

# Lehigh Area School District

Lehigh, Pennsylvania

Regular Meeting of School Board  
Monday, October 22, 2018, at 7:00 PM

Executive Session @ 6:30 PM to  
Discuss Superintendent Evaluation.

## Minutes

### Pledge of Allegiance

**Call to Order** - A regular meeting of the Lehigh Area School Board was held in the Administration Building, Conference Room A, on the above date and called to order at 7:12 p.m.

### Roll Call

|                                                 | Present | Absent                   |
|-------------------------------------------------|---------|--------------------------|
| Ms. Joy Beers, Member                           | X       | <input type="checkbox"/> |
| Mr. Richard R. Beltz, Member                    | X       | <input type="checkbox"/> |
| Mr. David F. Bradley, Sr., Member               | X       | <input type="checkbox"/> |
| Mr. Stephen Holland, Member                     | X       | <input type="checkbox"/> |
| Mrs. Gail Maholick, Member                      | X       | <input type="checkbox"/> |
| Mrs. Rita Spinelli, Member                      | X       | <input type="checkbox"/> |
| Mr. Wayne Wentz, Vice President                 | X       | <input type="checkbox"/> |
| Mr. Andrew Yenser, Treasurer                    | X       | <input type="checkbox"/> |
| Mr. Larry Stern, President                      | X       | <input type="checkbox"/> |
| Mr. Brian Feick, Business Manager               | X       | <input type="checkbox"/> |
| Mr. Jonathan Cleaver, Superintendent            | X       | <input type="checkbox"/> |
| Attorney William Schwab, Solicitor (Eric Filer) | X       | <input type="checkbox"/> |
| Mrs. Melissa Wagner, Recording Secretary        | X       | <input type="checkbox"/> |

\*\*Notice of Executive Session held on Monday, October 1, 2018, at 6:00 p.m. at the administration building for personnel and Superintendent Evaluation.

\*\*\*Notice of Executive Session today at 6:30 p.m. to discuss the Superintendent's evaluation.

### Presentations

#### 1. Holocaust Survivor Overview - Mrs. Howland/Mr. Hauser

Mr. Cleaver - At this time we have a presentation from Mrs. Howland and Mr. Hauser. They had a special guest at the high school last week and I have a lot of positive feedback from it and we ask that they come up here and share with the board some of the highlights from that presentation that they had. So, at this point, I'll turn it over to Mr. Hauser and Mrs. Howland.

- A PowerPoint presentation was presented by Mr. Hauser.
- Last week on October 17<sup>th</sup>, we were very pleased and very honored to welcome a Holocaust survivor, published author, Sonia Kaplan to Lehigh Area High School to address our students, faculty, staff and administration. She is the author of the book "My Endless War". She has traveled the country and addressed different high schools.
- She is 90 years old, lives in Atlantic City, New Jersey. She stood for the entire presentation. She did an incredible job. She stayed around for an extra 2 hours to do a Q & A session including students and faculty and signed copies of her book that she brought.
- We were able to make contact with Mrs. Kaplan through Joanna Barilla.
- Mrs. Barilla spoke about Mrs. Kaplan and the students being thankful. Mrs. Kaplan lost her entire family, 68 people on both sides of her family when she was 12 years old. It was a great experience for her and our students.
- She was welcomed to the building by Senior class members and student council officers.
- Words of wisdom, "Do not let your past control your future". She talked about the dark days of the Holocaust.
- Used this event to build partnerships. Our English department chair at the high school, Sharon Leitzel, and Mrs. Jones, English teacher at Panther Valley set up for the PV students from the Holocaust Studies class to attend the presentation. They were very grateful for the opportunity.
- Mrs. Kaplan spoke an hour about her book. She took questions from the students. She gave advice to our student body, "Never be a bystander. Take a part. You have to protect one another."
- She was a wonderful speaker to bring in. She speaks six languages.
- Mr. Hauser gave an overview of speakers we've had at the high school and future presentations for this school year. We've had several alumni speak to our students.

## **Public Comment on Agenda**

### **1. Gloria Bowman – Page 1, V., Page 11, XV., Page 10, XIV.**

- Upon reviewing the minutes from the last two board meetings, it is apparent that the board and stakeholders are looking at more effective ways to use Courtesy of the Floor without causing many interruptions and continuous chaos. Presently, Courtesy of the Floor is offered on every agenda item, page 1, number 5, prior to the meeting. New motions under old or new business and at the very end of the board meeting, page 11, number 15. Agenda item number 14 on page 10, Directors' Concerns leaves us, the stakeholders, without any knowledge of what might be addressed which is not at all transparent. Although the board continues to push for transparency. Perhaps some of the Directors' Concerns are not relative to board business at the time as witnessed at previous board meeting and should be taken to respective

committee for consideration and then brought back to the board as a whole. Another concern brought up by stakeholders is the ability to comment on said motions after board discussion on that motion as there may be more input on that item from stakeholders prior to the vote. I would suggest the policy committee meet to address this concern and brainstorm ideas of addressing audience input. Proper procedures and protocol still of course need to be followed to allow for civil discourse without one or two board members attempting to control the meeting when the President resides and without interruption or unwarranted comments. If everyone, from the board to the stakeholders, has the district's best interest at heart so that we can have a positive impact on our community, we will continue to find ways to make our board meetings more productive and respectful. This should give all of us pause for thought. Possibly taking the above suggestions to task can be helpful. Thank you.

2. **Barbara Bowes – VIII, K.**

- My comment is on Motion K. It's extremely vague. People that I've spoken to don't understand what it means. I think I do, but I'm not sure I do. It seems to give significant legal powers to the Board President but in Policy 011, under the code of conduct, it states individuals have no legal authority outside the meetings of the board and should conduct their relationships with all stakeholders in meeting on this basis. But here it seems that you're overriding that policy and giving, like I said, I think I understand what it means but it's not at all clear to the stakeholders in the community. And, we think that maybe you want to rethink the motion to make it clearer so that we understand what it is you're trying to accomplish with this motion. I personally think it's because there might be time constraints if something should come up and it can't be addressed prior to the next, regular meeting. I mean that's what special meetings are for but I've had numerous people question me. I said, I don't know, I didn't write it. So, I can guess, but am I guessing correctly, or am I letting my own personal feelings get in the way, I don't know. And, I just wish that you would make it clearer, more concise, explain to us what the motion means. Thank you.

3. **David Bradley – Item K.**

- I agree with everything she just said. The only thing I can add is not only is it not within our policy to allow individuals of a Board to act as the Board, but in this situation, apparently you're trying to allow an individual board member to meet with or authorize consumption of dollars with a solicitor, which is also against the new rules that the Board has established, that without Board approval of five members, do you have a right to incur charges by a solicitor, but if he does make a decision, since he's not allowed without the Board approval, when it comes back to the Board at the next meeting, according to what this motion was written as, like you said. I thought you wrote it, to be

honest with you Larry, I thought you wrote it. So, it's so convoluted, but you're saying that the solicitor wrote it. Is that correct?

Mr. Stern – Mm hmm.

- Okay. So, wow, but anyway, so it'll help the solicitor to get paid to do a job that you think is okay and if the Board finds out that it's not okay, then we're gonna pay the solicitor a second time to undo what he just did. And, to me, it's a very self-serving motion. I think it should be reviewed by the policy committee prior to even showing up on an agenda and it violates so many state laws and Board governance and policies to allow an individual to act as the Board in the interim of a board meeting. It's wrong, it's not what the public meetings are for. Thank you.

## Communications

1. Superintendent's Report – *Mr. Cleaver*
  - I'd like to thank the local fire departments for assisting with programs during Fire Safety Week. All three buildings took part in programs and trainings and again all the local fire departments did take part in these programs.
  - On Saturday, October 13<sup>th</sup>, they even offered a program at our middle school for our students and community and they said even though the weather wasn't the best, the event they felt was well attended. And, again, we appreciate the great work and relationship we have with all local emergency and first responding agencies. So last week there was a lot of time and effort spent from them with fire safety programs and they do a great job and I know a lot of the building and the Twitter® pages and the Twitter® handles were going with postings with pictures and everything. And, again, the kids really enjoyed and it's great to have that type of relationship and see them working with our students the way they do.
  - Also like to thank our staff along with students and staff from Milton Hershey school for a great program. Margaret Rich, the admissions counselor from Milton Hershey was at our Elementary Center and presented about the possibility of students with needs attending the Milton Hershey School. We had a total of 12 families who attended the presentation and then from what she told us, there's another 19 who requested additional information. So there was some families that couldn't make it to the presentation. They did a nice job, they had a nice meal, Nutrition Group put a nice meal on for the families. There's a lot of information shared for Milton Hershey School and we currently do have students who are attending there now. It's a great opportunity for students who may have had, you know, a rough life for different life-altering situations

whether it be a loss of a parent or someone and they're being raised by another individual. Milton Hershey has a great program that they offer our students, a program there to attend that school.

- On October 8<sup>th</sup>, the middle school and elementary staff received our emergency response training known as ALICE. We received a lot of positive feedback from the program and on November 7<sup>th</sup>, the high school staff will be receiving their training. As a district, we will continue to have interactive and online trainings for all staff while continuing to maintain a safe and healthy learning environment for our students.
- With the November 7<sup>th</sup> date also being parent-teacher conferences, we'll be moving the Academic Affairs meeting to the following Wednesday, November 14<sup>th</sup>. That way the teachers who are on that committee wouldn't be able to attend because they're at parent-teacher conferences. So, moving that to the following Wednesday will get those notifications out.
- We're continuing to work through the punch-list items at the Elementary School. I know there was a question about some of the cracks in the concrete work at the back of the building. This was brought to our attention several months ago, I believe. Mrs. Maholick actually said something to Steve who in turn mentioned something to me, a couple months ago. That is being addressed. Just, for this particular item, they are grinding out the cracks and they begin backfilling with concrete mix and then caulk and this minimizes any type of water seepage because that was the concern from there of getting water, freeze and thaw, and having damage. So, that individual item, that was asked about, is being addressed. And, many items listed on the punch-list are currently being addressed on a daily basis. So, they're still on there doing touch-ups. That was a long list and slowly, every week, we get an update and it's starting to get smaller and smaller. And that concludes my report.

Mr. Bradley - Excuse me, Mr. Cleaver. You mentioned about some of the committee meetings. I noticed that on our communications, we don't have anything about the personnel meetings. When did the personnel committee meeting meet?

Mr. Cleaver - When do we have a personnel committee, when do they meet?

Mr. Bradley - Yeah, when do they meet?

Mr. Cleaver - They can meet various, various times. A lot of times it's with negotiations as well too because its personnel/ negotiations. So it could be that.

Mr. Bradley - So that, that meeting is held where?

Mr. Cleaver - If we have it, usually held here. Because for negotiations we may have it in the building just to make it easier for the teachers if we had anything or support staff.

Mr. Bradley – Okay. And, then, it's an open committee meeting to the public?

Mr. Cleaver – No, those are not.

Mr. Bradley – Why is the personnel committee, a standing committee, not available and open to a public in a public?

Mr. Cleaver – Because they're talking about personnel issues. Could be medical, could be other situations, could be legal, you know.

Mr. Bradley – So is that personnel committee meeting then taking information that is not available to the rest of the board?

Mr. Cleaver – Is it taking information?

Mr. Bradley – Yes, collecting information that's not available to the rest of the board and bringing it to the board?

Mr. Cleaver – Depending on what it, depending on what it may be. That can be a discussion piece of it but, yeah, I'm not sure.

Mr. Bradley – Do they take minutes at those meetings?

Mr. Cleaver – No.

Mr. Bradley – So there's no minutes, it's a personnel committee meeting. Who's on the personnel committee?

Mr. Cleaver – It's to discuss personnel issues.

Mr. Bradley – Right, it's Rita, Wayne, Larry and Steve, correct?

Mr. Cleaver – I believe you're correct, yes.

Mr. Bradley – And you believe that that committee is not supposed to be allowed to be viewed by the public?

Mr. Cleaver – No, because you're talking about personnel issues.

Mr. Bradley – But don't you use employee numbers and do it professionally?

Mr. Cleaver – No, not when you're talking about, you know, personnel issues. When they're public, we use personnel numbers, yes, employee numbers, absolutely.

Mr. Bradley – Mr. Filer, is that correct? You can have a committee meeting that is separate from the board meeting and separate from a public meeting? I mean, is that even possible, a standing committee? It's not an ad hoc committee, right, this is a standing committee?

Mr. Cleaver – This is information that will then be shared with the board, personnel wise.

Mr. Bradley – But it's a standing committee. Let Mr. Filer answer.

Mr. Cleaver – Yeah, sure.

Atty. Filer – If you're discussing materials that would be excluded from executive session you can have closed meetings. So, the personnel meetings if there discussing Family Medical Leave Act, if they're discussing retirements, if they're discussing disciplinary issues, yes, you can have it closed.

Mr. Cleaver – And negotiations, as well, we can...

Atty. Filer – And negotiations, as well, is also an exception.

Mr. Bradley – And that's an exception to the Sunshine Act, inside of that meeting?

Atty. Filer – And, the Right-to-Know Law, both of those.

Mr. Bradley – One more quick question. So, are all board members allowed to participate in that personnel meeting?

Mr. Cleaver – We have personnel committee meetings. I mean if it's an exec. session.

Mr. Bradley – Now I'm asking, are all board members allowed to participate in the personnel committee meeting?

Mr. Cleaver – No, because it could be negotiations. I know we've dealt with negotiations and it's the people on that committee that deal with it.

Mr. Bradley – So, they're dis-invited? Meaning, if I show up at a personnel committee meeting, I will not be allowed to attend, participate or provide oversight?

Mr. Cleaver – It would depend on the, I mean, depending on the topic. I mean if it was for negotiations, I would think the negotiation committee would be there.

Mr. Bradley – So that's a yes. You're gonna, you're gonna restrict an individual board member...

Mr. Cleaver – No.

Atty. Filer – No.

Mr. Bradley – ...from attending a meeting, a personnel or a negotiation committee meeting?

Mr. Cleaver – I would think for negotiations, negotiation committee should be the ones that, you know, are part of it, yes.

Mr. Bradley – One more time, yes or no? Will you allow individual board members that are not part of that committee to attend a negotiation committee meeting or a personnel committee meeting?

Mr. Cleaver – We have not in the past, but I could say I don't think I had anyone ask me that exact question.

Mr. Bradley – Okay. Mr. Filer, if I choose to attend any of those two committee meetings, would I be restricted from attending, as a board member?

Atty. Filer – I'm not sure, Mr. Bradley, I'd have to get in to that for you.

Mr. Bradley – Okay. When is the next of those two meetings scheduled?

Mr. Cleaver – I do not have any scheduled.

Mr. Bradley – Please inform me, I'm officially making notice, please inform me and the rest of the board when those two meetings, personnel or negotiation meetings will occur. In advance notice so they can prepare and attend.

Mr. Cleaver – Okay.

2. Finance Report - *Mr. Feick*
  - Our office is completing the audit and the AFR filing this month. We are also coming up with a transition plan for changing banks which we should have ready for the board next November. We're also putting together RFP's for brokerage services, for health, liability, and our stop/loss carriers and we're also putting RFP, which we have to have out for next year for our food service company. Every five years you have to go out to RFP.
3. Board President's Report – *Mr. Stern*
  - This is Red Ribbon Week across all of our schools which is an alcohol, tobacco, and violence prevention awareness week. So I know there'll be various programs at all the buildings to support that activity. And, as I breezed through, browsed the agenda should I say I did see the community involvement that we have with our number of our businesses and social institutions, which I thank them very much for the support of the district. I know they're giving funds specifically for different programs which is, you know, an admirable activity.
4. Leighton Memorial Library Report – *Mrs. Maholick*
  - The Leighton Area Library was awarded \$169,000 Keystone Grant which will go towards the 1400 square foot building addition. The construction project will provide additional space for youth services, community room, and to ADA restrooms. Everyone was so excited to hear the great news that we celebrated with chocolates and champagne.

- Book signing by author Dan Urban was held this month. Program this month includes story time on Wednesdays and Thursdays. One-on-one computer help on Thursday evenings at 6:00 and on the third Wednesday of every month is Book Club.
  - The carpet and abatement project was completed on time and the library reopened on October 1<sup>st</sup>.
  - In other business, Hawk reported that a sump pump was replaced in the basement. Hawk also noted, Hawk is Melissa Hawk and she's the librarian. She also noted that she received state aid application and has it ready to be mailed.
5. Legislative Policy Committee of PSBA Report – *Mrs. Spinelli*
- I'm going to defer to Ms. Beers and Mrs. Maholick because they attend the PSBA Conference and we spoke about this last month if you would tell us what you learned.

Ms. Beers – We spent several days at PSBA's School Director Conference and I'm not gonna go on about what went on there but I'm gonna hit three interesting highlights. I met a school board member and administrator from Laurel Highlands. The school board member had 17 years as a school board director and had been a former employee and the administrator had 29 years and they were describing that in their board, in their district, the board does all the hiring including all of the interviews. And, I know, Dave, you had an interest in that. So I have their cards and I'm gonna be reaching out and their administrators are gonna share their policies with us for whatever interest we might have in that. Second point of interest, one of the keynote speakers, Dr. Robin Jackson, talked about improving the quality within districts by working with employees and one of the things, several things she talked about, was doing 360 degree reviews that include feedback from students and parents, which I think would be great here. She also cautioned not to wait to failure of any policy, to be proactive. The final and very interesting talk, there was a Dr. Munson who's a school director, I think in East Penn, he is a professor at Lehigh University and is a father of children within his district and he talked about a lot of statistics about security in schools. Everybody's really interested in this, and he pointed out that security officers, there is no statistics that show that that has any impact of safety. He talked about a phrase that's being used a lot in research I've been doing, called Security Theatre, where people do things within their district that make people feel better and it gives an impression but the statistics don't actually show that it protects students. He had a whole list of things like bulletproof glass, putting locks on doors, and he said that there's, this hasn't been doing anything and he talked about different types of measures. Those being researched by the FBI and that, which is actually engaging students and creating an atmosphere in which students have access to teachers or social workers and that students are never surprised by who perpetrates these shootings in their districts because of the things that they see happening. So, if anyone would be interested, I would recommend that we reach out to Dr. Munson and try to find out more about the research so that we don't spend money on measures that aren't actually making our district safe and try to direct our efforts in ways that will make our district safer.

Mrs. Maholick – I'd like to thank the Board for giving Joy and I the opportunity to learn more about our role as school directors at this 2018 PASA and PSBA Leadership Conference. We tried to learn as much as we could, so we attended as many sessions as time allowed. I attended two sessions on school safety. Both had a different approach to making school's safe and secure but when I analyzed the contents of the sessions, they really were more similar than different. One session focused on children having someone who they feel comfortable to talk to when they need

help or if they know something about another student. While the second speaker said that after he analyzed several studies, evidence suggest that an SRO or sworn law enforcement officer has no effect on school violence or weapons incidences in school. He said that the only thing that makes a difference is having less movement in the hallways. He also said that having security officers in schools makes students feel less safe, not more. He said that real solutions come from students and tracking mental health issues. I was also very interested in the session about how a school community changed school start times. I was more interested in the process, then in the end result. It took a little over two years for Unionville-Chadsforth School District to implement the time change. During that time, community members, students, teachers, parents and administration worked together. The presenter said that without a spirit of transparency, good communication, and cooperation, the process would not have worked. They were also able to make that change for only \$2,500. While there were several speakers, the most memorable talk was the one given by Rachel Scott's father, Darnell Scott. His daughter was the first student shot in Columbine. He said that more than 17 million people have been touched by Rachel who believed that everyone should be treated with kindness, compassion, and respect. We also visited the exhibit halls and learning labs plus took time in the delegate assembly. We also networked with many other board members from throughout the state.

6. Title I Advisory Committee Report – *Mrs. Bowman*

- Title I staff met on Friday, September 21<sup>st</sup>. A lot of topics were discussed including the consolidated applications, school wide specifics on reporting number of students receiving services, discussed MTSS program, benchmark testing and our parent night which is October the 10<sup>th</sup>. The school-wide planning was approved October 4<sup>th</sup> with accommodations from our regional coordinator, Maria Garcia, on the quality of our plans. So, kudos to all those employees who helped in the process.
- Fall Parent Night was held on Wednesday, October 10<sup>th</sup> from 5:30 to 8:00 with close to 500 people in attendance. That was a record number. Nutrition Group served over 350 meals. We had a parent PowerPoint continuously rolling out regarding our school-wide service and of course the Cat in the Hat for Seussapaloosa. And, students described how much they liked the new school as well as parents and PTO. Overall it was a great night and our thanks goes out to all the staff including the paraprofessionals, the cafeteria, secretaries, regular education staff and special teachers, Title I, MTSS and administrators. It truly was a team effort to pull off what we did. So, and there's nobody like Mr. Feick. For somebody who works all day and he attends the Fall Parent Night and talks to people and serves food, you can't ask for a better Business Manager who would do that. So, kudos to Mr. Feick and all the staff for helping.
- Our next Title staff meeting is November 16<sup>th</sup> at 7:45, we will be meeting at the center.

7. CCTI Report – *Mr. Yenser*

- The school year is running parallel with Lehighton here. Many activities and events have taken place already including the 5K for school functions. The police officer has been placed at the

school working with students and staff as a way to avoid school violence.

8. CLIU Report – *Mr. Wentz*

- We met last Monday, October 15<sup>th</sup> at IU headquarters and were introduced to a new board member from East Penn School District, Mrs. Alyssa Bowman. The meeting consisted of a presentation on the Carbon-Lehigh Special Needs Children's Foundation and we were informed that the CLIU employees donated through a payroll deduction a total of \$13,496 to the foundation. The next scheduled meeting is set for Monday, November 19<sup>th</sup>.

9. Building/Grounds Report – *Mr. Holland*

- We met on October 9<sup>th</sup> and under Old Business we discussed the middle school press box and the tennis courts and there's really no update at all for either one. I will say this, football season's over, unfortunately for the middle school, I believe after tonight or next week, so, they will not be seeing a press box again this year.
- Also, under the asset lists, the information's still being, is ongoing, it's still being gathered.
- New doors at the high school. That was discussed already this past spring that we had issues with some of the doors not being able to lock them and that. Sue, are they replaced, now. They're all in place, so thank you very much that they're replaced.
- Middle school we have a generator that's making a noise and usually when they make noise that sounds like possible spending monies. So, anyway, Mr. Spotts feels that we're gonna get a quote in spring and hopefully that it will last that long and then in the summer we'll replace it, if need be.
- Elementary, the gymnasium has been sanded and I believe Mr. Cleaver and I when we talked last week, we thought this week they would be staring on the floor itself.

Mr. Cleaver – Yes, that is correct. Actually, they're gonna be doing the stage first so that they'll be able to get access to the stage because, of course, it'll be much shorter of a time because no line painting, just staining it. And then they will get down to the stage.

- Mats and entrance carpets were installed at the elementary center so that'll help make it a little easier for the people to clean and such.
- New Business, we discussed several concerns about the grounds and I will say they're working on it. There's a lot of dirt and trash around from when the buildings were being made and I did see quite an improvement in one week.

Mr. Cleaver – I just wanted to add one thing for Buildings & Grounds, the worst meeting of the year we had to have last week, and that is the plan for snow removal. I always say that's the worst meeting, we have to meet with our crew with, but we do have a plan in place and hopefully, you know, our plan will work but it's one of those meetings that we have to set every year and I cringe

every time 'cause that means that stuffs coming eventually. So, we did have that meeting with the crew to get a plan for snow removal in place.

Mr. Bradley – Excuse me, Steve, is the dirt you're talking about, what they're moving back here behind the building that's, what are they working on back there?

- Right back there? The dirt pile? They're slowing moving that stuff.

Mr. Bradley – Actually, where are they putting it? Or are they just leveling it out?

- Throughout the district, throughout the grounds, on district grounds in different areas as needed.

Mr. Bradley – Can you give us a report on the, was it a fan failure or something, the air conditioning in the new elementary center?

- I do not know anything about that.

Mr. Bradley – They had a failure in the elementary center. I think Mr. Feick was talking about a fan.

Mr. Cleaver – Well, they thought it was a fan but apparently they think it was something electrical 'cause they replaced the fan and it still had the issues. So, but it has been since addressed.

Mr. Bradley – And what was the result? Warranty or?

Mr. Cleaver – Well, yes, everything's under warranty, yep.

Mr. Bradley – But it was an electrical failure of the air conditioning unit?

Mr. Cleaver – It was something that going in to direct the fan for temperature control was what I was told. But, they actually replaced it and that fan didn't work either and then they tested a fan at the shop to make sure it was coming and by that time they realized that it was something that was electrical not.

Mr. Bradley – So we're out for maybe a week or so?

Mr. Cleaver – Right, but everything was, everything's fine now.

10. Academic Affairs Committee Report – *Mr. Stern*
  - Academic Affairs will be meeting on Wednesday, November 14<sup>th</sup>.
11. LCCC Report – *Mr. Krause*
  - The SHINE Lights On celebration will be hosted by the Jim Thorpe School District this Thursday, October 25<sup>th</sup>. They're expecting over 400 community members, legislators and participants. Others across the Commonwealth and the nation will also celebrate after-school programs during the 18<sup>th</sup> Annual

Nationwide Rally for these programs that keep our kids safe, inspire them to learn, and help working families. LCCC's SHINE program is truly a shining example of what after-school programs can be as well as the difference it can make for children and families. The SHINE STEM Ecosystem is a result of a grassroots initiative that began in 2004. The heart of the ecosystem is the SHINE after-school program which has cultivated partnerships reaching every facet of the community.

- Online Learning is LCCC's second largest site, in addition to their main campus, and continued growth is projected in the Enrollment Management Plan 2018 through 2022. LCCC contracted with Campos Research and Strategy to determine whether enrollment goals can be achieved. The overarching objective of the study was to verify whether LCCC's goals for online learning is realistic with new online academic programming given the population, enrollment, and workforce development trends. The final report received by LCCC is a culmination of more than two months of secondary research conducted. It indicates that LCCC's goals are realistic.

12. Policy Committee Report – *Mr. Stern*

- The Policy Committee did not meet. The meeting was held for the handbook review which was back on October 3<sup>rd</sup>. The next policy meeting will be in December.

13. Athletic Committee Report – *Mr. Wentz*

- First of all, it's sad to report that long-time football announcer and dedicated Lehighton Indian's fan, Reds O'Donnell passed away today. He will be missed greatly by his family and many friends.
- On a lighter note, Lehighton has qualified for District play football, volleyball and most notably the field hockey team who is ranked #1 in Districts by their virtue of their 2-1 win over Moravian Academy. We wish the best of luck to all our student athletes and with the new stadium we again will be hosting League, District, and possibly again State playoffs in football. Which not only benefit our school but also the community, the gas stations, restaurants and other facilities used by incoming fans from away schools.
- The next scheduled meeting will possibly be held in January following the December reorganization meeting.

Mr. Bradley – Larry, given the news why don't we move that we send condolences to the family as a board.

Mr. Stern – We'll do that under New Business. Yep, thank you, it's a great idea. Reds was the voice of Lehighton football for quite a while.

14. Wellness Committee Report – *Mrs. Maholick*

- I've asked Mr. Tkach to take it because that was the day we left for the conference and he was there, so I asked him to take over for me.

Mr. Tkach – Very briefly, the menus were approved again that we look for the month of November coming. We also met with our Backpack Buddy and we're looking at that. Hopefully we'll get that started either November, December at the latest. And, the lunches, the increase in participation for both breakfasts and lunches has gone up and I know, Lauren was gonna be meeting with principals. We're looking for our YAC committee with is our Youth Advisory Council. So they do that for all levels with elementary, middle and high school where they'll sit down with the students and with Lauren and principals and discuss the different menus and options. They get some input from the kids. And our next meeting then will be on Tuesday, November 20<sup>th</sup>.

### **Approval of Minutes**

MOTION by Mr. Wentz, SECONDED by Mrs. Spinelli to approve the Minutes of the September 17, 2018, regular meeting.

Mr. Bradley – Short comment, I didn't get a chance to review the video and the audio that we didn't get till the minutes, or I guess, came out on Thursday. So, I think if we get those minutes out earlier so that we can actually have a chance to review them, they're 70 pages of dictation basically I guess is what you're correcting, and I've noticed that we've had failures in the past and I'd like to document those mistakes prior to accepting the minutes. I think that the time is too short for us to do that.

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

### **Financial Matter**

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

VOTE: YES - 9    NO - \_\_\_\_\_ ABSENT - \_\_\_\_\_ ABSTENTIONS - \_\_\_\_\_  
Motion carried.

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

|                       |                        |
|-----------------------|------------------------|
| General Fund          | \$ 2,417,311.69        |
| --Benefits            | \$ 597,921.70          |
| --Payroll (September) | \$ 1,348,352.03        |
| --Debit Card          | \$ 5,380.93            |
| Capital Projects      | \$ 886,073.91          |
| Food Service Fund     | \$ 82,763.50           |
|                       | <b>\$ 5,337,803.75</b> |

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

Mr. Bradley – Again, this documentation showed up on Thursday, Mr. Feick was out of town. We tried reviewing all the bills. I was able to collect the data today, but we did not have the time to review them. I think that, I would assume, since I'm very aggressive at this, to get as much as possible, that we should consider that we give the board a chance to review the bills prior, their duty to pay the bills. I trust Mr. Yenser took the time to find, is that correct? Yes?

Mr. Yenser – Again...

Mr. Bradley – As our treasurer.

Mr. Yenser – ...month after month, I have reviewed the bills to my satisfaction, I don't approve and review the bills for anyone else's satisfaction.

Mr. Bradley – Mr. Filer, I've asked this several times, but it's my understanding that individual board members are individually responsible for their duty to make sure that the bills being paid are accurate and if there's any potential legal liability or criminal culpability for a board or any of its members if a majority of the board votes to approve expenditures without sufficient details or information to make an informed decision and, if so, what are the details and possible liability or culpability. And, I also asked if there is a possible liability or culpability of a board could a dissenting member shield himself from such liability or culpability by his recorded dissenting vote? And, in the past, I haven't found any law that you have found that says we are shielded from that but I have found many laws that says we are not shielded and we are individually responsible. Is that correct?

Atty. Filer – I don't know what law you found, so.

Mr. Bradley – Do you know of any laws that makes an individual board member individually responsible for paying bills that may or may not be available through the taxpayer system that we're responsible for? If we pay a bill that's not authorized.

Atty. Filer – You're allowed. Again, Mr. Bradley, you're allowed to rely on your professionals and opinion of others in making your informed decision. Now if you want to believe that statute requires you to read through every single bill, that's your interpretation and that's fine. My understanding is that the rest of the board is allowed to rely on professionals' opinions and make their decisions based off of that.

Mr. Bradley – Does the surcharge and accountability of officials for misuse of public funds apply to individual school board members or just municipal officers?

Atty. Filer – Doesn't that require to be knowingly and willfully?

Mr. Stern – Mm hmm.

Atty. Filer – So, if they're relying on professionals, they're not knowingly or willfully violating that rule.

Mr. Bradley – So they're shielding themselves by blindly rubberstamping the professional inside the district and not providing that oversight to the district.

Atty. Filer – They're relying on professional; that's why you have professionals, Mr. Bradley. That's why you hire us.

Mr. Bradley – I agree but there's also responsibility as a board member to oversee that professional to make sure that, to protect him. He might make a mistake or she might make a mistake. That's our job, right?

Atty. Filer – I'm sorry I don't know what your question was there.

Mr. Bradley – Does the surcharge apply to board members the same way it does to other municipal members?

Atty. Filer – I believe it does, yes. But again, you have to be knowingly and willingly violating it.

Mr. Bradley – Thank you.

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

**Construction Accounts** MOTION by Mr. Wentz, SECONDED by Mr. Bradley to approve payment on the following projects from the corresponding construction accounts for a total of \$887,289.26.

**1. Elementary Center**

|                                   |    |                   |
|-----------------------------------|----|-------------------|
| Advantage Engineers – Inv. #120   | \$ | 3,910.00          |
| CSI – Inv. #20184260P & 20184262P | \$ | 13,000.00         |
| Jay R. Reynolds – App. #19        | \$ | 58,304.86         |
| JBM Mechanical – App. #17         | \$ | 6,602.50          |
| Lobar, Inc. – App. #23            | \$ | 805,471.90        |
|                                   | \$ | <u>887,289.26</u> |

VOTE: YES - 9 NO - \_\_\_\_\_ ABSENT - \_\_\_\_\_ ABSTENTIONS - \_\_\_\_\_  
Motion carried.

**Treasurer's Reports**      MOTION by Mrs. Spinelli, SECONDED by Mr. Wentz 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 - 9      NO - \_\_\_\_\_      ABSENT - \_\_\_\_\_      ABSTENTIONS - \_\_\_\_\_  
Motion carried.

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

Mr. Bradley – Excuse me, Mr. Stern, was this packet placed for the benefit of the public prior to the meeting this time. I didn't see it this time.

Mrs. Wagner – I forgot to bring it out.

Mr. Bradley – Just checking.

Mrs. Wagner – It's been here and it's listed that it's here but I totally forgot it.

Mr. Bradley – Yeah, I didn't see it, I didn't know.

Mrs. Wagner – Do you want me to grab them now?

Mr. Bradley – I can leave mine out there, I think, 'cause I read mine. Yep, I just thought it was unfair that they didn't get a chance to review it prior to making their comment, thank you.

Mrs. Wagner – I had everything out since Friday and I put that on the web, but I did not bring them out to the table today.

Mr. Cleaver – And today, I don't think we had anyone come here to read them.

Mrs. Wagner – No.

Mr. Cleaver – To date, no one's come here them to view them either, prior to the meeting.

Mrs. Wagner – But I did forget them.

Mr. Bradley – Say it again?

Mr. Cleaver – To date, no one's come here requesting to view them prior to the meeting either. Just as an FYI.

Mr. Bradley – It's a requirement for us to put them there (inaudible).

Mr. Cleaver – But no one has come. I understand that. Again, no one has made that effort to come up here.

Mrs. Wagner – I can get them if you'd like me to.

Mrs. Maholick – Okay, I have a question, Missy, is there some way that you can get these paperwork out to us earlier, our packets?

Mr. Cleaver – The only concern with getting, we have the meetings on Monday and Tuesday and we get a lot of information last minute and we're sending it, we're putting stuff on the agenda last minute 'cause with, especially with hires and those type of things and so the longer we can hold on, the more likely we could get those hires on last minute. And, also it allows our business office a little bit more time to get all the bill paid, the payment of bills and everything out as well.

Mr. Bradley – I believe they can just be published when they publish them to us. We should be able to put them on the line because they're part of an agenda, a part of the minutes, and therefore they're part of our policy to provide to the public. Can't we just release the entire packet at that time? Transparency, team, you know.

Mr. Stern – Okay. I have a motion and a second, all those in favor?

Mr. Bradley – I'm sorry, did I get an answer to that or not? Why can't we put that information?

Mr. Stern – Doesn't it have to be approved before being published?

Mr. Bradley – No, not at all.

Mrs. Wagner – I make hard copies of them.

Mr. Bradley – I understand and they're published to the people at the meeting but for them to attend the meeting to make valid input, stakeholder input, which we're supposed to be asking, when it gets published on the Thursday before the meeting, we can give it to our constituents so they can help us with this short amount of time in which to review it all. We have a thousand eyes for free, keeping an eye on our own district. It's a beautiful thing. That's the benefit of a community school.

Mr. Cleaver – If that's the wish of them. I mean sure we can do something. I'm trying to think, Mr. Feick, if there's anything for redaction purposes with some of the taxes and those type of things because the peoples...

Mr. Feick – That's actual bills that we give to the board is the lists of vendors and everything else paid so that's not a problem.

Mr. Stern – Okay.

Mr. Bradley – You give it to them on Monday night. So you're just giving it to them on Thursday to give them a chance to review that information so that they can be better citizens, helping us do our jobs because we work for them.

Mr. Stern – Similar to what your putting together for us anyway?

Mrs. Wagner – Right. So the entire packet I would have upload.

Mr. Bradley – Correct.

Mrs. Wagner – Okay.

Mr. Bradley – And maintain and leave it on the district’s website so people can look at it.

Mr. Stern – As long as it’s legal.

Mr. Cleaver – You can do it by Friday. Is it okay if we get it on there by Friday? Just because that’s when we get...

Mr. Bradley – Anything’s better than Monday night at the meeting for the 20 people that attend.

Mrs. Wagner – I can do that.

Mr. Bradley – Especially if you’re live streaming it. Because now everybody can keep an eye on what’s available.

Mr. Stern – Thank you, Missy.

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

**Tax Refunds** MOTION by Mr. Wentz, SECONDED by Mr. Holland to refund from the general fund the following:

1. Real Estate Tax for year 2018 in the amount of \$105.58 to Henry Jr and Lynnette Faust;
2. Occupational Tax for year 2017 in the amount of \$125.00 to Shirlaine Kresge;
3. Occupational Tax for year 2017 in the amount of \$125.00 to Terry Whiteman.

Mr. Bradley – Does this vote require a two-thirds, I mean a 6 person passing because we’re moving money from a fund to another fund?

Mr. Stern – It’s refunding.

Mr. Bradley – I know, but pulling monies from that fund and the next, actually the next two, I’m wondering, do we need a 6 person authority to make that movement of money?

Mr. Feick – No. It’s not moving from one fund, when we talk one fund, we’re moving, talking, general fund to food service, general fund to capital reserves or capital projects, not general fund to pay a bill or refund to client or vendor. So, it’s not moving one fund to another.

Mr. Bradley – It’s takes 6 people to move it from one fund to another.

Mr. Feick – Correct.

Mr. Bradley – But you’re not moving it from the general fund to a checking account and then from a checking account to the person?

Mr. Feick – That’s not a fund, that’s checking account.

Mr. Bradley – It doesn’t count that way? So, you’re basically pulling it from a general fund, putting it into your access and then pulling it from there.

Mr. Feick – Right. So, when that 6 person rules general fund to any other fund which is a governmental fund, like you know, food service fund or the capital reserves fund or capital projects fund.

Mr. Cleaver – So, the, just for my, the question wasn’t on Motion F. though, that was just a general question.

Mr. Feick – Last meeting you requested that everything on there that has to do with money, where’s that money coming from...

Mr. Bradley – And where’s it going.

Mr. Feick – ....so that’s towards the general fund where the monies coming out of. So, that’s why it’s on there.

Mr. Bradley – Correct.

Mr. Feick – Okay.

VOTE: YES - 9 NO - \_\_\_\_\_ ABSENT - \_\_\_\_\_ ABSTENTIONS - \_\_\_\_\_  
Motion carried.

**Occ. Tax Changes** MOTION by Mr. Holland, SECONDED by Mr. Bradley to approve from the general fund Occupational Tax Assessment Changes as per the attached list.

VOTE: YES - 9 NO - \_\_\_\_\_ ABSENT - \_\_\_\_\_ ABSTENTIONS - \_\_\_\_\_  
Motion carried.

**Donation Lehigh Fire Co. #1** MOTION by Mr. Wentz, SECONDED by Mr. Yenser to accept the donation to the general fund of \$7,500.00 from the Lehigh Fire Co. # 1, Inc. to the Lehigh Area School District to be used for safety equipment across all sports.

Mr. Stern – First of all, I’d like to thank the Fire Company for their generous donation to help our athletics and support safety throughout all of the participants of our different programs for extra-curricular sports activities.

Mr. Feick – I also want to note that per board’s direction whenever you accept a donation, we will send out a thank you letter from the school board.

VOTE: YES - 9 NO - \_\_\_\_\_ ABSENT - \_\_\_\_\_ ABSTENTIONS - \_\_\_\_\_  
Motion carried.

**Donation** MOTION by Mr. Holland, SECONDED by Mr. Beltz to accept the donation to the  
**Orioles** general fund of \$100.00 from the Orioles for the No Bad Attendance (NBA) program  
at Apollo Farms in Palmerton, PA.

Mr. Stern – Again, thank you very much to the Orioles for supporting this program.

VOTE: YES - 9 NO - \_\_\_\_\_ ABSENT - \_\_\_\_\_ ABSTENTIONS - \_\_\_\_\_  
Motion carried.

**Donation** MOTION by Mr. Bradley, SECONDED by Mrs. Spinelli to accept the donation to  
**Griff's Ale** the general fund of \$220.00 from Griff's Ale Haus & Grille for the Title I Reading  
**Haus** Program at the Lehigh Area Elementary Center.

Mr. Stern – Again, I'd like to thank Griff's Ale Haus in supporting the Title I Reading program for our elementary students. And since it's a full school, it'll benefit every student in the elementary center, thank you.

VOTE: YES - 9 NO - \_\_\_\_\_ ABSENT - \_\_\_\_\_ ABSTENTIONS - \_\_\_\_\_  
Motion carried.

**Board** MOTION by Mr. Wentz, SECONDED by Mrs. Spinelli that in-between regular  
**President** board meetings the Board President shall have the authority to authorize the taking  
**Appeals, etc.** of appeals to any decision or opinion and/or authorize answers or other responsive  
pleadings be filed, subject to ratification of the board at its next regularly scheduled  
meeting. In event not ratified, then the solicitor is directed with withdraw appeal or  
responsive pleading, funding through the general fund.

Mr. Bradley – Does this board authority creating a new policy or procedure requires 6 votes?

Atty. Filer – You'd be authorizing us to spend money so then my opinion would be yes and if I can address Mrs. Bowes comments from earlier. She wanted to know why this was filed. She was correct. It is because with the holidays coming up and snow days, it tends to be that board might not meet within 60 days and in general most of our response pleadings are due within 30, some are due as short as 15 and I think we've had one Right-to-Know request where we were given 9 days to file an answer from the Office of Open Records. If we don't have authority to go forward with it then we lose by default. Now, special meeting...

Mr. Bradley- Two things, you lose what by default?

Atty. Filer – Our option to answer and depending on what the opinion or decision is that's being filed, whatever it was requests for in the complaint.

Mr. Bradley – So, someone asks for a Right-to-Know. The Right-to-Know is either decided by our Right-to-Know Officer whether to give them the information or not give them the information. She's been trained to give them the information or not give them the information or redact what's needed. And then in the event that the requester does not get the information that they were thinking, they appeal to the Office of Open Records, which is the State and you have plenty of

time, 30 days to file the information and then another 30 days. So, when did this become such an emergency in that process that you fearing that you might lose the opportunity to appeal? So much so that you're gonna give an individual person full authority to work in connection with our solicitor to spend money and then in the event that he made a mistake, that we should've maybe not fought the State's Office of Open Records final determination, and then spend it a second time to withdraw it.

Atty. Filer - Okay, first for most cases, the withdrawal is a single piece of paper so you're not looking at extensive litigations costs there.

Mr. Bradley - But the first thing that you do before the withdrawal that would've been dollars spent and then you can withdraw it very cheaply, I agree. But you had to spend it to start and there's no taking that money back. So, all the money, that the solicitor and I believe let's make sure we're clear, the solicitor wrote this motion. Can we get that on the record please, Mr. Stern?

Mr. Cleaver - The solicitor wrote out the recommendation of, you know, concern that I have per different delays and seeing the information that's coming across in the quick turnaround with days knowing that if we don't have a, you know, possible board meeting that if we miss a deadline what, what is our course, what can we do.

Mr. Bradley - Have we ever missed a deadline or even got close or had an executive session that we couldn't have?

Mr. Cleaver - With the most recently complaints that we've never had to address before, the ones that are pretty much filed by yourself, I don't think we've ever had that experience. Just saying, I'm concerned because since I've been in this position and other positions, have never dealt with some many Right-to-Know issues at the cost of the taxpayers, unfortunately. And, I just want to make sure that we can do our due diligence and make all those deadlines. And, so I am concerned that if we don't have a meeting or a possible meeting that is, you know, cancelled because of snow or what have you, that we could be putting ourselves at risk. So, yes the solicitor did write the motion due to the concern that I had for timing, yes.

Mr. Bradley - But at the same time you're talking about blocking a Right-to-Know request.

Mr. Cleaver - No, I'm talking about the nonsense that's being filed at the cost of our taxpayers. So I'm not talking about blocking any Right-to-Know requests that, you know, we feel is legal and obligated.

Mr. Bradley - But if we're legal to provide the information to the public, and they ask for it, why aren't we just giving it to them?

Mr. Cleaver - Again, Mr. Bradley, I think we're just gonna have to agree to disagree on this situation.

Mr. Bradley - It's been known across the state that many solicitors are using the Right-to-Know Law to incur significant district expenses, only to find out that they either lose or get, like Mr. Filer said, pull the paper after the money has been spent. You're closing the door after the cattle are gone.

Mr. Cleaver - No, I'm trying to keep our district, our students and our staffs' personnel information safe.

Mr. Bradley – And the Right-to-Know Law already discusses that and you have a Right-to-Know Officer that decides that.

Mr. Yenser – Would another example of this be one board member filing a lawsuit against other board members and our solicitor reviewing the legal action of that course?

Mr. Cleaver – I would say yes that is the case and I could say that the costs that we've been incurring is been almost double than average of what we have in the past and it is due to Right-to-Know requests and information being requested and on top of that, the even bigger concern I have is the loss of, really some staff members time of trying to collect all this information. Because, yes, the Right-to-Know Officer can absolutely go through it but we don't just have a Right-to-Know Officer. We have an individual who has other job requirements and so everyone if feeling a little overwhelmed and we're trying to work together with this. But, not only the financial piece for, you know, is an issue, but the really the unwritten piece of the amount of time that people are spending on this which is taking away from other responsibilities that they may or may not have.

Mr. Bradley – So if I pulled the years' worth of Right-to-Know requests and then we did the time study and it's several hours at best, the question I have to ask is why are you spending so much solicitor money blocking the transparency rather than embracing it as written in the law to give the people the information. It is so much less expensive to comply with the law then to restrict and then lose in the State and then fight it again anyway. It doesn't make sense to me why this board or this district is trying to be an obstructionist to the law, which is the Right-to-Know Law, they have a right to know the information.

Mr. Cleaver – There's a lot of information that they have a right to know, but posting it in the, you know, on the media sites and the possibility of something being posted that could be viewed a HIPPA violation or medical issue or even the fact that we have individuals in our school district who are concerned of that it's effecting they're job, that they have sent emails concerned the Right-to-Know requests because we have a lot of student information that is shared from administration to staff and parents who trust the administration that we are keeping things confidential and the concern is that some of those things can be now posted on media website. And, again, I will do what I can to protect the district, the staff and the students as a whole and we can sit here all night Mr. Bradley and agree to disagree but at this case we're just gonna have to move forward and the motion is what is stated. And, again, I'm not expecting you to agree to much of this but as far as I'm concerned, it is my job to do what I can to keep this district safe.

Mr. Stern – Okay, there's a motion and a second on Item K. Would you like a roll call vote, Ms. Wagner? I would like a roll call vote Ms. Wagner.

Mr. Bradley – Before you elect a King, we definitely want a roll call vote.

Mrs. Maholick – Can I make a comment? When we were at this conference, every person that we talked to at the tables, none of them have this problem with transparency like we do.

Mr. Bradley – And they're open about their transparency to the district, correct? Correct. This is very unique to the Lehigh District where they are going to try to prevent information to getting to those stakeholders which we service. It is our duty to serve them. Now, of all the Right-to-Knows that I have done, which there are many, and the redactions that we're paying for by the district because they fear the redaction. A perfect example was the Right-to-Knows for multiple emails of an individual board member. The only thing that was redacted was the password for the

board's access to the board packet which actually can be provided openly without even needing it. But, that was the redaction that we paid our solicitor hundreds of dollars to take out of a Right-to-Know. It's a waste to use taxpayers' money to give it directly to a solicitor just to become an obstructionist. And, you are correct, I've also checked throughout the state by filing similar Right-to-Knows to multiple districts to collect information like Superintendent's contracts or the things that I'm looking for to be able to compare our district with others and it's amazing the watch the responsiveness of many of the districts that it's almost an instantaneous file emailed, sent, received, thank you for the data so I can be a better board member. And yet, our own district didn't even publish it to our own board members to give it to them prior to us evaluating the district's Superintendent.

Mr. Cleaver - And again, just to make everyone, 'cause we want to be transparent and you make it sound like those are the information that we're hiding. You're privy to all those reports. The issue of you requesting my email, the high school principal's emails, the assistant principal's emails, how does that make you a better board member? Those are the things that is absolute nonsense. Those are the things that are a concern. Not only by our staff because of the information we share. Mr. Bradley, you're more than welcome to have any contract you want, but don't sit here and make it sound like we're not giving you that information. The things we're talking about are the things that I need to protect our kids, nothing else.

Mr. Bradley - You're actually billing board members to collect information that they feel necessary to review motions on the agenda. You're actually billing your board members to collect data prior to them making a decision. Now, as far as your emails, they are public. Larry's email, they are public. Rita's email, they're public. And, through the review of those emails we have found not only about private meetings, committee meetings, times and dates that you're preventing the rest of your board from doing their job. It's our job to provide oversight for those people. They require that information, Mr. Cleaver, and it is public. And because it is public, you should also watch what you write. It would help the district if you would know that people are looking over your shoulder, maybe you'd make different choices which is also a benefit to them rather than going to court to try to fight the idea that a Superintendent of a public school and a government that those people do not have that right. You should not obstruct that right from those people.

Mr. Cleaver - And again, Mr. Bradley...

Mr. Bradley - That's my opinion.

Mr. Cleaver - ...again, that's your opinion and I have no concern...

Mr. Bradley - And the opinion of the state of Open Records and the opinion of the...

Mr. Cleaver - Are you done?

Mr. Bradley - ...the Pennsylvania School Board Association and the opinion of the...

Mr. Cleaver - I know.

Mr. Bradley - ...the Pennsylvania School Code.

Mr. Cleaver - Yes, and those are the only...

Mr. Bradley - And many other districts, and many other districts that as Gail just found out...

Mr. Cleaver – Sure.

Mr. Bradley - ...are very transparent.

Mr. Cleaver – Absolutely they are. When it can legally happen.

Mr. Bradley – And there's no risk to the district for being transparent. None.

Mr. Cleaver – And again, I go back to the email requests of staff members which is just, you know, no reason, thank you.

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

Walter Zlomsowitch – Did this go before the policy committee?

Mr. Stern – No.

Mr. Cleaver – No. No, it did not. Again it was a concern I had and the solicitor, you know, did put this together.

Walter Zlomsowitch speaking.

Mr. Cleaver – Again, we had the comment at the beginning on this. I am, I'm being polite in answering. I'm being polite in answering your question again.

Mr. Bradley – Prior to taking a vote, I would like to hear your information, as a board member, to help me adjudicate...

Walter Zlomsowitch – I'm shut down.

Mr. Bradley - ...no, you're not shut down. A board member, hold on...

Mr. Stern – Did you file a paper to talk about it?

Mr. Cleaver – No.

Mr. Bradley – Any board member can ask any individual for their advice where it might be pertinent. I find your information as a citizen to be pertinent. Can you please express your information? I find it pertinent.

Walter Zlomsowitch – My question is, why does this not come before a committee. I asked two meetings ago about public comment by raising your hand to the board, five of you voted no against transparency.

Mr. Stern – We didn't...

Walter Zlomsowitch – Now this is another policy thing not long ago when Mrs. Bowman stood up there and said out of courtesy to the policy committee then you should go through them. I think she's now in favor of just go ahead (inaudible), we don't need go through committees now.

Mr. Cleaver – No, I think I do agree with what Mrs. Bowman said and I think that's exactly why something like this is on here because our next policy meeting is not till December and then we also need two readings, so you're looking at February. Where I'm more concerned about the immediate months and the snow and a stuff coming more recently than that.  
Walter Zlomsowitch speaking.

Mr. Cleaver – Thank you.

Mr. Bradley – Can we not do phone conference call if the weather's bad?

Mr. Cleaver – Again it's, I don't know.

Mr. Bradley – The technology is available to us as a conference call, it's called a GoToMeeting and you...

Mr. Cleaver – I don't, we don't, I don't know that we're set up for that. I know again, you're tech...

Mr. Bradley – I've called into meetings.

Mr. Cleaver – Called into here but if no one's here how could we do a conference call?

Mr. Bradley – You're telling me that no one's here in 9 days.

Mr. Cleaver – I'm just saying if it's an emergency or snow day, there could possibly no one here.

Mr. Bradley – For 9 days?

Mr. Cleaver – Mr., again...

Mr. Bradley – I mean 9 days is the, I mean that's the fastest, right? Most of them are 30 or 60 days, correct?

Mr. Cleaver – Sure. Sure, could be 2 days.

Mr. Bradley – For a response? You mean you gotta do 2 days for a response for any legal action, Mr. Cleaver?

Mr. Cleaver – Just throw any number, right, Mr. Bradley?

Mr. Bradley – When would you say that there's 2 days for any legal action, Mr. Filer or is he being facetious?

Atty. Filer – Temporary restraining orders, preliminary injunctions, domestic disputes.

Mr. Bradley – But nothing to do with this.

Atty. Filer – Preliminary injunctions.

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

Mr. Bradley – Hold on. One more. Does, I’m wondering, I need some more help, does anyone else want to help me try to make a decision on this because I think not only do we need 6 people to vote on this but I think that you cannot authorize a board member to take the authority, outside a board meeting, by an individual. How are we allowed, you know, go against Pennsylvania School Code and give that authority to an individual?

Mr. Filer – Because if you ratify it at the next meeting and then if decided not to ratify it, we withdraw it.

Mr. Bradley – Yeah, but you’re still prior to that, you’re giving an individual board member authority and power and taking it away from the other 8 board members. Isn’t there school code about that like around the 700 series. Do you, are you familiar with what I’m looking at?

Atty. Filer – No. I don’t know what...

Mr. Bradley – Can you please look it up prior to giving it or can somebody give this board legal advice of how this complies with the Pennsylvania School Code? Giving an individual authority to spend money and take away the rights and duty of the other 8 members of this board so that that man can be King of Lehighton Board.

Mrs. Spinelli – I personally feel there’s only one person who’s vying to be King and it’s not Mr. Stern.

Mr. Stern – So again, the motion is on the floor with a second.

Mr. Bradley – Hold on, our school policy, number 900, says you can’t do this. 907.

Mr. Stern – The board can do anything it wants whenever it wants. Roll call vote, Mrs. Wagner.

Roll Call Vote:

|                                   | Yes                      | No                       | Absent                   | Abstention               |
|-----------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Ms. Joy Beers, Member             | <input type="checkbox"/> | X                        | <input type="checkbox"/> | <input type="checkbox"/> |
| Mr. Richard R. Beltz, Member      | <input type="checkbox"/> | X                        | <input type="checkbox"/> | <input type="checkbox"/> |
| Mr. David F. Bradley, Sr., Member | <input type="checkbox"/> | X                        | <input type="checkbox"/> | <input type="checkbox"/> |
| Mr. Stephen Holland, Member       | X                        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mrs. Gail Maholick, Member        | <input type="checkbox"/> | X                        | <input type="checkbox"/> | <input type="checkbox"/> |
| Mrs. Rita Spinelli, Member        | X                        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mr. Wayne Wentz, Vice President   | X                        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mr. Andrew Yenser, Treasurer      | X                        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mr. Larry Stern, President        | X                        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

VOTE: YES - 5 NO - 4 ABSENT - \_\_\_\_\_ ABSTENTIONS - \_\_\_\_\_

Motion carried.\*\*

Mr. Stern – And, it can be determined whether it needed 6 or not at a later date.

Mrs. Wagner – Okay.

Mr. Bradley – Hold on, we have our counsel right here. He already said it needs 6, you’re spending money, correct?

Atty. Filer – I believe that's correct, Mr. Bradley.

Mr. Stern – Okay, then...

Mr. Bradley – Thank you.

Mr. Stern – I'd still like a ruling.

Atty. Filer – I'll get one.

Mrs. Wagner – Okay.

**\*\* Attorney Filer indicated that the motion did not pass. Post meeting indicated that he was wrong and a simple majority was needed. Motion carried.**

**PASBO Conference** MOTION by Mr. Bradley, SECONDED by Mr. Beltz to approve employee #1416 and employee #1074 to attend the annual PASBO Conference held at Hershey Convention Center, March 5-8, 2019, at a cost not to exceed \$3,500.00 (registration, meals, travel, & lodging). Funding through the 2018-19 business office budget.

VOTE: YES - 9 NO - \_\_\_\_\_ ABSENT - \_\_\_\_\_ ABSTENTIONS - \_\_\_\_\_  
Motion carried.

**Act 32 Opposition** MOTION by Mr. Yenser, SECONDED by Mrs. Spinelli to adopt the Resolution #18/19-#05 in support of the "Resolution in Support of Resolution Adopted by the Carbon County Collection Committee in Support of Current Earned Income Tax Collections as Defined By Act 32 and in Opposition to Legislative Initiatives to Mandate Centralized Services", as recommended by the finance committee.

Mr. Bradley – Can the finance committee please explain why they recommended this?

Mr. Yenser – You were at the meeting, correct?

Mr. Bradley – Again, can the finance committee please explain why they recommended this, for the record?

Mrs. Spinelli – I'll be happy to. The current system that they're using is working fine and the state would like to take it over on their end. Many of us have concerns about that. If it's working correctly at the county level, we felt as a finance committee it should continue that way and not give it over to the state. Anybody have a question?

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

**Revised** MOTION by Mr. Wentz, SECONDED by Mrs. Spinelli to approve the Revised  
**Minor** Minor Subdivision Proposal as proposed from Carbon Engineering on behalf of  
**Subdivision** Franklin Township, Project #018-0013-006 along with utility easement over Lot #2.  
Lot #1 (11.804 acres) to be conveyed to Franklin Township and Lot #2 (13.667) to  
remain property of Lehigh Area School District.

Mrs. Maholick – I got a question.

Mr. Stern – Need a second, please.

Mrs. Spinelli – I'll second.

Mrs. Maholick – Okay, is this considered a real estate transaction, will we need 6 votes?

Mr. Stern – Mm hmm, yep. Mr. Filer?

Mr. Cleaver – Correct me if I'm wrong. This is the approval of the way it is listed for the subdivision for the to move forward with it. This isn't officially giving it to them at that, if I'm correct.

Mrs. Maholick – This is the start of it all.

Mr. Cleaver – Right, that is, yes.

Atty. Filer – If it's not...

Mrs. Maholick – Will this need 6 votes?

Atty. Filer – Only if...no, we're not transferring the property.

Mrs. Maholick – But you are giving them the right to use the property?

Mr. Cleaver – No, we're giving them to right to subdivide it with this current breakout for the Lot 1 and Lot 2.

Mrs. Maholick – That easement was not in our first discussion.

Mr. Stern – Mm hmm.

Mr. Cleaver – The easement was always in there, yes, from them.

Mr. Stern – It was in the original drawings.

Mr. Bradley – No, no, the original was to give them the property that they were currently leasing. That's what the motion was originally. The plans show the easement. I think you can do it if you get rid of the easement. I just don't think you can do it with an easement because that's additional property.

Mr. Cleaver – I believe the first one that we had, that we talked about, which was the discussion last month's board meeting did also have the easement listed. Yes, it did.

Mr. Bradley – But before we go fully, do we have a motion and a second, correct?

Mr. Stern – Yes.

Mr. Bradley – And we got a determination that we do not need 6, we need 5. Is that correct?

Mr. Cleaver – I’m gonna go to him for that.

Atty. Filer – Because we’re not transferring the property right now, yes.

Mr. Bradley – So we’d need 6. Okay, so we only need 5.

Atty. Filer – We need 5.

Mr. Bradley – Perfect. And, then the question is, the original motion that this is stemming from was this board’s approval to give Franklin Township the property they were leasing as defined by the metes and bounds of their lease, we’re all in agreement.

Mrs. Spinelli – Mr. Bradley, that is not what we agreed to. You keep saying that. That’s what you said. We agreed to let Franklin Township have a subdivision, pay for a subdivision to be developed and we would agree or not agree. They did the subdivision; this is what they’re asking for. What you have in your head at prior meetings, doesn’t matter anymore. This is the subdivision; this is what’s on the vote.

Mrs. Maholick – I don’t think we had the easement on the past subdivision. It was not there.

Mr. Bradley – Correct and none of that was (inaudible). And, the motion, if we could please, Melissa, can you please pull up the original motion to transfer the property?

Mr. Cleaver – The easement was there.

Mr. Stern – Month ago (inaudible) the original draft...

Mr. Bradley – I understand what you’re thinking...

Mr. Stern – No.

Mr. Bradley – Can you please pull up the original motion...

Mr. Stern – You’re taking it to where you want it to go. The easement was part of the original proposal.

Mrs. Wagner – Do you mean from July? I think he means from July.

Mr. Bradley – One more time, can we please, as a board...

Mr. Stern – No, not the original lease, I’m not talking about the original lease.

Mr. Bradley – Not the original lease. I’m asking the motion.

Mr. Stern – I know you're talking about that. What I'm talking about is the proposal from Franklin Township to subdivide the properties and to get an easement to run sanitary facilities down to Fairyland Road. You can vote yes or you can vote no.

Mr. Bradley – My question is...

Mrs. Maholick – Does it need 6 votes?

Mr. Bradley – Well, no, it only needs 5 except if you're doing more thing according to Mr. Filer, correct? We already figured that out.

Mrs. Maholick – I think he's wrong.

Mr. Bradley – The question is can you please pull up the motion that is referred to by this motion and the transfer the property per the lease that was given to the school. We want to give them the property that they were leasing. Nothing more, nothing less and I'm under the impression that when Mr. Cleaver tried adding the soccer fields, it would've reduced the value of the building. Now since then, I think that, is that still our beliefs that if we give soccer fields the building gets reduced, Rita?

Mrs. Spinelli – It's not my, it never was my belief. It's part of the words you like to put in everyone else's mouth but it never was my belief. I want to give Franklin Township what they need to carry on. If they need an easement and of course if they want to put public bathroom facilities up there, they're going to need that. I'm not taking that away from them. As Mr. Stern said, you vote yes, you vote no. I don't really care. But, this is what they're asking for and this is what's on the table now. Yes or no, Mr. Bradley.

Mr. Bradley – So you're, hold on, you're saying the soccer fields...

Mr. Stern – No, the soccer fields...have you looked at the picture?

Mr. Bradley – I'm asking the...I looked at the picture.

Mr. Stern – Okay.

Mr. Bradley – That's why I was concerned that it doesn't match the metes and bounds originally done, so therefore you're doing it.

Mrs. Spinelli – That's not what we're doing here.

Mr. Bradley – Can we please pull up the motion?

Mr. Cleaver – We don't have it.

Mr. Bradley – And secondly...

Mrs. Spinelli – Can we call the question at this point?

Mr. Stern – Thank you very much. Roll call vote, Mrs. Wagner.

Mrs. Maholick – I think it should take 6 votes because it's really...

Mr. Stern - Mrs. Wagner, roll call vote.

Mrs. Maholick - Joy, do you agree with me?

Mr. Stern - It's roll call vote.

Mr. Bradley - And, Rita, do you really think the soccer fields were not?

Mr. Stern - It's roll call vote.

Mr. Bradley - Who's idea was it about the soccer field then, Rita? If it wasn't yours...

Mrs. Spinelli - We're voting.

Mr. Bradley - I understand that. Who's idea was that if it wasn't yours?

Mr. Cleaver - Mr.

Mr. Bradley - In reference to the soccer fields.

Mrs. Spinelli - I'm not having this discussion with you David 'cause you just turn around everything everybody says and I'm done with that. I called the question. Please, Missy, can we have our roll call vote?

Roll Call Vote:

|                                   | Yes                      | No                       | Absent                   | Abstention               |
|-----------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Mr. Richard R. Beltz, Member      | X                        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mr. David F. Bradley, Sr., Member | X                        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mr. Stephen Holland, Member       | X                        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mrs. Gail Maholick, Member        | X                        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mrs. Rita Spinelli, Member        | X                        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mr. Wayne Wentz, Vice President   | X                        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mr. Andrew Yenser, Treasurer      | X                        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Ms. Joy Beers, Member             | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X                        |
| Mr. Larry Stern, President        | X                        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

VOTE: YES - 8 NO - \_\_\_\_\_ ABSENT - \_\_\_\_\_ ABSTENTIONS - 1 (J.B.)

Motion carried.

Mr. Cleaver - And, just for clarification purposes Mr. Bradley, that was my recommendation for the soccer fields and even with this, I'm glad we're still moving forward. I still wish the soccer fields were included for the kids of Franklin Township.

Mr. Bradley - Do you think it'll reduce the price of the building?

Mr. Stern - I don't care about the...

Mr. Bradley - How 'bout you, Rita? Do you think it'll reduce the price of (inaudible)?

Mr. Cleaver - Mr. Bradley, it wasn't your question.

Mrs. Spinelli – I have explained before. I am not a commercial, I was not a commercial real estate agent. I am not saying anything. I defer to a professional, not you, Mr. Bradley.

Mr. Bradley – Okay. But any professional give you advice to the use of the soccer fields with the building?

Mrs. Spinelli – No because I didn't ask.

Mr. Bradley – Okay. Did anyone offer you information? I'm asking the question. Did anyone offer you information about the soccer fields in reference to the building?

Mrs. Spinelli – No.

Mr. Bradley – Okay. So, I'd like to move forward for a second. I did a Right-to-Know for Rita Spinelli's email and she wrote an email to Larry Stern, Jonathan Cleaver and William Schwab on August 20<sup>th</sup> of 2018 at 3:47 p.m., and she said to those people specifically, and not our board, just FYI, I received a call from a real estate agent friend and their office has been getting calls asking about Franklin. The buyer is Lehigh Valley Hospital, not St. Luke's. They are only interested if the soccer fields are part of the purchase. I'm only passing this along as a heads-up because the agent may be there at the next meeting asking what our plans are. Now, I find that in complete contradiction to what just occurred. Am I mistaken?

Mrs. Spinelli – No, yes you are mistaken. I told them that they had, were expecting a call. I did not ask her, are they gonna pay more if the soccer fields are there. She just said, they weren't interested in it if it wasn't there.

Mr. Cleaver – And, Mr. Bradley, also, I know in the past the board did approve myself and Mr. Feick to take authority for those 2 buildings and that is probably why she relayed that information to me and that is why we reached out to them and contacted them. And, since then, we've had several people tour and ask requests to view those properties. So, that is probably why that email was sent on such and such a date because she was following a motion that was passed by this board but you may have forgot that part.

## Personnel

**2018-2019 Substitutes** MOTION by Mr. Wentz, SECONDED by Mr. Yenser to approve the attached list of candidates for the **2018-2019 Substitute List** pending clearances, funding through the general fund.

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

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

Mr. Holland – Question.

Mr. Stern – Yes, sir.

Mr. Holland – Could we not have the listing as what they're salaries would be?

Mr. Stern – Yes.

Mr. Cleaver – Pending, the teacher's contract, yep. It's in the contract, but we'll just list them, what it is.

Mr. Stern – All of the stipends for their positions? Okay.

Mr. Bradley – Why do you not want that public?

Mr. Cleaver – We want...the teacher's contracts are public so they would be able to see that. But do you want them on the attachments?

Mr. Holland – Yes, please.

Mr. Cleaver – Okay, thank you.

Mr. Stern – Thank you, Mr. Holland.

VOTE: YES - 9    NO - \_\_\_\_\_    ABSENT - \_\_\_\_\_    ABSTENTIONS - \_\_\_\_\_  
Motion carried.

**Hires**                      MOTION by Mr. Yenser, SECONDED by Mr. Holland to approve the  
**Approved**                recommendation to hire the following employees in accordance with the respective  
contracts, funding through the general fund:

Mr. Stern – There is an addendum to this particular motion. Item number 3 is being removed. So, it's 1, 2 and number 4.

1. **Sandra Sterling**–Part-Time Cleaner-~~\$8.92/hour~~–effective date October 23, 2018.
2. **Rachael Heckman**–Lunch-Time Aide-~~\$8.50/hour~~–effective date October 23, 2018
3. ~~**Caroline Jackson**–Lunch-Time Aide-~~\$8.50/hour~~–effective date October 29, 2018~~
4. **Amy Rarick**–Part-Time Paraprofessional-~~\$11.00/hour~~–effective October 23, 2018

Mr. Bradley – Were any of these part of that cleaning of the tables adventure that was talked about in the Wellness, was it, the Wellness meeting?

Mrs. Wagner – She's replacing...Sandra Sterling is replacing someone who has left so. So, no.

Mr. Cleaver – Yes, I don't believe that's a...and I'm not sure what you're....

Mrs. Wagner – And the lunch-time aide is replacing someone who left us and the part-time paraprofessional is someone who left us.

Mr. Bradley – Okay. So, no new positions?

Mr. Cleaver – None of these, no.

Mr. Bradley – Correct. And if any new positions occur, that would be created by the board, correct?

Mr. Stern – Correct.

Mr. Cleaver – If they're new positions that doesn't mean that we can't take a current position and move the time.

Mr. Bradley – Say that again? If they're a new hire, you're creating a new position or you're not creating a new position?

Mr. Cleaver – Well it may not be a new position if we have allotted amount of people in that position if we decide to move one of them to a different time, that's not creating a new position.

Mr. Stern – Different shift.

Mr. Bradley – Yeah, if you're using the same personnel that you currently have for the same jobs.

Mr. Cleaver – Well, no. If someone resigns and then we hire someone and just that person we're hiring is now gonna start at a different time, that's not creating a new job. A new job would require...

Mr. Bradley – Say that again, so you're saying that if you take somebody that has a job, and they resign or whatever, you can then hire another person to put in that place even if that job doesn't exist and you're gonna create a new job with a new time for that other person?

Mr. Cleaver – Again, it's a reassignment of a position.

Mr. Bradley – A reassignment to a new time and a new position?

Mr. Cleaver – It wouldn't be a new position. A new position would require a new job description.

Mr. Bradley – So you're using an old job description under a new time?

Mr. Cleaver – Current, it may not be old, right.

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

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

1. **Dena Sirsky** – Special Education Teacher – effective September 24, 2018
2. **Christina Bravo** – Paraprofessional – effective October 15, 2018
3. **Doris Reed** – Part-Time Cleaner – effective September 28, 2018
4. **Kristie Zimmerman** – Lunch-Time Aide – effective October 12, 2018
5. **Joseph Ellis** – Asst. Wrestling Coach – effective Immediately

Mr. Bradley – Did we collect any data from these resignations and to their rationale/reasons or do an exit interview?

Mr. Cleaver – We do have some data for them which I don't want to repeat because some of it is personnel and health related. But, as far as the other ones, they are offered an exit interview. But, we have had several individuals who did take advantage of an exit interview. So there is some.

Mr. Bradley – And when are you gonna share that information with the board?

Mr. Cleaver – When I have more than one.

Mr. Bradley – When you have more than one what?

Mr. Cleaver – There's not a lot of data when there's only one person who agreed.

Mr. Bradley – So, in executive session...

Mr. Cleaver – Oh yeah.

Mr. Bradley – Next executive session.

Mr. Cleaver – Sure.

Mr. Bradley – Thank you.

Mr. Cleaver – There's not a lot of data though with one person to compare.

*Mrs. Spinelli left the board room and was absent for the vote.*

VOTE: YES - 8    NO - \_\_\_\_\_    ABSENT - 1 (R.S.)    ABSTENTIONS - \_\_\_\_\_  
Motion carried.

**Tenure**            MOTION by Mr. Wentz, SECONDED by Mr. Bradley to approve the following professional employees for tenure:

1. **Kali Andrew** – School Nurse – hired 8/8/15
2. **Joy Smith** – Elementary Teacher – hired – 9/21/15

VOTE: YES - 9    NO - \_\_\_\_\_    ABSENT - \_\_\_\_\_    ABSTENTIONS - \_\_\_\_\_  
Motion carried.

- Courses** MOTION by Mr. Bradley, SECONDED by Mr. Yenser to approve the following requests for pre-approval of courses/Programs of Study for continuing education, funding through the general fund:
1. **Brandi Lees** – November 13-December 13, 2018/How to Effectively Communicate with Parents
  2. **Victoria Smurthwaite** – November 16-December 14, 2018/Introductory Spanish for Educators
  3. **Victoria Smurthwaite** – November 1-December 15, 2018/Navigating Complex Texts
  4. **Tiffany Strausberger** – January 9-February 27, 2019/Curriculum Essentials
  5. **Tiffany Strausberger** – March 20-May 8, 2019/Management of Education
  6. **Daniel Williams** – January 9-February 27, 2019/Curriculum Essentials
  7. **Daniel Williams** – March 20-May 8, 2019/Management of Education
  8. **Patricia Ebbert** – Principal Certification/CLIU #21 – Program of Studies
  9. **Patricia Ebbert** – October 24-December 5, 2018/Leadership for Continuous Improvement
  10. **Patricia Ebbert** – November 10, 2018/Continuous School Improvement
- VOTE: YES - 9 NO - \_\_\_\_\_ ABSENT - \_\_\_\_\_ ABSTENTIONS - \_\_\_\_\_  
Motion carried.

- FMLA** MOTION by Mr. Yenser, SECONDED by Mr. Holland to acknowledge FMLA leave for the following employee, not to exceed 12 weeks:
1. **Employee #527** – effective October 2, 2018
- VOTE: YES - 9 NO - \_\_\_\_\_ ABSENT - \_\_\_\_\_ ABSTENTIONS - \_\_\_\_\_  
Motion carried.

## Miscellaneous

- Enrichment Journeys** MOTION by Mr. Wentz, SECONDED by Mrs. Spinelli to approve the following School Enrichment Journey requests:
1. **LAMS Fishing Club (M. Maholick)** – April 12, 2019, May 3, 2019, May 17, 2019 – 9:00 a.m.-2:00 p.m. – to travel to Baer Memorial (School Van-Facilities Fund)
  2. **LAHS Environmental Science (B. Daubert)** – October 24, 2018 – 8:00 a.m.-2:00 p.m. – to travel to Hawk Mountain Sanctuary (HS Budget)
  3. **LAHS Band (B. Buffington)** – January 23-25, 2019 (Snow Date: 1/18/19) – 3:00 p.m.-10:00 p.m. – to travel to Catasauqua High School for District 10 Band Festival (HS Budget)
  4. **LAHS Band (B. Buffington)** – March 7-9, 2019 – 8:00 a.m.-10:00 p.m. – to travel to Conrad Weiser High School for Regional V Band (HS Budget)
  5. **Odyssey of the Mind (B. Hudlow)** – March 9, 2019 – 7:00 a.m.-9:00 p.m. – to travel to Pocono Mtn. West High School for NEPA Regional OM Competition (MS Budget)

6. **Odyssey of the Mind (B. Hudlow)** – April 6, 2019 – 7:00 a.m.-9:00 p.m. – to travel to Pocono Mtn. East High School for NEPA OM Competition (MS Budget)
7. **LAHS Spanish 4 (C. Bueti/L. Failla)** – October 29, 2018 – 8:00 a.m.-3:00 p.m. – to travel to Kutztown University (School Van-Facilities Fund)
8. **LAHS Ski Club (D. Bowman)** – November-December 2018 (4 outings) – 2:30 p.m.-8:00 p.m. – to travel to North Summit Climbing Gym and Reading Rocks for Indoor Rock Climbing (School Van-Facilities Fund)
9. **LAHS Ski Club (D. Bowman)** – November –December 2018 (4 outings) – 5:00 p.m.-10:00 p.m. – to travel to Cathedral Rock Gym for Indoor Rock Climbing (School Van-Facilities Fund)
10. **Selected Elementary Students Grade K-5 (A. Sebelin)** – November 30, 2018 – 9:00 a.m.-11:30 a.m. – to travel to Yenser’s Tree Farm for Trees for Troops Presentation (School Vans-Facilities Fund)
11. **LAEC Grade K-5 (A. Sebelin)** – December 18, 19, 20, 2018 – 8:40 a.m.-12:00 p.m. – to travel to Mahoning Valley Cinema (PTO Budget)
12. **FBLA (T. Miller, K. Kotch)** – October 25, 2018 – 7:30 a.m.-3:00 p.m. – to travel to East Stroudsburg University (Activities Fund)
13. **FBLA (K. Kotch)** – November 4 & 5, 2018 – 8:30 a.m.-3:00 p.m. – to travel to Kalahari Resort for State Leadership Workshop (School Van-Facilities Fund)
14. **LAMS Camera Club (K. Lusch, A. Smith)** – November 16, 2018 – 1:00 p.m.-2:15 p.m. – to travel to The Gallery, Weissport (Activities Fund)
15. **LAMS What’s So Cool About Manufacturing Group (C. Schleicher)** – November 5 & 15, 2018 – to travel to Ampal Inc., Palmerton PA (School Van-Facilities Fund)
16. **6<sup>th</sup> Grade Maroon Team (J. Tracy)** – May 9, 2019 – 8:00 a.m.-2:00 p.m. – to travel to Scranton Railriders Stadium for baseball game (PTO Funded)
17. **LAHS Band (Bryan Buffington)** – April 4-April 7, 2019 – 4:00 a.m.-10:30 p.m. – to travel to Nashville, TN (Activities Fund)
18. **Odyssey of the Mind (Michael Perkins)** – March 9, 2019 – 7:00 a.m.-9:00 p.m. – to travel to Pocono Mtn. West High School for NEPA Regional OM Competition (HS Budget)
19. **Odyssey of the Mind (Michael Perkins)** – April 6, 2019 – 7:00 a.m.-9:00 p.m. – to travel to Pocono Mtn. East High School for NEPA OM Competition (HS Budget)
20. **FBLA (T. Miller & K. Kotch)** – December 10, 2018 (Snow Date: 12/11/18) – 7:30 a.m.-3:00 p.m. – to travel to Camelback Lodge for Regional Leadership Conference (Activities Fund)

Mr. Feick – I just want to make one comment. Where it says School Van-Facilities Fund, it’s actually General Fund, Facilities Budget a couple place there. The gas for the vans comes out of the Facilities Budget.

Mr. Stern – It says Facilities Fund. Sorry, Brian, you want to restate that?

Mr. Feick – It should say General Fund-Facilities Budget.

Mr. Stern – Okay. So subcategory of the General Fund.

Mr. Feick – Right.

Mr. Stern – Thank you. Thank you for adding this information to the school journey requests.

*Ms. Beers left the board room and was absent for the vote.*

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

**Early Graduation** MOTION by Mr. Wentz, SECONDED by Mr. Bradley to approve early graduation in January 2019 for the following students: #57637, #53220, #53153, #56185, #54620, #53172, #56268

Mr. Stern – Kudos to those students for getting their requirements in ahead time and moving on with their future endeavors.

VOTE: YES - 9 NO - \_\_\_\_\_ ABSENT - \_\_\_\_\_ ABSTENTIONS - \_\_\_\_\_  
Motion carried.

## Programs

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

1. **LAEC School-Wide Celebration (Aaron Sebelin)** – October 31, 2018 – 8:30 a.m.-11:00 p.m. – Multi-Purpose Stadium
2. **LAEC Library (Diane Brownmiller)** – November 8, 2018 – 4:00 p.m.-9:00 p.m. – LAEC – Book Fair
3. **Strawbridge Studios (Aaron Sebelin/Sabrina Felder)** – November 12, 2018 – 9:00 a.m.-1:00 p.m. – LAEC Lobby – Make-Up School Pictures
4. **LAEC PTO (Tammy Serfass)** – December 6, 2018 – 12:00 p.m.-6:00 p.m. – LGI & Conference Rooms – Santa Pictures
5. **LAEC Race for Brilliance (Amy Brown)** – October 24, 2018 – 6:00 p.m.-7:30 p.m. – LAEC Cafeteria – Race Meeting
6. **LAEC Instrumental Music (Beth Hudlow)** – December 19, 2018 – 6:00 p.m.-8:00 p.m. – LAEC Multi-Purpose Room – Elementary Instrumental Recital
7. **LAEC PTO (Tammy Serfass)** – December 7, 2018 – 3:30 p.m.-9:30 p.m. – LAEC Gym and Cafeteria – Winter Wonderland
8. **Boilermakers Local 13 (Martin Williams)** – January 12, 2019 – 8:30 a.m.-10:00 a.m. and 9:00 a.m.-12:00 p.m. – MS Classroom & Auditorium – Monthly Meeting
9. **LAMS Field Hockey (Nicole Baker)** – October 25, 2018 – 5:00 p.m.-8:30 p.m. – MS Cafeteria – End of Season Banquet
10. **LAMS PTO (D’Ache Zelrick)** – May 31, 2019 – 12:00 p.m.-10:00 p.m. – MS Gym & Concession Stand – 8<sup>th</sup> Grade Celebration
11. **LAMS Music Department (Laura Welkey)** – May 13, 14, 15, 20, 21, 22, 2019 – 6:00 p.m.-9:00 p.m. & 7:30 a.m.-4:00 p.m. (rehearsals) – MS Auditorium & Classrooms – Spring Concerts
12. **LAHS Band (Bryan Buffington)** – October 23, 2018 – 7:00 p.m.-8:00 p.m. – HS Cafeteria – Trip Meeting

13. **Carbon County Chapter PIAA Basketball Officials (Dan Rossino)** – 10/30/18, 11/6/18, 11/13/18, 11/20/18, 11/17/18, 12/3/18, 12/10/18, 1/7/19, 1/28/19 – 6:45 p.m.-8:15 p.m. – HS Classroom – PIAA Meetings
14. **Lehigh Area Booster Club (JD Light)** – November 2018-March 2019 – Times & Dates to be approved by the Athletic Director – MS & HS Gymnasiums – Basketball Practices and Games
15. **Lehigh Boys' Basketball Club (Sue Howland)** – November 13, 2018 – 6:00 p.m.-8:00 p.m. – HS Classroom – Parent Meeting
16. **2019 Senior Class All-Night Party (Sue Howland)** – March 21, 2019 & April 7, 2019 – 8:00 a.m.-5:00 p.m. – HS Gymnasium – Basket Raffle
17. **LAHS Drama Club (Jessica Schafer)** – April 8, 9, 10, 11, 12, 13, 14 – Various Times – HS Auditorium & Classroom – Dress Rehearsals and Musical Performance
18. **LAHS SADD (Cristina Buetti)** – October 24, 2018 & May 2, 2019 – 7:00 a.m.-2:00 p.m. – HS Auditorium – Distracted Driving Simulator
19. **LAHS National Honor Society (Melissa Clark)** – December 20, 2018 – 12:30 p.m.-2:30 p.m. – HS Cafeteria – NHS Winter Social
20. **LAHS National Art Honor Society (Diane Micheletti)** – December 6, 2018 – 5:00 p.m.-8:30 p.m. – HS Foyer – Charity Art Sale
21. **LAMS PTO (D'Ache Zelrick)** – March 23, 2019 – 7:00 a.m.-5:00 p.m. – HS Gymnasium and Concession Stand – Spring Bazaar
22. **LAHS Band (Bryan Buffington)** – October 26, 2018 – 10:00 p.m.-7:00 a.m. – HS Gymnasium, Auditorium, Classroom & Foyer – All-Night Party
23. **Lehigh Area Band Boosters Association (Bryan Buffington)** – November 17, 2018 (Snow Date: 11/18/18) – 12:00 p.m.-9:00 p.m. – HS Classrooms, Foyer & Concession Stand – Spaghetti Dinner Fundraiser
24. **LABC Wrestling (Mike Gornick)** – December 16, 2018 & January 27, 2019 – 6:00 a.m.-4:00 p.m. – HS Gymnasium – Home Wrestling Matches
25. **LAHS Red Cross (Lisa Failla)** – January 10, 2019, May 24, 2019, September 24, 2019 – 8:30 a.m.-2:30 p.m. – HS Gymnasium & Auditorium – Blood Drives
26. **LAHS Chorus (Jessica Schafer)** – November 1-December 15, 2019 – Various Dates & Times – HS Choral Room & Auditorium – Show Choir & Varsity Voices Rehearsals
27. **LAEC Instrumental Music (Beth Hudlow)** – October 25, 2018 – 7:00 p.m.-9:00 p.m. – LAEC Classroom – Beginning Instrumental Meeting for Parents
28. **LAHS National Art Honor Society (Diane Micheletti)** – November 6, 2018 – 7:00 p.m.-8:00 p.m. – HS Auditorium – Induction Ceremony
29. **Carbon Monroe Pike D&A/Penn State Extension (Robert Mikulski)** – Thursdays, November 1-December 20, 2018 (except 11/22) – 5:00 p.m.-8:15 p.m. – LAEC Classrooms – Strengthening Families Community Program

VOTE: YES - 9    NO -           ABSENT -           ABSTENTIONS -       

Motion carried.

**2<sup>nd</sup> Reading Adoption** MOTION by Mr. Wentz, SECONDED by Mr. Holland to approve the 2<sup>nd</sup> Reading and Adoption of the following Lehigh Area School District Policies:

1. #806 – Child Abuse
2. #918 – Title I Parent and Family Engagement

VOTE: YES - 9 NO - \_\_\_\_\_ ABSENT - \_\_\_\_\_ ABSTENTIONS - \_\_\_\_\_

Motion carried.

**Title I Agmt. IU #29** MOTION by Mr. Wentz, SECONDED by Mrs. Spinelli to approve the 2018-2019 Title I Professional Services Agreement between Lehigh Area School District and the Schuylkill IU #29.

Mr. Stern – I’d just like a little further...maybe an easier synopsis of what that is. I read the documents that were there but is it for services that we can’t handle through CLIU or...

Mr. Tkach – No. What happened because the students, Saints Peter & Paul closed, students were then going to....

Mr. Stern – Oh, Schuylkill County.

Mr. Tkach – St. Joe’s closed, now they’re going up to St. Jerome’s which is Tamaqua which is Schuylkill County.

Mr. Stern – Okay.

Mr. Tkach – So we had to get another one through Schuylkill County IU #29.

Mr. Stern – Okay. Thank you very much for that clarification Mr. Tkach.

VOTE: YES - 9 NO - \_\_\_\_\_ ABSENT - \_\_\_\_\_ ABSTENTIONS - \_\_\_\_\_

Motion carried.

**Affiliation Bloomsburg** MOTION by Mr. Yenser, SECONDED by Mr. Bradley to approve an Affiliation Agreement between Lehigh Area School District and **Bloomsburg University** for the purpose of providing experiential learning for Education students.

Mr. Stern – So in short, it’s student teaching.

Mr. Cleaver – Yes.

VOTE: YES - 9 NO - \_\_\_\_\_ ABSENT - \_\_\_\_\_ ABSTENTIONS - \_\_\_\_\_

Motion carried.

**Affiliation**     MOTION by Mrs. Spinelli, SECONDED by Mr. Yenser to approve an Affiliation  
**St. Joseph's**     Agreement between Lehigh Area School District and Saint Joseph's University  
for the purpose of providing experiential learning for Education students.

VOTE: YES - 9     NO - \_\_\_\_\_     ABSENT - \_\_\_\_\_     ABSTENTIONS - \_\_\_\_\_

Motion carried.

## Old Business for Discussion

### 1. Sale of Franklin and Shull-David

Mr. Cleaver – Yes, just again, just to bring it up, we did have several people have since requested tours of Franklin. More on Franklin than Shull-David. You may have seen the For Sale signs we did post on the marquis outside the buildings. We did have several people since then say they saw that on the marquis' and, you know, requested to see the buildings. But at this time, again, we have the RFP's that are out there and Mr. Feick I'm not aware of any being received, just to make sure.

Mr. Feick – No, the last thing I heard is they were waiting to see what exact, what is gonna be the actual acreage of Franklin, are the fields included, not included, you know they're basically, call them up when we have decision on what goes and what stays.

Mr. Bradley – Where are the potential buyers from geographically?

Mr. Cleaver – Some are local, there are some from the Allentown and I know one of the Wilkes-Barre area.

Mr. Feick – I had one from Nazareth and one from Plymouth Meeting.

Mr. Bradley – So the advertising's working. Or where are they getting the information from?

Mr. Feick – The one from Plymouth Meeting was contracting up this way and saw the sign on Shull-David. The one from Nazareth, I think they were on LoopNet, you know, but the LoopNet is free for us to put on there, but the realtor, the commercial realtors have to pay to get on to that sight so they, you know, have subscription service.

Mr. Bradley – I'd like to make a motion that this board spends a couple dollars and actually advertises that so that people in the public can see it. Currently, the LoopNet is only available to whom?

Mr. Feick – Commercial subscribers, real estate agents that subscribe to it.

Mr. Bradley – I think we should cast a wider net even if you put it on eBay.

Mr. Cleaver – Then again, what is our response to them when they ask what the acreage is if that's the most common question, maybe we should have a motion to move forward with that approval and get it moving that it...

Mr. Bradley – JJ, you don't need to slam that door. So, what you just need to do is you...

Mr. Cleaver – Mr. Bradley, please don't tell me what I need and need not to do, thank you.

Mr. Bradley – Well you're trying to push through against your board; it's leverage. You don't need to use that leverage as a function of trying to advertise the meeting.

Mr. Cleaver – That's your opinion.

Mr. Bradley – Correct.

Mr. Cleaver – Again, it's not leverage. It's the fact that we just even mention that many of them are waiting to hear exactly what the acreage would be and so the main question, we still don't have an answer to so why would we spend taxpayer money to advertise for something when the most common question we can't answer.

Mr. Bradley – We've already determined from Rita's email that the soccer fields as being part of the purchase adds interest to those school and adds their value. Therefore, I think you just advertise it as a, if you're gonna advertise and you're concerned, since you already did on LoopNet, is use the LoopNet ad that we already have and put it to a wider net. No changes needed, no approval, just casting a wider net. And, if you want acreage, I would put it in as the building currently which is the full Franklin property minus the metes and bounds of the lease that we're gonna give to that school, to the Franklin Township.

Mr. Cleaver – I would not...

Mrs. Spinelli – That's your opinion and we haven't voted on that.

Mr. Cleaver – I would not share information with a potential buyer willing to spend hundreds of thousands of dollars with an answer that I really don't have a positive feel for. So, again, I'm not going to share or offer that false information.

Mr. Bradley – Okay, let me start over. I move, and I would like a second, that we extend the LoopNet advertisement that's already in place to a public site that allows more than just commercial realtors to see the advertisement. All I'm asking. Take the LoopNet and make it more public. Can I get a second for the motion to use the LoopNet advertisement and make it more public?

Mr. Beltz – Can we put a cap on what we're gonna spend on what the...

Mr. Bradley – I'd love that, yeah.

Mrs. Maholick – I'll second it.

Mr. Beltz – How far you gonna take it?

Mr. Bradley – 500 hundred bucks.

Mr. Cleaver – Could we also let us know what public site your recommending because I’m sure that if it’s one I recommend you probably wouldn’t agree with it and then we’d be going back to this again.

Mr. Bradley – That’s your opinion. Why don’t you try and we’ll see?

Mr. Cleaver – Again, so you’re saying you want to spend...

Mr. Stern - \$500

Mr. Cleaver - \$500

Mr. Bradley – Up to \$500 to cast a wider net...

Mr. Cleaver – On a public site?

Mr. Bradley – On public site.

Mr. Cleaver – And you’re gonna give myself and Mr. Feick the okay to decide what that...

Mr. Bradley – I will let Mr. Feick choose the public site. I’m sure we have....

Mr. Cleaver – Thank you.

Mr. Bradley - ...information available. Correct, Mr. Feick? You I trust.

Mr. Feick – I’ll figure something.

Mr. Bradley – You I trust.

Ms. Beers – Brian, may I ask a question. Since it seems that some potential bidders have been wanting to wait to hear what the final acreage is, has anyone expressed any concern about the utility easement?

Mr. Feick – No one expressed concern about that because it’s on the property line and I think Franklin Township has a, they call it a back off that you can’t build within so many feet of the property line. So, it’s that easements within that setback.

Ms. Beers – Okay, great, thank you.

Mr. Feick – So, you can build a parking lot over it but you can’t build a building over an easement. So that didn’t seem to be a concern. The concern was they did not want to get involved in a dispute between the township and the school district ‘cause they read about it in the papers and it’s all online.

Ms. Beers – Sure, yeah.

Mr. Bradley – And what was the width of that easement on that paper?

Mr. Feick - I don’t have my glasses.

Mr. Bradley – And the question is, how close is it...

Mr. Feick – I think there's like a 35-foot setback.

Mr. Bradley – Correct. And then how close to the existing structure? That's the whole question.

Mr. Feick – I think it's like a 25-foot or 30-foot easement. Could they give us?

Mr. Cleaver – I'm looking right now.

Mr. Bradley – Jay, do you know?

Mr. Feick – I know (inaudible) concern about easements because they couldn't fill in along the property line.

Mr. Bradley – Correct, right.

Mr. Feick – I was told they could build a parking lot over it but they can't build a building over it.

Mr. Bradley – But can they get electricity to the parking lot to make it a lighted parking lot?

Mr. Cleaver – It's 50 feet Mr. Bradley.

Mr. Bradley – But can it have...the easement's 50 feet?

Mr. Cleaver – Yes.

Mr. Bradley – Will they have room to build and put on electrified lights for a parking lot?

Mr. Feick – Actually, the people I've talking to only cared about the footprint of the building that way they don't have to go through land development.

Mr. Bradley – Correct. But, I'm just saying that you don't want to limit yourself giving an easement that's greater than allows the new, potential purchaser to add to the building or add to a parking lot for lighting and other structure.

Mr. Cleaver – It is a 50-foot easement that starts 50 feet from the property line. So in all from the property line farthest is a 100 feet.

Mr. Bradley – It's a 100 feet and how far is the building from that line?

Mr. Cleaver – From the current building, looking at the scope of this, and again this is just looking at the scale of 1" to 60-foot scale, probably (other person speaking inaudible) it would be less, it would be less.

Mr. Bradley – So your building is current encroaching on that easement that...

Mr. Cleaver – No, no, no, no.

Mr. Bradley – Look at it again.

Mr. Cleaver – No. From the end of the easement, so from the 100 feet, the building is approximately another 120 feet from that current easement that they're requesting.

Mr. Bradley – Correct. And, if they put a parking lot in there, and they want to building anything on there, garage or whatever, they would not have access to that property, correct?

Mr. Cleaver – That would be something you have to discuss...I don't know what they're guidelines are for that easement. I do not have that information.

Mr. Bradley – Do you want to add anything to help this board make a decision, Jay?

Jason Frey – Well, the easement was chosen there because of the building and it's not 50 foot across (inaudible).

Mr. Bradley – I agree you don't need to take that much of an easement.

Jason Frey – No, no, we're just...

Mr. Bradley – I was just wondering why you ask for that much?

Jason Frey – We moved back and forth (inaudible), several trees in the way, playground, you know (inaudible).

Mr. Bradley – Jay, yeah, you can take whatever you get, right?

Jason Frey – No, we'd be more than willing to work with whoever purchases the property, whatever they need.

Mrs. Maholick – Are you gonna put that in writing?

Mr. Yenser – We have a motion on the floor by Mr. Bradley, seconded by Mrs. Maholick.

Mrs. Maholick – Yeah.

Mr. Yenser – Is that...

Mr. Stern – For advertisement?

Mrs. Maholick – Yes.

Mr. Yenser – And how do you...

*Mrs. Wagner reread the motion.*

Mr. Yenser – And how do we propose to get our stakeholders opinion on this?

Mr. Bradley – The right thing to do would be for your President to say I'd like to open the floor to this new motion prior to an act of government at which point it's his prerogative. If not, he violated the Sunshine Act because that's the goal of government is to be open and transparent at which point we end up in court again.

Mr. Yenser – The public that is not here tonight?

Mr. Bradley – Correct. I do believe firmly...

Mr. Yenser – How do we....

Mr. Bradley – I do believe firmly, hold on, I do believe firmly that the value to the public by elected officials, which is what you're doing 90% of this until we can make these things more transparent, is part of it. And, the nice part is, finally, those people on that live stream can finally see their government in action, giving an opportunity, hopefully, to at least these people here and soon we'll have a call-in line and soon you'll have people show up because they'll finally be able to be heard, Mr. Yenser, and I'm looking forward to that.

Mr. Yenser – You make these motions at the end of the meeting...

Mr. Bradley – I am looking for that day.

Mr. Yenser – ...just like Directors' Concerns in the past.

Mr. Bradley – I have more, I have extra ones too, I've got other ones too. That's why they have this thing called New Business, it's amazing. And, this one was Old Business.

Mr. Yenser – I don't find it very transparent.

Mr. Bradley – I know, but this one was Old Business, right, this is Old Business. We've been trying to do this for 9 months, Mr. Yenser.

Mr. Yenser – We haven't been making this motion for 9 months. I don't find it very transparent.

Mr. Bradley – Actually, I believe the last board tried making this motion, right? To be able to advertise that prior to, before we were even elected, they tried advertising these buildings for sale at a, what was the meeting you went to, Gail, at the, where Ms. Bowman was and didn't have the appraisals, what was that, what was that meeting?

*Board members speaking.*

Mr. Bradley – So, either way. Yes, Mr. Yenser, we're getting better, I look forward to it.

Mr. Yenser – Oh, we're getting better but were not transparent.

Mr. Bradley – Yes, we are, very transparent.

Mr. Yenser – Mr. Bradley, Mr. Bradley...

Mr. Bradley – Very transparent. If you're gonna block this motion, it is now transparent and I love it. I'm looking forward to it.

Mr. Yenser – I love it, too.

Mr. Bradley – Hold on, right here. Well, we gotta let Larry do it, sorry. Larry? New motion, Larry.

Mr. Stern – Anybody like to speak on this new motion?

Gloria Bowman – Sure. What would it benefit or not benefit the district in advertising it (inaudible)? Because you don't have the (inaudible) in place. And, I would like...

Mr. Bradley – It's already better...

Mr. Stern – I think that would be...

Mr. Bradley – That's fine.

Mr. Stern – I think that would be...

Mr. Bradley – Everyone represents you, Mrs. Bowman. So, you have the benefit, I see..hold on...

Mr. Stern – Can you give anybody else an opportunity, Mr. Bradley?

Mr. Bradley – Sure. Take your turn and then I'll take mine.

Gloria Bowman – Mr. Bradley, if you remember my remarks, I tend to be very respectful that opening policy considering the motions on their (inaudible), you could have input. But I also specifically said civil discourse without one or two board members continuing to control while the President presides without interruption or unwarranted comments and you continue to still do that and call people obstructionist and everything else. Honestly, there's not positive thought. If you really want to do positive impact on this community, you would think about that. Mr. Stern, I'd like my answer.

Mr. Stern – My take on it would be that we still don't have pending, pending the subdivision, we don't have the proper information to provide to a real estate site to say what the actual acreage and contents of the package we are supposedly going to sell. So, again, that makes it difficult for anyone to put in a bid on what they really don't know. I mean, they could come see it and it'll take some time until we get some things finalized. I guess the only, the opportunity would be for people to actually view the facility and say well we think this is gonna be here and this is gonna be there. Now, is that value to those folks or not to see if they want to do step 2 and wait on what we're gonna do with the township or not.

Gloria Bowman – How long will that process take to do the (inaudible), knowing what the board will decide to do on selling that building, plus or minus the soccer fields.

Mr. Stern – It depends on the information that we come back from, now that we have this approval to move forward, I don't know how fast the township can do what they need to do to get their documents in order and then it come back to the board for us to do the final transfer of the property.

Gloria Bowman – Is that possibility by the next meeting?

Mr. Stern – One month to two months?

Gloria Bowman – The next board meeting, maybe?

Jason Frey - We'll shoot for the next meeting.

Gloria Bowman - Which I think is November 19<sup>th</sup>.

Mr. Stern - It is, Thanksgiving week, yes.

Gloria Bowman - My suggestion is to hold off until the 19<sup>th</sup> until you have more specifics with what you want to sell to advertise to be able to get the best bang for our buck.

Mr. Stern - Thank you.

Mr. Bradley - It's already being advertised now. We're just expanding the audience of the advertising with this motion. It's already...

Mrs. Spinelli - So we're confusing more people, right?

Mr. Bradley - You're offering more...confusing them, Rita?

Mrs. Spinelli - Yeah, because they don't know what they're buying.

Mr. Bradley - Are you confused about what's being sold?

Mrs. Spinelli - I am not confused, Mr. Bradley. Are you?

Mr. Bradley - I'm sure they are, I'm sure they're as intelligent as you and if you advertised it the same as on LoopNet, you will cast a wider net. And, I'm sure they will have an understanding that that building is for sale and some land is for sale, equal to or approximately equal to I believe it's 12 acres.

Mr. Stern - 13. 6

Mr. Bradley - 13.6 acres, 13.6 plus or minus a couple feet.

Mr. Stern - Mr. Zlomsowitch. I'm trying to recognize him but we need some quiet. Mr. Zlomsowitch.

Walter Zlomsowitch - It's on Letter N.

Mr. Stern - Yeah, I know.

Walter Zlomsowitch - So what's the issue with how many acres?

Mr. Stern - Because it's not finalized. It's a proposal that the township has to be complete it.

Walter Zlomsowitch - You needed 6 votes to get this far and now you have more than 6 votes to...

Mr. Stern - And we had more now, but it still, the official land transfer won't happen until the official subdivision is created by the township.

Walter Zlomsowitch - Well, correct.

Mr. Stern – So it's pending, you could say it's pending board approval and the subdivision.

Walter Zlomsowitch speaking.

Mr. Beltz – It's down to a thousandth of an acre. You have this number down to a thousandth of an acre.

Mr. Stern – I just said that because that's what's in the motion.

Mr. Beltz – What's it gonna matter to the overall value?

Mr. Stern – Alright, sure.

Mr. Beltz – If it's off by half an acre it's not gonna affect the value of the property. I don't understand why we need to wait for that to be to the thousandths of acre to advertise.

Mr. Stern – Alright.

Mr. Cleaver – The only thing that if the board does not decide to move forward with this to Franklin Township after the fact then, you know, that may be different to the buyer. I mean, we're telling them this is what may be.

Mr. Beltz – I think we're gonna go, move forward here.

Mr. Stern – Okay.

Mrs. Spinelli – But are we going through with the easement. Isn't that what's in question here?

Mrs. Maholick – It's already approved.

Mr. Beltz – We had the votes to move forward with the easement, so.

Mrs. Spinelli – So it is with the easement then?

Mr. Beltz – I would say we can move forward and advertise this.

Mr. Stern – Okay.

Mr. Beltz – I don't see a downside to it.

Walter Zlomsowitch – You can do 13 plus or minus acres.

Mr. Stern – Okay, there's a motion on the floor and a second with motion by David, Mr. Bradley, and a second by Mrs. Maholick, I believe it is to extend the advertisement to a public site not restricted to commercial real estate for a cost not to exceed \$500.

Mr. Feick – I have a quick question. That \$500, is that for each property or for both?

Mr. Bradley – Make it for both. I don't think the advertisement on the internet is all that expensive.

Board members speaking.

Mr. Feick – I'll figure it out.

Mr. Stern – Any further discussion.

**Extend Advert. of FR & SD** MOTION by Mr. Bradley, SECONDED by Mrs. Maholick to extend the LoopNet advertisement for Franklin and Shull-David to a public site that allows more than just commercial realtors at a cost not to exceed \$500 and to be determined by Mr. Feick.

VOTE: YES - 7 NO - 2 (W.W., A.Y.) ABSENT - \_\_\_\_\_ ABSTENTIONS - \_\_\_\_\_  
Motion carried.

### **New Business for Discussion**

Mr. Stern – I have an item under New Business, Mr. Tkach, is he still here?

Mrs. Wagner – No.

Mr. Stern – Can you explain this?

Mr. Wentz – Mr. Stern, condolences...

Mrs. Wagner – Yeah, maybe you want to do that.

Mr. Cleaver – Go ahead, yeah.

Mr. Stern – First motion will follow what Mr. Bradley, if you would like to make it concerning Mr. O'Donnell.

Mr. Bradley – I have another new motion first.

Mr. Stern – Well, let's do Mr. O'Donnell's first so we don't we forget about that one. Okay.

Mr. Bradley – I move that the board recognizes the efforts of volunteers and the passing of this gentleman should be recognized, thank you.

Mr. Beltz – Second.

Mr. Stern – Discussion. Being so close to the stadium, my previous, my home, the previous stadium I heard Mr. O'Donnell's voice a lot, a lot and it was always, you know, great job. I think he succeeded, did he succeeded Mr. Schaeffer, right, from that perspective I believe it was. So it was from him directly...

Mrs. Wagner – And he was an attendance officer for years.

Mr. Stern – ...and he was an attendance officer as well and the announcer. So, my condolences go out to the family as well as the district's condolences to them. So I appreciate you making a motion Mr. Bradley. All those in favor, any other?

Byron Schnell – Can I make a suggestion that maybe the new press box be named after him?

Mr. Feick – At the middle school?

Mr. Bradley – I'd like to make a formal decision that prior to taking that vote, since it was a new motion, you really should let them speak and he can do his thing.

Mr. Stern – I did, Mr. Bradley.

Mr. Bradley – Okay, he should have...

Mr. Stern – You have to reiterate, you know what, everything's fine. You have to be in charge.

Mr. Cleaver – Sorry, Mr., Byron.

Mr. Stern – Byron?

Mr. Cleaver – What was that? I'm sorry, Byron.

Byron Schnell – Just wanted to name the press box.

Mr. Stern – So once we get to the point where the press box comes to fruition up at the middle school, that we propose naming it after Mr. O'Donnell? I think we can probably put that on the record and maybe do it once it's all together instead of doing it in a fact that it's not there.

Mr. Cleaver – And have a plaque.

Mr. Stern – Yeah. Such a great idea. Thank you very much. So, Mr. Holland, you can note that so that when that facility comes to fruition that can be done for Mr. O'Donnell. Okay. Thank you, Byron, that's a great suggestion. So we're still, any further comments on? Mr. Wertman?

Tom Wertman – Why can't we make it for the for the stadium press box? That man deserves that for what he did for long-term (inaudible), Stop Walking, Stop Talking, Remove Your Hats, that became a legend. I think we should put it in our stadium. The man is a legend. It should go in that stadium.

Mr. Cleaver – Could we bring for that discussion at the next athletic committee meeting too? To have that discussion and then, Wayne?

Mrs. Wagner – I'll email Mr. Spotts tomorrow that we brought this up.

Mr. Stern – Any further comments. The original motion is to extend the board's condolences to the O'Donnell family.

**Condolences** MOTION by Mr. Bradley, SECONDED by Mr. Beltz to recognize the efforts of  
**to O'Donnell** volunteers and the passing of this gentleman (Mr. Richard "Red" O'Donnell) should  
**Family** be recognized.

VOTE: YES - 9 NO - \_\_\_\_\_ ABSENT - \_\_\_\_\_ ABSTENTIONS - \_\_\_\_\_  
Motion carried.

Mr. Stern – I have another item for New Business. Mr. Tkach had approached me with requesting a board representative to be part of the Comprehensive Plan. Mr. Cleaver, in Mr. Tkach's absence, can you (inaudible) on this?

Mr. Cleaver – Right. The Comprehensive Plan is a plan for the district that we're required to complete and there is a committee that is on there and we would like someone, representation, from the school board to be on that committee. There will probably be anywhere from 6-9 meetings. It will be an additional evening meeting for someone, but we would like to have someone from the board be part of that planning process on that committee. So if there's any volunteers.

Ms. Beers – I'll volunteer.

Mr. Cleaver – Thank you, Joy. And I will have Mr. Tkach send you, Joy, email you some of the up front information so you can see what it consists of so you have an idea for the first meeting.

Ms. Beers speaking.

Mr. Cleaver – Okay, thank you.

Mr. Stern – So do I need to make that motion?

Mr. Cleaver – Motion to appoint her, I guess.

Mr. Stern – A motion and a second, we need a motion and a second to appoint Joy to support the Comprehensive Plan.

**J. Beers** MOTION by Mrs. Spinelli, SECONDED by Mrs. Maholick to appoint Joy Beers to  
**Comp. Plan.** the Comprehensive Plan Committee.

Mr. Bradley – Is this committee meeting or this process open to the rest of the board as well?

Mr. Cleaver – Yes. The committee will, the board will be there to ask questions and that but of course, as you know, the committee will make the recommendations.

Mr. Stern – Any further questions?

VOTE: YES - 9 NO - \_\_\_\_\_ ABSENT - \_\_\_\_\_ ABSTENTIONS - \_\_\_\_\_  
Motion carried.

Mr. Stern – Any further New Business?

Mr. Bradley – I have one if no one else does. I don't want to overstep the...

Mr. Cleaver – Mine's not a motion, it's a quick request to Franklin Township if they could put flags out there to show the easement marks and those when they're down there just so if someone does come out there, we'll be able to give them a visual and of course, with snow, they may have to be high sticks with paint on them, thank you. Sorry, Mr. Bradley. Not a motion, thank you.

Mr. Stern – Mr. Bradley?

Mr. Bradley – Anybody else want to? Nope, okay. I make a motion to rescind the unlawful official action taken on June 25 of 2018 by board directors Holland, Spinelli, Stern, Wentz and Yenser to prohibit Citizen David Bradley, Sr. from having direct contact with any district employee and bar the same citizen from the Lehigh School, High School, and administration building facilities for the time period of June 25, 2018, through June 25, 2019. Can I get a second for this motion to rescind the unlawful official action?

Mrs. Maholick – I'll second it.

Mr. Stern – Okay, we have a motion and a second.

Mr. Cleaver – Just clarification, if there's a board meeting or something that is board activity at those buildings, the individual is not barred from those buildings if it's to conduct board business, thank you.

Mr. Stern – Any discussion from the floor?

Walter Zlomsowitch – How does that work with him having students?

Mr. Stern – It was the high school and the admin building.

Mr. Cleaver – You'd have to address that individual, I can't answer for that.

James Zelrick – I have a question. Mr. Bradley, you said it was (inaudible) unlawful. Based on what?

Mr. Bradley – Based on Pennsylvania School Code, Pennsylvania state law and our own school policy.

James Zelrick – Was there a legal interpretation or is that your interpretation? I'm just asking for (inaudible), transparency.

Mr. Bradley – We can ask Mr. Filer that question. He's the one that can make that determination or the judge gets to make that determination at the final decision. It's my opinion.

Mr. Stern – I have a motion and a second, any further discussion?

Walter Zlomsowitch – Does Mr. Filer want to make a call on that?

Atty. Filer – There's been no opinion, so I can't make a call on that. He asked if it was Mr. Bradley's opinion or if it was an actual legal decision.

Walter Zlomsowitch – What's your opinion, that's the question what's the legal opinion from you?

Atty. Filer – The board (inaudible). This board suspended him.

Walter Zlomsowitch – So that had a right to do that?

Atty. Filer – As far as I know.

Mrs. Maholick – Did you do any research? I'd like to see it.

Mr. Bradley – Did you recognize that the motion...would you like me to read the motion from July to help you?

Atty. Filer – I believe Atty. Schwab was here for that.

Mr. Bradley – Oh, I'm sure he was.

Atty. Filer – So, (inaudible) I don't have any comments for this.

Mr. Bradley – Fair enough. Would the board like me to reread the motion from July, or June 25<sup>th</sup> of 2018? For their help in deliberating this and what my opinion is, an unlawful action, and give us the opportunity to rescind it prior to potentially having a liability to the district for such an action.

Mr. Stern – Motion and a second, any comment on the floor?

Mrs. Maholick – I'd like to hear it.

Mr. Stern – Go ahead, read it.

Mr. Bradley – I'll read it. Or actually, Melissa, can I have you read it in the record since you're the one that typed it up?

Mr. Stern – No, I don't know if that's...

Mr. Cleaver – Mr. Bradley, for the motion because it was something that we produced, I would like you to read it as an official statement, not us.

Mr. Bradley – Do you want to read it or not?

Mr. Cleaver – No, I would like you to read it as an official statement, yep.

Mr. Bradley – I don't want to hog the meeting, so. Yeah, let other voices be heard. Okay. Per recommendation of investigative report to prohibit board member #003 from having direct contact with any district employee in such incidences where his or 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 any employees are needed at any meeting. Should there be a disagreement, as to the employee attendance, board member 003 may appeal to the entire board at its next regular

scheduled meeting the Superintendent or Business Administration's decision. The board 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 duly, or a duly called executive session in connection with his or her elected duties or at a meeting set forth above with the Superintendent or Business Administration. Upon approval of this recommendation, it shall remain in effect for one year from the date of its approval. And, it was approved by 5 to 4, Holland, Spinelli, Wentz, Yenser and Larry Stern voting for and the rest voting against. And, if anyone would like to pull up the school policies of, and Pennsylvania School Code, Sections 407 or 510 or School Policy 907 or even School Policy 001, I welcome their determination as to whether or not it was lawful or unlawful, saving the district and myself, actually it won't cost me much, thousands of dollars in litigating costs associated with this, what I feel, is an unlawful, official action taken by this board on June 25, 2018.

Mr. Stern - So we have a motion on the floor to repeal, admit...

Mr. Bradley - I used the word rescind.

Mr. Stern - ...rescind an unlawful action.

Mr. Bradley - Right. Motion to rescind the unlawful official action taken on June 25, 2018, by board members Holland, Spinelli, Stern, Wentz and Yenser to prohibit Citizen David Francis Bradley, Sr., from having direct contact with any district employee and bar the same citizen from the Lehigh Area School District High School and Administration Building facilities for a time period of June 25, 2018, through June 25, 2019.

Mr. Stern - Thank you. Any comments from the floor.

James Zelrick - Would you not have to strike the word unlawful because there has been no legal determination to (inaudible)?

Mr. Stern - That's not my call. It's his motion. Ms. Bowman? Thank you, though.

Gloria Bowman - I don't see it as unlawful. I think that motion is basically, put some parameters around Citizen Mr. Bradley and I believe he just has to do a certain hoops to be able to go into the high school and to administration based upon past experience and experiences with employees. So I don't see it as unlawful, more like putting parameters around it.

Mr. Stern - Any other comments?

Mrs. Maholick - I think we should strike this because it is an opportunity for our district to get sued.

Mr. Bradley - I think our solicitor should prepare information to find where it is lawful for him to advise such a motion to this board.

Mrs. Maholick - I think he should read it.

Mr. Stern - Any further comment? Mr. Wertman.

Tom Wertman – I believe that Citizen Bradley would be acting accordingly like he should, maybe this wouldn't have never occurred. Why don't you act your age instead of somebody in elementary school, thank you, you deserve it.

Mr. Bradley – You're welcome, Mr. Wertman, thank you for your opinion and your (inaudible). I will continue to fight (inaudible) so you can use it here in the board meetings.

Mr. Stern – There's a motion by Mr. Bradley and there was a second by Mrs. Maholick.

Mrs. Wagner – Do you want a roll call?

Mr. Stern – I do.

Mrs. Wagner – Do you want David to repeat it because I couldn't write that all down? I'll get it on the feedback from the audio but...

Mr. Stern – Well, I think it's, the simplest part is...you have it there, sir?

Mr. Bradley – Yes, I do. Just let me...

*Mr. Bradley handed the typed motion to Mrs. Wagner.*

*Mrs. Wagner reread the motion.*

Mrs. Wagner – Roll call...

Mr. Bradley – Hold on, because of the advice that I learned from people speaking here, if you'd like to add the word allegedly in front of unlawful. If Gail would accept that as a change to the motion.

Mrs. Maholick – Accepted.

Mr. Bradley – I'm in agreement with that and I think that's a wonderful idea provided by our citizens. Thank you for the help.

Mrs. Wagner – Okay, that has been added.

**Rescind Official Action Denied** MOTION by Mr. Bradley, SECONDED by Mrs. Maholick to rescind allegedly unlawful official action taken on June 25, 2018 by board directors Holland, Spinelli, Stern, Wentz and Yenser to prohibit Citizen David Bradley, Sr. from having direct contact with any district employee and bar the same citizen from the LASD High School and administration building facilities for the time period of June 25, 2018, through June 25, 2019.

Roll Call Vote:

|                                   | Yes                      | No                       | Absent                   | Abstention               |
|-----------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Mr. David F. Bradley, Sr., Member | X                        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mr. Stephen Holland, Member       | <input type="checkbox"/> | X                        | <input type="checkbox"/> | <input type="checkbox"/> |
| Mrs. Gail Maholick, Member        | X                        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mrs. Rita Spinelli, Member        | <input type="checkbox"/> | X                        | <input type="checkbox"/> | <input type="checkbox"/> |
| Mr. Wayne Wentz, Vice President   | <input type="checkbox"/> | X                        | <input type="checkbox"/> | <input type="checkbox"/> |
| Mr. Andrew Yenser, Treasurer      | <input type="checkbox"/> | X                        | <input type="checkbox"/> | <input type="checkbox"/> |
| Ms. Joy Beers, Member             | X                        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mr. Richard R. Beltz, Member      | X                        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mr. Larry Stern, President        | <input type="checkbox"/> | X                        | <input type="checkbox"/> | <input type="checkbox"/> |

Mr. Yenser – Based upon the actions that took place and the protection of our staff, no.

Mr. Stern – I will not vote, even if it's an alleged unlawful action. So, no.

VOTE: YES - 4 NO - 5 ABSENT - \_\_\_\_\_ ABSTENTIONS - \_\_\_\_\_  
Motion denied.

Mr. Bradley – I'm sorry, you said you will not vote, or you would, you voted no?

Mr. Stern – I said no.

Mr. Bradley – You voted no?

Mr. Stern – Right.

Mr. Bradley – Thank you. Okay, just wanted to make sure I could clarify that.

### Directors' Concerns

Mr. Holland – Right here. Big Directors' Concern.

Mr. Stern – Mr. Holland

Mr. Holland – I come to these meetings...

Mr. Stern – Turn your mic on, please.

Mr. Bradley – Hold on, if it's a Directors' Concern it's was supposed to be on the agenda prior to the date. He had to do this in New Business. Is that correct, Mr. Stern? Can we go back to New Business so he can do it?

Mr. Stern – I don't know if he's making a motion or if he's making a statement.

Mr. Bradley – Which is fine.

Mr. Cleaver – He didn't get a chance.

Mr. Stern – Yeah, he didn't get a chance. You have all your opportunities to speak so please...

Mr. Bradley – I just want to make sure that we don't violate his rights...

Mr. Stern – I believe you have already violated rights by putting motions under Directors' Concerns, thank you.

Mr. Holland – Directors' Concerns...I come to these meetings every month, I see chaos here every month because one individual decides they control the meeting. I believe that same individual voted for this gentleman up front to be the President of organization but it seems like every meeting, he has control. And, I think from now on that person, we'll say his name, Mr. Bradley, please address this gentleman up front instead of, hold on, hold on, I'll answer that question. Go to your President and say could I please answer that question. You are not the mouthpiece of this organization. Right here's the gentleman you voted for. Well, please follow as you would say the regulations and everything else. But, no, Mr. Bradley thinks he's the mouthpiece and I agree with people that he thinks he is the mouthpiece. Please go through the common courtesy of going through our president, thank you.

Mr. Bradley – Mr. Stern, can I reply to that?

Mr. Holland – I knew, Mr., you would get the last word in. So, hold on...

Mr. Bradley – Mr. Stern, can I reply to that?

Mr. Stern – Sure.

Mr. Bradley – Was that a yes, Mr. Stern?

Mr. Stern – Yes.

Mr. Bradley – Thank you.

Mr. Stern – You may reply.

Mr. Bradley – Good advice, Steve. I have adopted it and I'm already using it.

Mr. Stern – Any other Directors' Concerns?

Mrs. Maholick – Yes, Mr. Cleaver, would you like to tell everybody what happened and today and what we did with Channel 13? How we announced what was going on with the KidSight first? You forgot to put that in your report.

Mr. Cleaver – I did my report, sorry about that.

Mrs. Maholick – No, no, I just think that we should've talked about this.

Mr. Cleaver – Today, Channel 13 did come down and do a report, I believe it was aired today at 5:30, at least that's what they said, about the Lions Club doing the eye exams for the students at the Elementary School. We had a lot of positive feedback. We had a lot of good press from it. The individuals that were there were fantastic. They explained it. The school nurses came out, had an opportunity to see exactly the process that's gonna take place. We currently have about 850 students who will be getting their eyes examined through the Lion Club. And, so again, it was a just a nice thing and public relations piece for the district and the community. So, the students will have another screening for their vision and this will be offered through the Lions Club. And, again, at this point there's 850 students and we think there may be some more once they know exactly what it is that may request the additional screening. So, yes, that happened today and I believe probably within a day or two Channel 13 usually has it online on their website that you can go in and view the piece from today. So, thank you.

Mrs. Maholick – Yeah, they're gonna do it October 29<sup>th</sup> and 30<sup>th</sup> in the Elementary Center.

Mr. Cleaver – Correct.

Mrs. Spinelli – Can I just say also, I attended and what the parents and the public need to realize is this is more of a screening than they are going to get from their eye doctor. Because it identifies certain things that a regular eye exam will not identify. So, even if you have your child's eyes examined by a doctor, you should really consider letting this take place because they can find some early signs of things that may not be apparent.

Mr. Bradley – Mr. Stern...

Mr. Stern – Anything further?

Mr. Bradley – If you have one more. Anybody else want to go before? Okay. Today I met with one of our I.T. departments while we were reviewing the bills, Mr. Marcus Statham, right? Did I pronounce right? Marcus, go with Marcus, sorry, I.T. Marcus, and after discussion with Mr. I.T. and Marcus it has become apparent that the affidavit that was filed by our district should be reviewed by Mr. Marcus to confirm its accuracy and if a correction needs to take place we should do it as soon as possible prior to any citizen or individual finding the conflict between the affidavit and Mr. Marcus testimony or information. Can we please have, without a motion, can I please have you review that with Marcus as, right?

Mr. Cleaver – Sure.

Mr. Bradley – And check it against Mr. Tkach and find out if there's a discrepancy if, and if so, recommend a correction to it as soon as possible. Same with the affidavit by Ms. Windhorn, thank you.

Gloria Bowman – May I ask what's the affidavit?

Mr. Bradley – It's public knowledge. If you do a Right-to-Know you can get it. I'd love to give it to you but I think it would be in error at this time if we don't have it coming directly from the

district to an individual citizen. And, I also would recommend, hold on, one more second, sorry, I just love to talk apparently, I would like the board to advise, without a motion, to the administration that if this requests comes through to process it immediately so that the citizens can review the information, thank you.

Gloria Bowman – Mr. Filer, may I ask a question if it's been brought up at a public meeting by a board meeting? Is that information to be shared?

Atty. Filer – What is your question?

Gloria Bowman – My question is what, what specific affidavit was he referencing and he said I'd have to do a Right-to-Know. My question is (inaudible) is saying if you brought that up at a public meeting why can't you specifically state what the information is because it's public, he's now made it public, so what is there to hide? So why would you have to with all of us here have to go through a Right-to-Know. It's a simple affidavit.

Mr. Bradley – Larry, can I please answer this one, please?

Gloria Bowman – I was asking....

Mr. Stern – I would think Mr. Filer should answer this one.

Mr. Bradley – I understand but Larry, can I please, please Larry, in honor of Steve Holland's new motion to me make sure I play nice, can you please...

Mr. Stern – Can you let Mr. Filer speak?

Mr. Bradley – Sure, sure.

Atty. Filer – Mrs. Bowman, I don't know what affidavit he's referring to or what issues he's referring to so I don't know any number of reasons why it might not be disclosable. But, if he's saying it is, again, I don't...

Gloria Bowman – My concern is that you know you're promoting transparency and you've already brought this up so now we all sit here saying what's not transparent about it. I'm (inaudible) confused. You're talking out of both sides of your mouth, so. Just, my opinion, that's it, do what you want, so.

Mr. Bradley – Please, Larry.

Mr. Stern – Mr. Bradley, you may speak.

Mr. Bradley – Woo-hoo...

Mr. Stern – I said speak.

Mr. Bradley – I know, I love it, I just think it's great, thank you Steve, this is awesome. The information is available as a Right-to-Know. It should be transparent through the district. Every document that the district publishes, that is available through the Right-to-Know Law, should be shared without being requested and now you can see the value of that ideology and thank you for recognizing how important transparency is because it is that information...

Gloria Bowman – You brought it up why can't you share it with us?

Mr. Bradley – I can, hold on, as a board member...

Gloria Bowman – Excuse me Mr. Bradley, don't be condescending to me.

Mr. Bradley – I'm not. I think it's wonderful. No, I seriously think it's wonderful.

Gloria Bowman – I brought it...

Mr. Bradley – I thought it was great.

Gloria Bowman – ...if I have to do a Right-to-Know, I'll have to do it.

Mr. Bradley – I think it's great. No, no, no, I'm not condescending, I think it's fantastic that the community is learning how to get information out of its district. And, I think one of the easiest things we can do, since I have it with me, you can hand it to the administration, what we're referring to, although they are the ones that gave it to me. And, they can share. You don't want to get it from me specifically, it really has to go through a procedure and a process as you mentioned and that process currently is limited to any individual in a district asking for information requires it to become a Right-to-Know, requires you to fill out the paperwork and requires you to pay a bill to the district if you want a copy of it. I would love for that to change and I hope that you're gonna be on my side.

Mr. Stern – Okay.

Mrs. Spinelli – Mr. Bradley, the other districts that you said you requested Right-to-Know from and you got them so quickly, you did have to request that, right? They didn't just send it to you or didn't make it public to you?

Mr. Bradley – That's funny. Actually, no. Many of the districts that I pulled the information from have it published on their website, Rita. And, other ones, when you ask the question, can you send this to me without the Right-to-Know Law, without any instruction, without any other lawyers or solicitors or rulings, they say sure and they email it to you without any documentation.

Mrs. Spinelli – So then you didn't file Right-to-Knows?

Mr. Bradley – I did file Right-to-Knows on the ones that I needed to get the information from that follow an obstructionist view and I also got it from websites that offered a transparent view, like Mrs. Bowman promoting, and I also got it from districts that didn't require a Right-to-Know. You just ask and you said hey can I have this information and they say sure, here's where it's on the website or sure I'll email it to you or sure how can it get it to you. And, here's the nice thing about it, I did it as a citizen, you don't even need to be a board member to ask these questions. And, if you go to Allentown's district, they publish a book every month of all the information. When you saw me taking all those pictures, they publish that book. It's transparency that reduces the cost of a district. Saving us tens of thousands of dollars in solicitor fees and litigation. I think it's wonderful that this is being discussed in an open public meeting. Thank you for engaging us.

Mrs. Spinelli – And so that, oh I'm sorry.

Gloria Bowman – Go ahead, Mrs. Spinelli first.

Mrs. Spinelli – So, the people you did file Right-to-Knows for, okay you said there were a few that you had to file Right-to-Knows because they were obstructionists, as you claim we are, did they tell you why you had to file a Right-to-Know. Was it because of redaction? Was it because of personnel? Was it because of, you know, anything that needed to do or that was just their policy?

Mr. Bradley – I can't speculate what they do and why. However, I did notice that many of the districts blindly adopt PSBA policy without any modification or any change as you've seen here in this district. However, when you have a board of 9 and they review those policies and see an opportunity for savings, they don't dogmatically and just rubber stamp or abdicate their authority. They use that authority much like that presentation by that woman that said stand up and do it. And, that's what this board is supposed to do. That's what I'm doing and I hope that you will become a person that does it too.

Mrs. Spinelli – I am doing it. I'm standing up for the things I believe. They don't happen to be the things you believe but I'm standing up as strongly and as loudly as I can, Mr. Bradley.

Mr. Bradley – And what's funny, oh I'm sorry, Mr. Stern can I reply, please?

Mr. Stern – It continues to be a condescending attitude.

Mr. Bradley – It's not, I just...

Mr. Stern – It is, come on.

Mr. Bradley – I want to be fair. Can I reply?

Mr. Stern – You just replied. You've been bantering with her the last 5 minutes...

Mr. Bradley – I'm learning...

Mr. Stern – ...you might as well finish, Mr. Bradley.

Mr. Bradley – I'm learning, I'm making sure I adopt the habit, it takes a little time, I'm a little old, as Mr. Wertman mentioned. The policy that you're talking about is currently just echoed from PSBA. So if you feel that you differ from my opinion, you should express that in writing because when you write things, you agree with most of what I say, Rita. And, when I read, when you're in a meeting, you agree with a lot of these things. I think you just like to disagree with me and don't even understand what you're saying half the time.

Mr. Stern – Can we move on?

Mr. Bradley – However...

Mr. Stern – Can we move on, please?

Mr. Bradley – ...if you'd like some proof of that I'll be glad to write another diatribe.

Mr. Stern – Okay, that's the end of Directors' Concerns.

Mr. Bradley – Hold on, Mrs., sorry Larry, can I make a statement please?

Mrs. Spinelli – Yeah, I’m sorry Gloria. Gloria made a...

Mr. Bradley – Wait, wait, wait...we’re going through...

Mr. Stern – Yes, Mr. Bradley, continue to make your statements.

Mr. Bradley – Okay. And I’m not making a statement about that, we don’t want to miss the opportunity for Mrs. Bowman to speak.

Gloria Bowman – I just wanted to ask Mr. Bradley what specific districts did you contact to be able to share with the, all of us, that have all the stuff on the website and is so transparent. Can you identify them?

Mr. Bradley – Larry?

Mr. Stern – She asked you a direct question Mr. Bradley, don’t do this. Please don’t.

Mr. Bradley – Steve mentioned and it’s right, he’s right.

Mr. Stern – Now you’re being...

Mr. Bradley – I’m not.

Mr. Stern – You’re being like this...

Mr. Bradley – You’re running the meeting. I do not want to come off that I’m trying to run the meeting.

Mr. Stern – Ms. Bowman asked you a question, please reply to her.

Mr. Bradley – Sure. I will be glad to email you the information and I’ll be glad to publish it on the website. There is so many it would be difficult. However, you can mention that, let me pull it up, Trevorton, there’s Hazleton, there was, there’s a variety. I will make sure I get them to you before the next meeting Mrs. Bowman out of respect to your question, I will respond to your request, thank you.

Mr. Stern – Okay, moving on. You’re finished, Mr. Bradley? You’re finished?

Mr. Bradley speaking.

Mr. Cleaver – Well he’s asking you the question.

Mr. Stern – I’m asking you a question, you may respond.

Mr. Bradley – I have nothing further.

Mr. Stern – Thank you. On to Courtesy of the Floor, Ms. Bowes.

## **XV. Courtesy of the floor / Public Comment**

### **1. Barbara Bowes**

- Okay, going back to Motion K, which didn't pass. I have question I'm not sure how to ask it. I filed a Right-to-Know and it was denied and then I appealed it to the Office of Open Records and they upheld the appeal. And then there was another paper filed by the district through, I think it was Eric that actually filed it, but Mr. Schwab. Which would have cost money but it was not done as a motion to the board. Now I don't know if that qualifies under what you were trying to accomplish with Motion K. Because I did specifically ask when they filed those papers, I think it was somewhere around 4:00 p.m. on the 17<sup>th</sup> which was the day of the meeting, but the last day to file. I think that had to be filed, statement had to be filed by 5:00 p.m. I don't remember exactly of that date. So I did note that is what you were trying to accomplish to avoid that to where we didn't have anything so it couldn't be.

Mr. Cleaver – Just the denial for the Office of Open Record and the Right-to-Know requests the way it works, if it comes to our Right-to-Know Office, we do review, we do review with our solicitor depending on, some of them are very quick, you know, copy of a contract or copy of board minutes or what have you are very quick. When there's more extensive research and review required we do look at it and there is, at times, where things are denied. And, so that comes through the administration and the Right-to-Know Officer. The board doesn't decide whether, like as a group, does not deny any Right-to-Knows.

- Right. What I'm saying is the solicitor got involved and had to, I guess, it would be called the responsible meaning.

Mr. Cleaver – Right. Anytime we have any question, you know of any type of Right-to-Know request, administration does go to the solicitor for review as do many other districts.

- Well, no, I get that. But what I'm trying to answer is since the motion was on the agenda, I'm wondering should it have gone before the board prior to that being done. It just makes me (inaudible) the procedure that was used in my case because I had actually knowledge of it.

Mr. Cleaver – Right. Without, without knowing the exact case, 'cause we're dealing with unfortunately so many, at this point, I can't really say how it related to your case but I will look at to that, but I don't. I don't want to say for sure, but I don't think that was, I think it was timing issue.

- Obviously money was spent for this...

Mr. Cleaver – Absolutely, right.

- ...for them to do this. And this money that was spent needs to be approved by the board.

Mr. Cleaver – No, not for administration. We have contact with, we contact with the solicitor in situations whether it be child custody issues that come up, you know, those type of things. As far as the board, yes, but as far as administration, at this time we are not, you know required by a

board motion for approval. Because, again, probably 2, 3 times a day there's things that pop up that may or may not, you know, need opinion from Eric or Atty. Schwab and a lot of that is child custody things or just, you know, we're not sure.

- Okay, I get that. It just, I never (inaudible) accepted for the motion that was on the agenda for today.

## 2. Walter Zlomsowitch

- I just want to follow up on the public comment that was asked to go through committees. Does anybody know? We can just orderly raise our hand. I know that you suspected, Larry, to become disorderly. I want to raise my hand if I wanted to talk at this point in the meeting.

Mr. Cleaver - We don't have that. At this point, we haven't made that change yet.

- Have you asked the committee yet?

Mr. Stern - I don't know we've actually met since you request it, Mr. Zlomsowitch.

Mr. Cleaver - We had the last Policy Committee meeting (inaudible) was to discuss the student handbook. So the next policy will be December.

Mr. Stern - Yes.

- Okay. And I think maybe what Barbara was getting at was, Dave's Right-to-Knows, what you voted on here at a meeting to take that court over 7,700 emails and Barb's wasn't. I think that's maybe where she was coming from. Why the board decided on his but not on hers. I mean I don't think I'm wrong but I think that's what she's getting at.

Mr. Stern - Probably.

Mr. Cleaver - I'm not sure.

Mr. Stern - Thank you, Walter.

## 3. David Krause

- I'm gonna talk about the need to start focusing on education issues for the school. I was thrilled, I didn't know about the programs until I showed up tonight, that they had Holocaust victim involved. The (inaudible) programs can help with the new ESSA requirements that are coming down the pike. I talked to a number of other schools and they're already working on their staff development, they're all working, already working on aligning these kinds of programs with the standards that are gonna be coming down the pike and my concern is that we're not gonna be sufficiently prepared because we're focused on all this other chatter that happens. We spend 5 minutes or up to 10 minutes on a presentation and 2 hours wrangling over things. It's been 10 months of it, the wrangling's been going on and yet I don't hear any focus or discussion on curriculum. I don't see where all the wrangling is helping our students. It certainly isn't helping the tenor of discussion in the room here. So, I'd certainly like to see us get back, back on board with functioning as a board. As collaborating as a board and spend time on those items. Again, I've

listened to 10 months of wrangling. We've spent thousands of dollars on legal fees and I've yet to see one value brought to the district for our students from all this wrangling.

4. **Wayne Wentz**

➤ Okay, as Mr. Krause said, 10 months of nonsense. I've been sitting here keeping my mouth shut, trying to keep respect somewhat in this school district. I love this school district. I was born and raised here. I graduated from here. A month after I graduated, I was gonna spend 4 years in the military, I spent 13 months in Vietnam. I was in the jungles, in the rice patties, as Mr. Wertman was and I fought those people over there, never realizing 50 years later I'd have to come back and put up with this, you know, it's sad, it's really sad. So, I'm gonna tell you what I think right now. Okay, to start with, I wrote this letter, nobody wrote it for me that I'd have to stand here and read it. Some on this board try to paint a picture of gloom and doom when actually it is the opposite. We are seeing our community grow by leaps and bounds. A candy store, bakery, outdoor center on the Bypass, St. Luke's on 9<sup>th</sup> Street, a winery, a Kia building a brand new, beautiful building, a Dollar Tree, not to mention a hospital being planned in Franklin along with a KFC and Wendy's coming to 443. Where is the doom and gloom in that? We have Scranton to the north, Allentown to the south, guess who's in the middle? Lehigh. Hey, and people are recognizing that. Our numbers I believe are going up in students. People are moving in, not moving out. I think the last count was 49 houses were purchased as of July 1<sup>st</sup> in this community, you know. But, what really bothers me is people, some who I've known my whole adult life, actually choose to believe nonsense instead of the truth. Five members of this board and four from the previous board, five years in a row no tax increases. Built a beautiful stadium, a new elementary center, we had not one school close because of mold. Look around at all the other schools. This is a great school district. We have A+ ratings on our teachers and administration. I have no idea why people want to tear this down and bring such negativity to this district, thank you.

5. **Larry Stern**

➤ I usually don't get up here and speak because it's just not my nature but enough is enough. We talked about transparency all the time but one of the things we gotta realize is I believe one of our folks, Mr. Bradley, and I'm looking in your direction, isn't as transparent as you want everybody to believe you are. Back 3 years ago with Trane. Your company dealt with Trane, you're a provider to Trane, you had many meetings with Trane, Mr. Hill had meetings with Trane, you boasted how great Trane was. There had to be something going on. Why would you continue to go down a path of Trane, Trane, Trane and not want to look at other alternatives. As a business person, wouldn't you desire to go out and bid it competitively? No, you decided to Trane, let's force Trane down our throats, let's go Trane. We'll we didn't go Trane. We went with McClure and saved over 3 million dollars. Same benefits, same system, same things. So why were you so hooked on Trane? Your provider. What did you have to gain from Trane. Are you provider to Trane still? Are you provider to McClure? I don't know. Why would you as a business man not want to competitively bid something for a district where you're gonna end up paying the bill? Which is completely opposite of what you're doing around here. I mean it's always, oh

let's go look here to save money, let's go look there to save money, no. I'm in bed with Trane. I just don't understand it. Now, let me congratulate you on one thing, it only took you 10 months to figure out that my wife actually works for the district. Wow, what a man. Start drilling into personal issues, start going after family, that's perfect, that's perfect. Well guess who else worked for this district? I did. Summer maintenance worker in the early 1980's. Guess what I did, ground off red lead paint and such up at the stadium. You know what else I did, I cleaned toilets when there was custodial strike. I did all that type of work. You know who else worked for the district? My two boys. They actually worked for this district as summer maintenance people. Doing painting, grass cutting, whatever needed to be done. So, if you want to know, just ask me, don't drilling at Mrs. Wagner about my personal information. And now my final question is, how low will you go? How low will you go to start drilling into people's personal lives? Maybe somebody will start digging into yours and see how much you appreciate it. I just don't understand it. You know, we elected a man, a man. I thought our differences were really ideological, but now I see it's personal, thank you.

Mr. Bradley - Mr. Stern, would you like a reply?

Mr. Stern - No. Okay, that was the last Courtesy to the Floor.

### Adjournment

**Next regular scheduled meeting is Monday, November 19, 2018, at 7:00 p.m.**

MOTION by Mr. Holland, SECONDED by Mrs. Spinelli to adjourn the meeting at 10:11 p.m.

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

Respectfully submitted,



Brian Feick  
Board Secretary

(Minutes of October 22, 2018, includes Pages 1 through 68)