member number three on it.

Atty. Schwab – Not when it goes to the decider of fact, which is, the board is the decider.

Mr. Bradley – But, at the same time, when he put my name on it, he violated school policy. Now I have...

Atty. Schwab – No, he did not.

Mr. Bradley – Yes he did. He has to maintain confidentiality.

Atty. Schwab – He did not.

Mr. Bradley – Other than that, can you name another instance other than when you were witch hunting Mr. Bradley, that you wouldn't be allowed to have that information?

Atty. Schwab – Well, Mr. Bradley, we have frequently in the past had student expulsions. The board gets the whole expulsion report which includes the student name, may include pictures of the evidence, may include an admission because only the board can approve an expulsion.

Mr. Bradley – I just got expelled for a year from the school and I didn't see a single picture in our report.

Mrs. Spinelli – You're not a student or an employee, Mr. Bradley, you're a board member. And, you should act as one.

Mr. Bradley – Excellent, and I have right to due process because of that. That was violated by this board right today.

Mrs. Spinelli – Board members who act accordingly like adults don't need to be reprimanded.

Mr. Feick – Mr. Bradley...

Mr. Bradley – But, do they lose their right of due process, Rita?

Mr. Feick – Can I say something, Mr. Bradley?

Audience Member – I believe, I'm not sure how you receive them, but (inaudible) is that in the packet or no?

Mr. Bradley – Actually, it was given to the board, that can be considered confidential. So how it works, what I looked up, it can be considered confidential. So, if a board member releases it, and it is found that the value of that property was lowered because of the release of that report, the board can be sanctioned. However, when Mr. Schwab released the value in a public document to the Franklin Township Athletic Association, it no longer, that value no longer became privileged. And, Mr. Schwab's answer was it may be considered privileged, it doesn't have to be. But, when you asked for that information, and you were told it was privileged by the Right-to-Know Officer. That right there could have been appealed and that's why the Right-to-Know Officer has a little bit of grunge because we're learning these things. It's frustrating to learn new things and I'm the demon and I'll be martyred every day.

Mrs. Spinelli – Mr. Bradley, it seems like you have a whole entourage of people that you direct to do different things.

Mr. Bradley – Absolutely not, Rita. However, there's a community filled of people here that were forbidden from speaking in these meetings in the past and they were not give a referendum.

Mrs. Spinelli – Substantiated accusation.

Audience members speaking out.

Mr. Cleaver – Again...

Audience members speaking out.

Mr. Cleaver – Listen, okay, guys...

Mr. Stern used the gavel to call for order.

Mr. Cleaver – Mr. Wertman, again, we need to, again...

Audience members speaking out.

Mr. Cleaver – Again, Mr. Wertman, sit, Mr. Wertman, you need to sit down or you're gonna be asked to be...Mr. Wertman, I'm telling you, I'm telling you right now, please.

Mr. Stern – Mr. Bradley, sit down, please.

Mr. Feick - Okay. Mr. Bradley, you had asked about what we redacted. Mr. Bradley, you had asked what I would redact and in the FOSS report there was student comments on that and some of those names a very unique. I would probably redact the students' names. Okay, but that's the only thing I could see in this report that I would've redacted. Is that fine?

Mr. Bradley – What happens is, whatever you decide that you're gonna redact, you redact.

Mr. Feick – Yeah.

Mr. Bradley – And, if the board ask for it, they can go in to executive session, they can have other issues if they need it. For the most part, it's not needed.

Mr. Stern – Okay.

Board Packet MOTION by Mr. Bradley, SECONDED by Ms. Beers to produce a copy of the board **Meeting and** packet, subject to redaction, post redaction by Mr. Feick, for general consumption **Website** prior to the meeting and posted to the website.

Mr. Stern - At this point, we will go with two.

Mr. Bradley – And, you can put it on the website cause it's all digital, correct? I mean you send it to us in an email. But I'd still like two for here because not everybody has access to a computer and there's a lot of paper, you don't want them printing it out. They can read it and then they can come here and look at it.

Mrs. Wagner – I can do that.

Mr. Stern – You can put it under one big zip file so they can do it.

Mr. Cleaver – What about posting them here?

Mr. Bradley – I’m sorry.

Mr. Cleaver – My thought is what about even showing them here during the meetings. That way if someone doesn’t have a hard copy, at least they could see what we’re voting on here behind us.

Mr. Bradley – The idea is to be transparent. Anything you do to do that, as long as you speed the meeting up, you’re good. By giving it to them early, they can be educated before they get here. If you’re gonna do it in a meeting, just wanted to know.

Mr. Cleaver – In addition, I was thinking.

Mr. Stern – Two printed packets and available on the website after redaction by Mr. Feick. So, we have a motion by Mr. Bradley, a second by Ms. Beers. All those in favor. Any further discussion? Anybody?

Mr. Bradley – It’s a new motion, they get to talk.

Mr. Stern – I just asked them, Mr. Bradley.

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

Hire MOTION by Mr. Holland, SECONDED by Mr. Wentz to approve the
Approved recommendation to hire the following employee in accordance with the respective
contracts, pending clearances:

1. **Eric Lusch** – Utility Custodian – \$28,385.00, effective July 2, 2018

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

Directors’ Concerns

Remove MOTION by Mr. Bradley, SECONDED by Mrs. Maholick that the Lehigh Area
Solicitor School Board remove Solicitor Schwab and his firm from service as school solicitor
Denied and hire the knowledgeable and experienced firm of The Slusser Law Firm as an
interim solicitor until the board can openly advertise the position and select a
solicitor.

Mr. Bradley – I feel this has not been bid out in years and there’s an opportunity to seek new counsel so that, if Mr. Schwab would like to reapply, that’s fine, but having an interim solicitor, we get a different set of views for the same amount of money, actually, a lot less. And, there’s value to the board to have different points of view, obviously.

Mr. Stern – Any further comments from the board?

Mrs. Spinelli – Did you get a proposal from this law firm to know that it would be substantially less?

Mr. Bradley – They advertise their rates. For solicitors, you just do a Right-to-Know, you find out what they've charged at other schools, which I did. And, then I got them and they were significantly lower.

Mrs. Spinelli – But, the one you searched was for one school district.

Mr. Bradley – Now multiple school districts...

Mrs. Spinelli – The one you sent us was for one.

Mr. Bradley – I know. I sent you one, but they take a long time to get Right-to-Know's back but did send you the one from one.

Mrs. Spinelli – So, if you only saw one cause it's taking a while to get it back, how do we know that everybody is less? How do we know that?

Mr. Bradley – People do their due diligence, I did mine.

Mrs. Spinelli – Yeah, but you only have one report.

Mr. Bradley – Was it lower?

Mrs. Spinelli – It was mostly zeros, which I'm guessing that attorney works pro bono for the district because he's probably a resident.

Mr. Bradley – Absolutely not. He does not work pro bono and if you look at the amount of that bill for the month of Hazelton, for instance, and Mr. Cleaver mentioned that he knew the guy so I figured I'd reach out. But, if you look at that monthly bill for that entire district, because they are so transparent, because they open up this information and we don't fight it, we don't have to pay a solicitor thousands of dollars a month to redact things.

Mr. Stern – Okay, I will let you have a comment, ma'am.

Audience Member – I just had a question that Mr. Bradley touched on. I wanted to know where this law firm came from, I didn't know why this particular law firm was chosen. I did look up their website, I didn't see anything on there about education law, per se, not to say that they don't cover that but dog bites, slip and fall, auto accidents, a workers' comp. I didn't see anything about education law. So, I did text them, they have a text feature tab right on their webpage for view. I text messaged (inaudible), they get back to you very quickly. A women, not a secretary but kind of like when your doctor's office is closed and you call and you leave a message with them. She said she will call me first thing in the morning (inaudible) the phone number that she would contact me in the morning or someone in the office will contact me just to let me know. I specifically asked for what this particular law firm (inaudible) educational law. So I think that's pretty important when you're a school district. You want to make sure somebody is well versed to educational law specifically. I'm awaiting their call back, I don't know.

Mr. Bradley – Yeah, they have decades of experience within the school system and they were the school solicitor for Hazelton School District which is much larger than our and their fees that we looked at were much less. But, they also have a different attitude and that was the key. They have a more open attitude towards Right-to-Know, parents' rights, teacher support and they also have that ideology that it's a community school with local control so they don't use the state-oriented, down-trodden view. He actually seems to fight for the district to be able to help our students.

Mrs. Spinelli – Is he on retainer, Mr. Bradley?

Mr. Bradley – I'm sorry?

Mrs. Spinelli – Is he on a retainer?

Mr. Bradley – No idea. I don't know how they actually...I think they're hourly.

Mrs. Spinelli – Because that would affect the bills.

Mr. Bradley – Yeah, I know. But I think that they're hourly.

Mr. Wentz – He's absolutely on a retainer. \$8,000 a year.

Mr. Stern – Okay.

Mr. Holland – Larry, question, did we not just vote Mr. Schwab in last month for one year?

Mr. Stern – Yes.

Mr. Holland – And, why are we doing this?

Mr. Bradley – Because last month...

Mr. Holland – Because it's Mr. Bradley's way. I'm sorry, I forgot.

Mr. Bradley – Thanks, Steve, I appreciate that.

Mr. Holland – Anytime.

Mr. Bradley – Mr. Cleaver brought it up, I reviewed it. I found information that would be valuable to the board. He is an at-will employee. It can be changed at any time. I'm just suggesting that we rebid it. I'm not even saying it changed. Just take an opportunity to shop around, it can't hurt to shop around. You can collect extra information about people. Found out what they're doing.

Mr. Stern – As I recall, Mrs. Spinelli said you have a year to do that.

Mrs. Spinelli – And, that's what I was going to say. You have a year to do all that.

Mr. Bradley – So I started.

Mrs. Spinelli – Why appoint a temporary attorney when we just appointed one for a year. I told if next year, at solicitor hiring time, you wish to give us every darn bit of information you gathered, that's fine and we will make a decision. But, last meeting, we selected Mr. Schwab for one year and I'm not changing my mind on that based on your hearsay. And just to let you know, Mr. Bradley accused the entire population of the Franklin Township meeting of being immoral, so don't tell me he doesn't accuse the public wrongly.

Mr. Bradley – So, Rita, when I collected the information, I saw value on bringing it to the board to rebid, doesn't matter, you don't hire a solicitor for a year. He has the opportunity to work for you for a year, but if he doesn't do his job, tomorrow, you can get rid of him. He's at will.

Mrs. Spinelli – Absolutely. He does his job, so please call the question.

Mr. Stern – Roll call vote, please.

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 - 3 NO - 6 ABSENT - ABSTENTIONS -
Motion denied.

Courtesy of the floor / Public Comment

Mr. Stern – There a no further Courtesy of the Floors. There will be no exec. session.

Mr. Bradley – Prior to that adjournment. You mentioned there's not Courtesy to the Floor. Why do we make the public fill it out before they even get to the meeting? If some things happen during the meeting, that there's value, why can't they fill it out now and say why they're here. Why are you sending them away?

Mrs. Spinelli – If I'm not mistaken, we allowed comment through the whole entire meeting.

Mr. Bradley – You do, but they have an opportunity now, that things may have occurred during the meeting, that were not new motions but on the agenda which they don't have the right to comment on. They now can learn and deliberate on and basically help us, give a guidance for how you govern them.

Mr. Yenser – That has happened where we receive.

Mr. Stern - We can review that in a policy meeting

Adjournment

Next regular scheduled meeting is Monday, July 23, 2018, at 7:00 p.m.

MOTION by Mrs. Spinelli, SECONDED by Mr. Holland to adjourn the meeting at 10:10 p.m.

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

*** Notice of Executive Session immediately following the meeting for personnel. - CANCELLED.*

Respectfully submitted



Brian Feick
Board Secretary

(Minutes of June 25, 2018, includes Pages 1 through 70.)