

Monday, June 28, 2021 at 7:00 PM
BOARD MEETING MINUTES

1. Opening Exercises

A. Pledge of Allegiance

B. Call to Order

Board President, L. Stern, called the Board Meeting to order at 7:15 PM. He apologized for the delay, which was due to technical issues for a Board Member.

C. Executive Session Announcement

L. Stern announced an Executive Session was held on June 23, 2021 at 4:00 PM for Contract Negotiations, Personnel and Safety discussions.

D. Roll Call

PR/AB

PR - Ms. Joy Beers

PR - Mr. Richard R. Beltz

PR - Mr. David F. Bradley

PR - Mr. Nathan Foeller

PR - Mr. Stephen Holland

PR - Mrs. Gail Maholick

PR - Mrs. Rita Spinelli

PR - Mr. Wayne Wentz

PR - Mr. Larry Stern

Also Present:

Mr. Edward Rarick, Business Administrator

Mr. Jonathan Cleaver, Superintendent

Attorney Eric Filer, Solicitor

Ms. Janine Partenio, Recording Secretary

Barb Bowes, Brian Shaner, April Walker, Wally Zlomsowitch, Jennifer Liable, Kerry Sittler, Fred Kemmerer, Gloria Bowman

E. Presentations/Recognition

None at the time

F. Public Comment

B. Bowes questioned the final budget function code 2300 "other objects" asking how much of \$40,200 was earmarked for object code 820 under function code 2310. She said that was for when there is an IEP that is litigated. E. Rarick stated it was \$20,000.

B. Bowes asked if the state of PA had done away with the Safe Schools Grant to help fund the LASD police. She said she did not see it listed as revenue as it had been in previous years. J. Cleaver said it may have been listed under PCCD (Pennsylvania Commission on Crime/Delinquency). E. Rarick confirmed.

B. Bowes stated between the proposed budget and final budget the District was spending \$169,970 more. She said there was also an additional \$196,970 in revenue. She asked how more money was being spent if the proposed budget was not balanced. E. Rarick said additional revenue will be received in the 2021-2022 School Year for an overpayment of health benefits again. He said the additional expenditure was for the Administration Building roof. B. Bowes thought the District could have additional money in fund balance if the additional expenditure was not used.

B. Bowes said in the General Fund transfers there is \$13,000 to board services judgement and claims. She asked if there was only \$1,289.50 for legal fees with King Spry for Special Education, why is the total transfer so high. E. Rarick explained that those legal fees are not inclusive of just Special Education. He explained that all legal fees would go through Board Services.

B. Bowes stated that the Parameters Resolution was discussed at the Finance Committee Meeting and decided that it could be detrimental to the bond credit rating of the District and would not be needed at this time. She hoped that the recommendation from the Finance Committee Meeting would be taken seriously.

B. Bowes mentioned that the Superintendent's Contract extension included a raise and believed the increases should be based on a performance basis. She felt what was contained in the Auditor General's Report should be considered as well as the language stated in the original contract about the Superintendent's responsibilities with the budget, procedures, rules and regulations, etc. She said any shortfalls in the business office are directly under the Superintendent.

B. Shaner asked about mask mandates expiring and the possibility of an in-person meeting in July. J. Cleaver said they were planning on having an in-person Board Meeting in July.



B. Shaner questioned the budget proposal and salaries for personnel are \$14 Million and benefits are about \$13 Million. He asked what was included in that paid benefit. J. Cleaver explained the calculations included Healthcare, Social Security, Unemployment, FICA, OPEB, and PSERS. D. Bradley said more information could be found in the audit report.

A. Walker asked when they would be having a discussion about masking and vaccines for the 2021-2022 school year. J. Cleaver said the Health and Safety Plan for the 2021-2022 School Year was currently in process and planned on bringing it to the Board for approval in July. He said right now masks would be optional and there was no requirement for the vaccine. He said that would be a parental decision.

D. Bradley said last year's budget was a little over \$41 Million and this year's is \$42.7 Million. He said there was an increase in expenditures to run the District without a significant increase in student participation or enrollment or with an increase in staff. He said debt service is being paid down slightly. He felt the budget was done by the administration that gets to utilize the budget. He felt it was the Board's responsibility to determine how much money is needed to run the District. He mentioned that teachers did not have supplies and the Library was going unfunded. He said money was going out the door to challenge his right to know requests. He felt all documentation should be released to the public. He asked to share where B. Shaner could get a copy of all the costs that are included in the expenditures. E. Rarick stated the costs and expenditures were on the District website in the second budget presentation that was given. D. Bradley asked E. Rarick to share the link with B. Shaner.

J. Liable asked if E. Rarick could share with her how much money was spent on lawsuits between the Director and Board and how many were successful for the current year as well as the past four years.

G. Superintendent Report

J. Cleaver thanked the High School administration for a great Graduation ceremony. He appreciated getting back to somewhat of a sense of normalcy for the 2021 graduates. He wished all of them good luck in their future endeavors.

J. Cleaver mentioned he was working with Mr. George for putting together the bus rosters for the upcoming school year. He stated the plan for the school Start Times for 21-22 school year were as follows on the same bus runs:

Elem 8:25 AM-3:00 PM

MS 7:30 AM - 2:30 PM

HS 7:30 AM- 2:15 PM MS/HS

J. Cleaver announced how the Elementary Center had 45 elementary students in attendance for the beginning of the Academic and Adventures Camp. He said the campers arrived with star balloons lining the drop off line to kick off "Stars and Stripes Week." and how staff and campers were decked out in red, white and blue to go with the theme. He mentioned that all campers were served breakfast and lunch and participated in ice breaker activities associated with academics.

J. Cleaver read to the Board the following letter from Elementary Center Principal, Aaron Sebelin.

"As we just completed the most trying school year many of us have ever experienced, I wanted to thank the board and Superintendent for their commitment to keeping our schools open to students (grades K-5) "in person" during the 2020-2021 school year. This has been a very tough year for everyone as parents, students, staff dealt with COVID-19, but LASD was one of the few schools to offer in-person learning throughout the entire year. I truly believe our students benefited from having the option to be in school. Our administration and staff did an outstanding job in creating a district-wide pandemic/safety plan that included constant updates with recommendations from CDC and PDE. We are very grateful for the support from the board for making this happen during a time when many other districts across the state and nation were not able to offer an safe, in-person option for our elementary students living in the Lehighton community."

H. Minutes

MOTION by R. Spinelli, SECONDED by W. Wentz, to approve the Minutes of the May 24, 2021 Board Meeting.

File Attachments

[May 24, 2021 Board Meeting Minutes.pdf \(275 KB\)](#)

D. Bradley commended J. Partenio for her work on documenting the minutes.

Roll Call Vote:

	Yes	No	Absent	Abstention
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	0	0	0	X
Mr. Richard R. Beltz, Member	X	0	0	0
Mr. David F. Bradley, Sr., Member	X	0	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	X	0	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 8 NO - 0 ABSENT - 0 ABSTENTIONS - 1

2. Financial Matters

A. 2021-2022 Final Budget

MOTION by W. Wentz, SECONDED by R. Spinelli, to approve the Lehigh Area School District 2021-2022 General Fund Budget total expenditures \$42,714,981.00.

File Attachments
[GFB Package 06.21.21.pdf \(1,592 KB\)](#)

D. Bradley believed the final budget should be postponed until they could have an in-person meeting where the public could review how the budget increased and was managed.

MOTION by D. Bradley, SECONDED by G. Maholick to postpone the Lehigh Area School District 2021-2022 General Fund Budget until the budget can be properly reviewed in an in-person meeting where the public can see, discuss and review it.

R. Spinelli stated she understood the concern; however, the difference was due to the pre-COVID transportation funds being added back into the budget which was over \$1 Million. She did not know how postponing the vote a couple of days would make a difference with the public being able to physically review it. She said it had been viewable online for months. D. Bradley felt the citizens should come into a meeting with the budget in-hand and question J. Cleaver and E. Rarick. D. Bradley felt the public should choose what the District funded.

N. Foeller felt what D. Bradley was suggesting was no different from the opportunity that the public has had at the Finance Committee Meetings.

B. Bowes stated the budget was posted online but it had changed. She said there were additions to expenditures and revenues.

W. Zlomsowitch wanted to state a public comment on the District Solicitor. He asked that they consider a completely new solicitor or consider Attorney Filer. He asked them to vote against the Superintendent Contract and keep it as a 1-year contract because of expensive mistakes made in the past

Roll Call Vote to Postpone Final Budget:

	Yes	No	Absent	Abstention
Mr. Wayne Wentz, Member	0	X	0	0
Ms. Joy Beers, Member	X	0	0	0
Mr. Richard R. Beltz, Member	X	0	0	0
Mr. David F. Bradley, Sr., Member	X	0	0	0
Mr. Nathan Foeller, Vice President	0	X	0	0
Mr. Stephen Holland, Member	0	X	0	0
Mrs. Gail Maholick, Member	X	0	0	0
Mrs. Rita Spinelli, Treasurer	0	X	0	0
Mr. Larry Stern, President	0	X	0	0

VOTE: YES - 4 NO - 5 ABSENT - 0 ABSTENTIONS - 0

Motion Failed

D. Bradley proposed seeking L. Stern's resignation for not correctly reviewing items according to the misfeasance described by the judge.

Roll Call Vote to Approve Final Budget:

	Yes	No	Absent	Abstention
Mrs. Gail Maholick, Member	0	X	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	0	X	0	0
Mr. Richard R. Beltz, Member	0	X	0	0
Mr. David F. Bradley, Sr., Member	0	X	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 5 NO - 4 ABSENT - 0 ABSTENTIONS - 0

Motion Passed

B. Homestead Farmstead Resolution

MOTION by R. Beltz, SECONDED by S. Holland, to approve the Lehigh Area School District 2021-2022 Homestead/Farmstead resolution for reduction of property taxes as authorized for the school year beginning July 1, 2021 under the provisions of the Homestead Property Exclusion program and the Taxpayer Relief Act.

File Attachments

[2021-2022 Homestead and Farmstead Exclusion Resolution.pdf \(222 KB\)](#)

J. Beers asked where the language of the resolution came from. E. Rarick said it was a template from PASBO that was used from another year's resolution. He said the calculations change from year to year based on the revenue that the state gives back from gaming as well as the Philadelphia tax credit. He said it is connected to the number of properties that apply for the Homestead/Farmstead, which the District and the Board have no control over. D. Bradley asked how many applied last year. E. Rarick said he would have to research that information. D. Bradley asked if the District ever did a mailer to educate people to apply for it. E. Rarick said everyone in the District should be receiving the application via mail from Berk One. E. Rarick said last year there were 4,515 properties and this year there are 4,465. D. Bradley asked how many total taxing parcels there are in the District. E. Rarick said roughly over 20,000.

Roll Call Vote:

	Yes	No	Absent	Abstention
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	0	X	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	X	0	0	0
Mr. Richard R. Beltz, Member	X	0	0	0
Mr. David F. Bradley, Sr., Member	X	0	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 8 NO - 1 ABSENT - 0 ABSTENTIONS - 0

C. 2021-2022 Taxing and Budget Resolution

MOTION by W. Wentz, SECONDED by N. Foeller, to approve the Lehigh Area School District 2021-2022 Taxing and budget resolution as pertains to applicable taxes levied beginning July 1, 2021.

File Attachments

[2021-22 Final Budget taxing Resolution.pdf \(11 KB\)](#)

J. Beers said this was a tax increase that corrects for mistakes made. D. Bradley said the judge called it misfeasance. He discussed the cost of the stadium and the cost of post employment benefits, student injuries and IEP that are being litigated. He believed the District could reduce taxes by paying off debt and acting with fidelity.

Roll Call Vote:

	Yes	No	Absent	Abstention
Mrs. Gail Maholick, Member	0	X	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	0	X	0	0
Mr. Richard R. Beltz, Member	0	X	0	0
Mr. David F. Bradley, Sr., Member	0	X	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 5 NO - 4 ABSENT - 0 ABSTENTIONS - 0

D. Reports

MOTION by N. Foeller, SECONDED by S. Holland, to approve the following Reports:

May 2021

1. Expenditure Report
2. Expenditure by Object Report
3. Revenue Summary
4. Expenditure Comparison Report
5. Revenue Comparison Report
6. Treasurer's Report

File Attachments

[May 2021 Expenditure Report.pdf \(164 KB\)](#)

[May 2021 Expenditure By Object Report.pdf \(445 KB\)](#)

[May 2021 Revenue Summary.pdf \(97 KB\)](#)

[May 2021 Expenditure Comparison report.pdf \(196 KB\)](#)

[May 2021 Revenue Comparison Report.pdf \(194 KB\)](#)

D. Bradley wanted to postpone the reports since they were not showing individual itemization. He said the hearing to discuss this was set for July 2, 2021. He said the District's legal counsel was looking to move the hearing into August or September. N. Foeller disagreed with postponing.

Roll Call Vote:

	Yes	No	Absent	Abstention
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	0	X	0	0
Mr. Richard R. Beltz, Member	0	X	0	0
Mr. David F. Bradley, Sr., Member	0	X	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	0	X	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 5 NO - 4 ABSENT - 0 ABSTENTIONS - 0

E. General Fund Transfers

MOTION by R. Spinelli, SECONDED by W. Wentz, to approve the following budget transfers to move funds to appropriate functions and/or objects in accordance with School Code and the State Chart of Accounts.

File Attachments

[June 2021 Budget Transfers.pdf \(342 KB\)](#)

D. Bradley asked if this was already spent. E. Rarick said yes. D. Bradley asked Atty. Filer to weigh in on the process of Board approval and the spending of money. Atty. Filer and D. Bradley discussed the process of the transfer of funds and that money should not be spent until the Board approved the expenditure. D. Bradley called it misfeasance. Atty. Filer said how D. Bradley was misquoting the judge's term of misfeasance to the extremes. Atty. Filer said the judge used the term misfeasance as grounds that a member could not be removed from office, from a 16-page written paper, and D. Bradley was (incorrectly) quoting 2 sentences from that paper. D. Bradley disagreed. They continued to discuss the purchasing process and how funds should be transferred first. D. Bradley felt it was done improperly and believed the public should seek resignations for non-compliant actions. Atty. Filer explained how the Board could vote to pay the bills and as long as the funds are not earmarked or already spent on something else, then the Board is in compliance with that section of the law. He then quoted the judge's opinion saying that nothing was proved with regard to the information that was brought forward by D. Bradley. They argued differing opinions. L. Stern called for a roll call vote.

Roll Call Vote:

	Yes	No	Absent	Abstention
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	0	X	0	0
Mr. Richard R. Beltz, Member	0	X	0	0
Mr. David F. Bradley, Sr., Member	0	X	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	0	X	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 5 NO - 4 ABSENT - 0 ABSTENTIONS - 0

F. Food Service Transfers

MOTION by R. Spinelli, SECONDED by S. Holland, to make the following transfer from the General Fund to the Food Service Fund as per the Reimbursements from the Commonwealth:
\$1,002.58 for April 2021.

Roll Call Vote:

	Yes	No	Absent	Abstention
Ms. Joy Beers, Member	X	0	0	0
Mr. Richard R. Beltz, Member	X	0	0	0
Mr. David F. Bradley, Sr., Member	X	0	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	X	0	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0

Mr. Larry Stern, President X 0 0 0

VOTE: YES - 9 NO - 0 ABSENT - 0 ABSTENTIONS - 0

G. Back Pack Buddy Program Donation

MOTION by R. Spinelli, SECONDED by W. Wentz, to accept the donation of \$12,430.74 from Giant Food Stores, to be used for the District Back Pack Buddy Program.

L. Stern thanked Giant Food Stores for their donation to assist families-in-need with additional food items at the District.

Roll Call Vote:

	Yes	No	Absent	Abstention
Mr. Richard R. Beltz, Member	X	0	0	0
Mr. David F. Bradley, Sr., Member	X	0	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	X	0	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	X	0	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 9 NO - 0 ABSENT - 0 ABSTENTIONS - 0

H. Title I Reading Program Donation

MOTION by S. Holland, SECONDED by N. Foeller, to accept the donation of \$125.00 from Griff's Ale Haus & Grille, to be used for the Title I Reading Program at the Elementary Center.

D. Bradley asked how the money was collected. L. Stern said it was a general donation from Griff's Ale Haus & Grille.

Roll Call Vote:

	Yes	No	Absent	Abstention
Mr. David F. Bradley, Sr., Member	0	0	0	X
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	X	0	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	X	0	0	0
Mr. Richard R. Beltz, Member	X	0	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 8 NO - 0 ABSENT - 0 ABSTENTIONS - 1

L. Stern thanked Griff's Ale Haus & Grille for their donation.

I. MTSS EELO Series Grant

MOTION by R. Spinelli, SECONDED by N. Foeller, to approve and accept the 2021-2022 MTSS EELO Series Enhancing Early Literacy Outcomes within Tiered Systems (Grades K-2) Grant agreement between the Commonwealth of Pennsylvania through the Pennsylvania Department of Education and the Lehigh Area School District for the 2021-2022 school year. Total Grant Award \$10,000.00.

File Attachments
[agreement MTSS .pdf \(1,888 KB\)](#)

D. Bradley asked where the funds were being consumed. J. Cleaver explained it would be for grades K-2 for staff training and supplies. D. Bradley asked if it could be used to fund the Lehigh Memorial Public Library, since they are a supporter of early literacy. He felt it could be used to support the library since it would be added to the general fund. J. Cleaver explained that the funds must be accounted for and were pre-determined in order to submit for, and be approved for, the grant from the state. D. Bradley felt that should be reviewed.

Roll Call Vote:

	Yes	No	Absent	Abstention
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	0	0	X	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	X	0	0	0

Mr. Richard R. Beltz, Member	X	0	0	0
Mr. David F. Bradley, Sr., Member	X	0	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 8 NO - 0 ABSENT - 1 ABSTENTIONS - 0

J. Parameters Resolution

D. Bradley thought this was a ridiculous, idiotic thing and asked for the item to be skipped. MOTION by D. Bradley, SECONDED by G. Maholick to remove Agenda Item J from the agenda, because it is ridiculous.

D. Bradley felt it should not be on the agenda. L. Stern explained that it would need to go through the process and be voted on. D. Bradley disagreed. He asked who recommended bringing this item to the meeting. L. Stern said it was discussed in-depth at the Finance Committee Meeting and needed to be voted on in order to move forward. J. Cleaver said it was discussed and advertised that a vote would be taken for this motion. L. Stern asked for public comment.

B. Shaner asked if they were looking to raise taxes, increase the superintendent's salary and borrow money on the same agenda. J. Cleaver said there was a parameters resolution that was agreed to be presented at the Finance Meeting and to the Board at this Board Meeting for a vote. He said there were concerns about moving forward with this, since the District is in a better financial situation now than it was 6 months ago. He explained that this had been worked on since last year. He said there was a plan in place to help bring cash flow back into the District, in addition to curbing expenses. E. Rarick explained that this would just be an official vote. He said he did not believe there was any support for this item from the Board or the Administration. He said it is just a formality since it was advertised to be voted on.

B. Bowes said E. Rarick mentioned at the Finance Committee Meeting how it would not be a good thing to do at this time and everyone concurred. She agreed that it was a formality to vote on it because it was advertised.

K. Sittler expressed her hope that the Board would not vote for this.

F. Kemmerer explained his concern with increasing taxes and felt this would just kick the can down the road. He hoped the Board would vote against this.

W. Zlomsowitch said he discussed this item with E. Rarick at a Finance Committee Meeting. He said he asked E. Rarick if a tax increase would be needed and about COVID funds. W. Zlomsowitch stated that E. Rarick would keep in touch with information to see if all three items needed to be in place and now this became a bad idea. He wanted to know why the Board Members were not continuously asking why these items would be necessary.

L. Stern asked if a vote to strike this item would be sufficient for PFM. E. Rarick said he preferred a yes/no vote. L. Stern felt they needed to go straight to the vote and vote it down.

Roll Call Vote to Strike:

	Yes	No	Absent	Abstention
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	0	X	0	0
Mrs. Rita Spinelli, Treasurer	0	X	0	0
Mr. Wayne Wentz, Member	0	X	0	0
Ms. Joy Beers, Member	X	0	0	0
Mr. Richard R. Beltz, Member	X	0	0	0
Mr. David F. Bradley, Sr., Member	X	0	0	0
Mr. Nathan Foeller, Vice President	0	X	0	0
Mr. Larry Stern, President	0	X	0	0

VOTE: YES - 4 NO - 5 ABSENT - 0 ABSTENTIONS - 0

Motion Failed

MOTION by N. Foeller, SECONDED by R. Spinelli, to approve the parameters resolution for PFM bond restructuring of 2014 and 2015 A notes. Proceeds of the restructuring are to be placed into a restricted fund balance. Proceeds of the restructuring are to be placed into a restricted fund balance.

File Attachments

[Resolution 06.21.21.pdf \(695 KB\)](#)

[Lehighon ASD - Restructuring Refunding Base Case Scenario - 05-06-2021.pdf \(116 KB\)](#)

N. Foeller commented how this was presented over a year ago by the previous business administrator and that he believed it was necessary at the time. He thanked E. Rarick for his work over the last 6 months and believed the District's situation had much improved since then. He said he did not feel it would be necessary now. D. Bradley and N. Foeller discussed how much this would cost the District.

Roll Call Vote to Approve:

	Yes	No	Absent	Abstention
Mr. Stephen Holland, Member	0	X	0	0
Mrs. Gail Maholick, Member	0	X	0	0
Mrs. Rita Spinelli, Treasurer	0	X	0	0
Mr. Wayne Wentz, Member	0	X	0	0
Ms. Joy Beers, Member	0	X	0	0
Mr. Richard R. Beltz, Member	0	X	0	0
Mr. David F. Bradley, Sr., Member	0	X	0	0
Mr. Nathan Foeller, Vice President	0	X	0	0
Mr. Larry Stern, President	0	X	0	0

VOTE: YES - 0 NO - 9 ABSENT - 0 ABSTENTIONS - 0

Motion Failed

K. George's Transportation

MOTION by W. Wentz, SECONDED by S. Holland, to approve schedule A for the 2021-2022 school year with a 1-year pricing extension to the existing George's Transportation contract.

File Attachments

[LASD Schedule A Contract Info.pdf \(60 KB\)](#)

D. Bradley asked about the increase in the contract. E. Rarick explained that there was an increase in the agreement; however, it was taken back to last year's cost, had COVID not been in play. D. Bradley said Mr. George was doing a great job for the District. S. Holland thanked Mr. George for working with the District.

Roll Call Vote:

	Yes	No	Absent	Abstention
Mr. David F. Bradley, Sr., Member	X	0	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	X	0	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	X	0	0	0
Mr. Richard R. Beltz, Member	X	0	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 9 NO - 0 ABSENT - 0 ABSTENTIONS - 0

L. District Solicitor

D. Bradley felt there was misfeasance going on due to the representation from the solicitors King Spry and Filer, so he wished to postpone the vote. MOTION by D. Bradley, SECONDED by G. Maholick, to postpone the appointment and retainer of King Spry Herman Freund & Faul as the Solicitor for Lehigh Area School District for the school years 2021- 2022, 2022-2023, 2023-2024, until the District receives legitimate proposals from three competent, qualified and suitable representation.

J. Beers asked if it was discussed at the Finance Committee Meeting. E. Rarick said yes. She asked what the recommendation was that came from the meeting. E. Rarick said three proposals were put up, one from King-Spry, one from Filer-Schwab, and one from Katz-Stevens. He said there was discussion about the Jim Thorpe School District's solicitor (Beard). He said he reached out to Beard and recently received a quote and added that one to the website for the public to see, as well. J. Beers felt it should go back to the Finance Committee Meeting for discussion, first.

N. Foeller stated how D. Bradley had been pushing to put out an RFP for this. He said an RFP was put out and the responses were reviewed. He believed D. Bradley was requesting to postpone because he did not agree with the decision. D. Bradley stated that when you put out an RFP, you do not just choose someone who shows up with a proposal, sometimes you need to reach out to people. He felt the RFP's were received by solicitors that were not respectable and responsible. L. Stern asked for public comment.

B. Bowes discussed the Beard proposal. She asked why they were not informed about the Beard proposal. E. Rarick said it was just received Friday and was then added to the website with the other RFP's for public view. B. Bowes did not agree with King Spry as the solicitor.

B. Shaner asked why there was a fourth proposal requested. E. Rarick said it was requested by W. Zlomsowitch so he reached out to Beard to request a proposal. E. Rarick did not think there was anything wrong with the other 3 proposals. B. Shaner asked if it needed to be reviewed by the Finance Committee before being brought to the Board. J. Beers said the law does not require it, but felt they should follow their process by bringing it back to the Finance Committee.

W. Zlomsowitch said King Spry is a current solicitor for the District and if they were going to stay with a current solicitor they should stay with Filer-Schwab to keep business locally.

D. Bradley felt they should look into the other attorney that they received the other RFP from, who was in Jim Thorpe, PA. He had a lengthy discussion about Right to Know and IEP litigation. J. Cleaver said his information was incorrect. E. Rarick said how much was spent in IEP litigation. L. Stern stated that the other Attorney was located in Altoona, not Jim Thorpe.

S. Holland was having technical difficulties.

Roll Call Vote to Postpone:

	Yes	No	Absent	Abstention
Mr. Stephen Holland, Member	0	0	X	0
Mrs. Gail Maholick, Member	X	0	0	0
Mrs. Rita Spinelli, Treasurer	0	X	0	0
Mr. Wayne Wentz, Member	0	X	0	0
Ms. Joy Beers, Member	X	0	0	0
Mr. Richard R. Beltz, Member	X	0	0	0
Mr. David F. Bradley, Sr., Member	X	0	0	0
Mr. Nathan Foeller, Vice President	0	X	0	0
Mr. Larry Stern, President	0	X	0	0

VOTE: YES - 4 NO - 4 ABSENT - 1 ABSTENTIONS - 0

Motion Failed

D. Bradley continued to discuss the cost of litigations. The Meeting was having technical difficulties.

F. Kemmerer asked if King Spry could represent us in a full capacity. He felt the District should have one solicitor or it was double dipping. Atty. Filer explained that King Spry had handled the Special Education litigation with the District, since it was a specialized field of law. He said they also handle the litigation issues because it is the Attorney that the District insurance company chooses to work with.

J. Beers said she was not impressed with the attorney from King Spry. She did not feel he was very professional.

S. Holland apologized for his computer issues. He recommended keeping Atty. Filer as the solicitor until the new Board comes on. J. Beers, D. Bradley and W. Wentz agreed.

MOTION by D. Bradley, SECONDED by G. Maholick, to appoint and retain Eric Filer, from Filer & Schwab, as the District Solicitor for Lehigh Area School District until the end of the 2021 calendar year, using his proposal that was submitted to the Finance Committee Meeting.

R. Spinelli agreed but felt the new Board may need additional time to get the RFP completed.

B. Bowes agreed and felt it could be handled at a regular new business meeting right after the Board Reorganization Meeting.

B. Shaner said he was disappointed with L. Stern for not being forthcoming with the technical issues of S. Holland. He asked L. Stern to turn on his camera. He thanked the Board for the positive discussion on this agenda item.

Roll Call Vote for Atty. Filer:

	Yes	No	Absent	Abstention
Mrs. Gail Maholick, Member	X	0	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	X	0	0	0
Mr. Richard R. Beltz, Member	X	0	0	0
Mr. David F. Bradley, Sr., Member	X	0	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 9 NO - 0 ABSENT - 0 ABSTENTIONS - 0

Motion Passed

Item FAILED, due to lack of motion or second, for the appointment and retainer of King Spry Herman Freund & Faul as the Solicitor for Lehigh Area School District for the school years 2021- 2022, 2022-2023, 2023-2024 according to the enclosed RFP.

File Attachments

[RFP Lehigh Area School District Solicitor Services DRAFT PROPOSAL 6.4.21.pdf \(163 KB\)](#)
[RFP Lehigh Area School District Solicitor Services COVER LETTER FINAL 6.4.21.pdf \(201 KB\)](#)

M. PSBA Policy Maintenance Program

MOTION by W. Wentz, SECONDED by R. Spinelli, to approve the PSBA Policy Maintenance Program Participation Agreement.

File Attachments

[PolicyMaintenance ParticAgreement Signature Form.pdf \(183 KB\)](#)

J. Beers questioned if there was an additional cost associated with this. J. Cleaver said the cost was included with the PSBA All-Access Pass. J. Beers asked what they would be agreeing to. J. Cleaver said the terms and conditions.

D. Bradley did not agree. He felt they were a lobbyist group and did not want this. He did not agree with their policies.

Roll Call Vote:

	Yes	No	Absent	Abstention
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	0	X	0	0
Mr. Richard R. Beltz, Member	0	X	0	0
Mr. David F. Bradley, Sr., Member	0	X	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	0	X	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 5 NO - 4 ABSENT - 0 ABSTENTIONS - 0

N. Per Capita/Occupational Tax Exemptions

MOTION by D. Bradley, SECONDED by R. Spinelli, to approve the following exemptions from Per Capita and/or Occupational Tax:

June
2021

<u>NAME</u>	<u>ACCOUNT #/ BILL NUMBER</u>	<u>BOROUGH/ TOWNSHIP</u>	<u>YEAR & TAX</u>	<u>AMOUNT</u>	<u>FINDING</u>
Ahner, Donna	16FT0601250022	Franklin Township	2016 Per Capita Tax	11.00	Deceased February 2017
Culp, Mary	20LB3055452	Lehigh Township	2020 Per Capita & Occupational Tax	16.50+137.50	Non-resident
Gilham, Elaine	20LB2850502	Lehigh Township	2020 Per Capita Tax	16.50	Deceased October 2019
Heckman, Kayla	20EP852144	East Penn Township	2020 Per Capita & Occupational Tax	11.00+137.50	Non-resident
Morris, Alice	20EP751111	East Penn Township	2020 Per Capita Tax	11.00	Deceased August 2020
Plajer, Brian	20MT3554961	Mahoning Township	2020 Per Capita & Occupational Tax	11.00+275.00	Non-resident
Plajer, Noelle	20MT3554962	Mahoning Township	2020 Per Capita & Occupational Tax	11.00+412.50	Non-resident

D. Bradley discussed dissolving per capita tax. He asked how much was collected. E. Rarick said about \$100,000 for Per Capita Tax, and Occupational Tax was significantly higher. D. Bradley asked why the District could not get rid of those taxes. He asked E. Rarick for a total of those two taxes to see if there was a way to remove them. E. Rarick said Per Capita was \$93,350 and Occupational Tax was \$777,800.

Roll Call Vote:

	Yes	No	Absent	Abstention
Mr. Wayne Wentz, Member	X	0	0	0

Ms. Joy Beers, Member	X	0	0	0
Mr. Richard R. Beltz, Member	X	0	0	0
Mr. David F. Bradley, Sr., Member	X	0	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	X	0	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 9 NO - 0 ABSENT - 0 ABSTENTIONS - 0

O. Activities Funds

MOTION by N. Foeller, SECONDED by W. Wentz, to approve the Lehigh Area High School and Lehigh Area Middle School Activities Funds for 2021

File Attachments

[HS Activities May 2021.pdf \(199 KB\)](#)

[MS Activities Fund May 2021.pdf \(188 KB\)](#)

Roll Call Vote:

	Yes	No	Absent	Abstention
Ms. Joy Beers, Member	X	0	0	0
Mr. Richard R. Beltz, Member	X	0	0	0
Mr. David F. Bradley, Sr., Member	0	0	0	X
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	X	0	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 8 NO - 0 ABSENT - 0 ABSTENTIONS - 1

P. Payment of Bills

MOTION by R. Spinelli, SECONDED by N. Foeller, to approve the following Payment of Bills:

June 2021:

General Fund:

--Manual Checks \$ 1,104,081.83
 --Regular Checks \$ 1,342,169.17
 --Credit Card \$ 12,731.12

Debit Card: \$ 2,265.87

Payroll (May): \$ 1,216,331.27

Food Service Fund: \$ 86,566.76

Total: \$3,764,146.02

File Attachments

[JUN-GF-BOARD 6-28-21.pdf \(553 KB\)](#)

[JUN VOID CK# 10021225.pdf \(42 KB\)](#)

[JUN-DC-BOARD 6-28-21.pdf \(66 KB\)](#)

[JUN PAYROLL BOARD 6-28-21.pdf \(119 KB\)](#)

[JUN-FS-BOARD 6-28-21.pdf \(72 KB\)](#)

D. Bradley requested to postpone this item until the judge rules on it at the end of the week. Atty. Filer mentioned that the paperwork was not served, so he did not believe the judge would be hearing it this week. He said that was why King Spry was looking to have the case dismissed or continued. D. Bradley asked if Atty. Filer did not receive the paperwork from King Spry. Atty. Filer said they did not receive the paperwork from the respondent's side.

Roll Call Vote:

	Yes	No	Absent	Abstention
Mr. Richard R. Beltz, Member	0	X	0	0
Mr. David F. Bradley, Sr., Member	0	X	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	0	X	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	0	X	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 5 NO - 4 ABSENT - 0 ABSTENTIONS - 0

3. Personnel

A. Superintendent Contract Extension

MOTION by W. Wentz, SECONDED by R. Spinelli, to approve the enclosed 3-year contract extension for Jonathan J. Cleaver as the Lehigh Area School District Superintendent.

The following will be revisions from the 2020-2021 school term:

1. 2021-2022 at 2% salary increase to the 2020-2021 school term base salary of \$145,000
2022-2023 at 2% salary increase to the 2021-2022 school term salary
2023-2024 at 2% salary increase to the 2022-2023 school term salary
2. Option for up to five (5) remaining vacation days, per year, to be paid out at \$400.00 per day.
3. All other current language will remain the same.

File Attachments

[MEMORANDUM OF UNDERSTANDING JJ Cleaver 06.2021.pdf](#)

J. Beers discussed the issues they had within the last 10 years of the Superintendent's contract. She did not agree with his extension.

R. Spinelli reminded everyone that there were financial issues in the past, but Mr. Cleaver is an educator not a financial advisor. She said the majority of the staff she had spoken to agree that Mr. Cleaver is a good educational leader. She said the financial issues had been resolved and felt he did a great job in the District for the last year during COVID. She said the most important job was to keep the students educated and safely in school. She felt J. Cleaver deserved to stay.

N. Foeller agreed with R. Spinelli.

D. Bradley said the District is getting special help from the state because he believed the District is not providing proper Free and Public Education to a group of special needs students within our community. He discussed issues with the virtual meetings. He felt it was irrational and illogical to extend his contract.

J. Beers asked to mirror the solicitor motion and extend it until the new Board comes on.

D. Bradley was discussing open records office information and J. Cleaver felt he was giving inaccurate information. D. Bradley felt he was not seeking input from stakeholders. He cited information from the Supreme Court in regards to the District policies. J. Cleaver said that information was not correct. Atty. Filer said he was reading information from the dissenting opinion, which was the side that lost. D. Bradley was discussing NEF and that J. Cleaver stopped responding to Art Stellar from NEF, who felt that behavior was most unprofessional. D. Bradley believed the NEF program was not administered properly regardless of the stipend paid to J. Cleaver. He said they need to change the coach and not hogtie the District for another 3 years.

J. Cleaver explained how the High School is working diligently to make improvements with the subgroup in regards to growth. He explained that many districts do not even have that subgroup. He commended the High School Administration for their work with implementing changes to curriculum in order to assist the process for those programs that take place. He said he was not debating anything in the Auditor General's report; however, he did not have any knowledge of any financial payment being made to NEF until he received an email in August of 2019 asking for a payment. He explained that Ms. Denicola had reached out to the Auditor General's office because of her findings with financial information. He said they worked with the Auditor General's office to provide all documentation. He mentioned that he was not aware of Art Stellar's involvement until the Auditor General reached out to NEF and there was a reply that they were referred to him. J. Cleaver mentioned that Art Stellar tried to reach out to discuss information prior to him speaking with the Auditor General, which he felt was a big red flag. He said he did receive a stipend to institute a Math and ELA program, which the business manager also received; however, the business manager had it implemented directly into his salary through an MOU. He discussed the QZAB paperwork and payments and credited Ms. Denicola for bringing the information to light and for contacting the Auditor General. He mentioned how the Auditor General was happy with the responses and how the District is moving forward and the plans put in place. He mentioned that E. Rarick has been continuing to bring forward information and felt it was more information than had been released previously. He explained that there were about 1,000 students that took two tests in Math and ELA online, every week, it would add up to more than 10,000 pages of individual student data in reports. He said any NEF documentation that was on file was released to D. Bradley through Right to Know.

D. Bradley felt J. Cleaver needed to be responsible for his actions and only wanted to give him enough time to allow the new Board to make their decision for Superintendent. Atty. Filer said they should allow the Superintendent to serve the full school year and reminded the Board of the stipulation in the Superintendent contract stating a 1-year notice of termination or an auto-renewal for one year would take place. He explained that he is currently employed on an auto-renewal. D. Bradley said he would be paid for one year regardless of what happens. He recommended giving notice of termination now in order to have the 1-year notice given prior to the auto-renewal for the next year.

MOTION by D. Bradley, SECONDED by J. Beers to provide notice of termination of the Superintendent's contract at

the end of the 2021-2022 school year, prior to June 30, 2021.

R. Spinelli and L. Stern did not agree.

W. Zlomsowitch said he found it appalling to give a raise to the Superintendent, when R. Spinelli and N. Foeller were on the negotiating committee for the teachers and the teachers got nothing. R. Spinelli commented how that comment was not correct. W. Zlomsowitch felt the teachers received a stipend that helped to reimburse what they paid out of their pockets, after two years. He said they were given nothing. R. Spinelli said that was his opinion. N. Foeller agreed that they received more than just a stipend. L. Stern and J. Cleaver agreed that the comment by W. Zlomsowitch was false. L. Stern said the teachers were able to move two steps in an increase of salary.

K. Sittler asked why J. Cleaver is being given assurances. She began discussing the hazing incident and asked who would be looking out for the students on the tail end of the hazing. She said it is their responsibility to protect the students and it should have never happened.

F. Kemmerer asked about the contract stipulations. Atty. Filer explained the 1-year auto renewal clause in the Superintendent contract. F. Kemmerer explained that if the Superintendent works past July 1, 2021 without notice of the termination of the contract then his contract would automatically renew for the second year and the new Board would not be able to make that decision. Atty. Filer agreed.

B. Bowes questioned the automatic renewal if it goes beyond the 3-year contract. Atty. Filer recommended giving notice within the next 2 days, if the District would like to terminate the agreement. She said she does expect the Board to extend the contract for 3 years.

J. Cleaver clarified the Teacher Contract comment saying the District gave an average of a 5% increase in salary and an additional \$1,000 stipend for each professional.

B. Shaner asked the Board to allow the new Board to make a determination for the Superintendent as they did for the Solicitor.

Roll Call Vote to Terminate Contract:

	Yes	No	Absent	Abstention
Mr. David F. Bradley, Sr., Member	X	0	0	0
Mr. Nathan Foeller, Vice President	0	X	0	0
Mr. Stephen Holland, Member	0	X	0	0
Mrs. Gail Maholick, Member	X	0	0	0
Mrs. Rita Spinelli, Treasurer	0	X	0	0
Mr. Wayne Wentz, Member	0	X	0	0
Ms. Joy Beers, Member	X	0	0	0
Mr. Richard R. Beltz, Member	X	0	0	0
Mr. Larry Stern, President	0	X	0	0

VOTE: YES - 4 NO - 5 ABSENT - 0 ABSTENTIONS - 0

Motion Failed

Roll Call Vote to Approve Contract:

	Yes	No	Absent	Abstention
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	0	X	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	0	X	0	0
Mr. Richard R. Beltz, Member	0	X	0	0
Mr. David F. Bradley, Sr., Member	0	X	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 5 NO - 4 ABSENT - 0 ABSTENTIONS - 0

Motion Passed

J. Cleaver thanked the Board who voted in favor of his contract extension. He said he would continue the positive trend forward and gave credit to other administrators for the work that they do to get the District back to where it needs to be.

B. Lehigh Area Educational Support Personnel Association Agreement

MOTION by W. Wentz, SECONDED by R. Spinelli, to approve the Lehigh Area Educational Support Personnel Association Agreement for the 2021-2022 and 2022-2023 term, as per the enclosure.

D. Bradley felt this item should be postponed in order to be negotiated properly through the Board. J. Beers agreed because there was no professional negotiator involved. MOTION by D. Bradley, SECONDED by J. Beers to postpone the Lehigh Area Educational Support Personnel Association Agreement for the 2021-2022 and 2022-2023 term, until such time that the Board may negotiate the agreement properly for the benefit of the community.

W. Wentz felt they saved a lot of money by not utilizing a professional negotiator. J. Beers and D. Bradley questioned the truth of that comment. R. Spinelli was not in favor of tabling this item. She said she was involved with the negotiating committee. She was kept apprised with every meeting and felt a professional negotiator could be very expensive. D. Bradley argued with R. Spinelli and L. Stern. L. Stern asked for public comment.

G. Bowman asked if the Support Union was happy with the agreement. J. Cleaver said it was a unanimous approval.

B. Shaner did not agree if the union was happy that the Board should push it through. He asked how much money was saved by not utilizing a professional negotiator. J. Cleaver said the last time they used a professional negotiator they charged about \$180 per hour plus email charges and fees for paralegal preparations.

B. Bowes felt they should take care of their support employees and did not think they should table the vote.

Roll Call Vote to Postpone Agreement:

	Yes	No	Absent	Abstention
Mr. Nathan Foeller, Vice President	0	X	0	0
Mr. Stephen Holland, Member	0	X	0	0
Mrs. Gail Maholick, Member	X	0	0	0
Mrs. Rita Spinelli, Treasurer	0	X	0	0
Mr. Wayne Wentz, Member	0	X	0	0
Ms. Joy Beers, Member	X	0	0	0
Mr. Richard R. Beltz, Member	X	0	0	0
Mr. David F. Bradley, Sr., Member	X	0	0	0
Mr. Larry Stern, President	0	X	0	0

VOTE: YES - 4 NO - 5 ABSENT - 0 ABSTENTIONS - 0

Motion Failed

Roll Call Vote to Approve Agreement:

	Yes	No	Absent	Abstention
Mrs. Gail Maholick, Member	X	0	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	0	X	0	0
Mr. Richard R. Beltz, Member	0	X	0	0
Mr. David F. Bradley, Sr., Member	0	X	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 6 NO - 3 ABSENT - 0 ABSTENTIONS - 0

Motion Passed

C. Candidates for Employment of Summer Positions for Academics and Adventures Camp

MOTION by W. Wentz, SECONDED by N. Foeller, to approve the following requests for Summer Positions, as per Collective Bargaining contracted rates, funded by the ESSER Grant, pending any necessary paperwork:

The number of hours, dates and times available may vary according to registration confirmations.

Rhonda Zerbe - Professional - Middle School/Elementary Center

Jacqueline Ronemus - Paraprofessional - Middle School/Elementary Center

Roll Call Vote:

	Yes	No	Absent	Abstention
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	0	X	0	0
Mr. Richard R. Beltz, Member	0	X	0	0
Mr. David F. Bradley, Sr., Member	0	X	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	X	0	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 6 NO - 3 ABSENT - 0 ABSTENTIONS - 0

D. Candidates for Summer Cleaners

MOTION by R. Spinelli, SECONDED by W. Wentz, to approve the following candidates for employment as Summer Cleaners at a minimum of \$9.47 per hour, date effective pending any necessary paperwork:

1. **Allane Kistler**

Roll Call Vote:

	Yes	No	Absent	Abstention
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	0	X	0	0
Mr. Richard R. Beltz, Member	0	X	0	0
Mr. David F. Bradley, Sr., Member	0	0	0	X
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	X	0	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Larry Stern, President	X	0	0	0

D. Bradley abstained due to lack of information.

VOTE: YES - 6 NO - 2 ABSENT - 0 ABSTENTIONS - 1

E. Candidates for Employment

MOTION by W. Wentz, SECONDED by N. Foeller, to approve the following candidates for employment in accordance with their respective contracts:

1. **Justin Ungaro** - High School Spanish Teacher - Date effective pending any necessary paperwork, at Step 1 Bachelor's Degree, at an annual salary of \$43,000 for the 2021-2022 School Year.
2. **Lydia DeLong** - Music Teacher - Date effective pending any necessary paperwork, at Step 1 Bachelor's Degree, at an annual salary of \$43,000 for the 2021-2022 School Year.
3. **Zoe David** - Elementary Special Education Teacher - Date effective pending any necessary paperwork, at Step 1 Bachelor's Degree, at an annual salary of \$43,000 for the 2021-2022 School Year.
4. **Tyler Cann** - Elementary Special Education Teacher - Date effective pending any necessary paperwork, at Step 2 Bachelor's Degree, at an annual salary of \$44,000 for the 2021-2022 School Year.
5. **Donna Zacharias** - Title I Reading Specialist - Date effective pending any necessary paperwork, at Step 3 Master's Degree, at an annual salary of \$45,850 for the 2021-2022 School Year.
6. **Samantha Elias** - Middle School Guidance Counselor - Date effective pending any necessary paperwork, at Step 1 Master's Degree, at an annual salary of \$43,850 for the 2021-2022 School Year.
7. **Allane Kistler** - Part-Time Cleaner - Date effective August 23, 2021, at Step 1, at \$9.82 per hour for the 2021- 2022 School Year

D. Bradley asked who did the interviews and if these people were replacing employees that left. J. Cleaver stated that the positions are replacing individuals that have retired (or resigned) with the exception of one addition of an Elementary Center Special Education Teacher, due to the large caseload, which was in the current budget for the 2021-2022 school year.

Roll Call Vote:

	Yes	No	Absent	Abstention
Mrs. Gail Maholick, Member	X	0	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	0	X	0	0
Mr. Richard R. Beltz, Member	0	X	0	0
Mr. David F. Bradley, Sr., Member	0	0	0	X
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mr. Larry Stern, President	X	0	0	0

D. Bradley Abstained due to lack of information.

VOTE: YES - 6 NO - 2 ABSENT - 0 ABSTENTIONS - 1

F. Candidates for the Substitute List

MOTION by W. Wentz, SECONDED by R. Spinelli, to approve the following list of requested candidates for the 2021-2022 Substitute List, pending any necessary paperwork:

1. **Erika Katona** - Substitute Paraprofessional

Roll Call Vote:

	Yes	No	Absent	Abstention
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	0	X	0	0
Mr. Richard R. Beltz, Member	0	X	0	0
Mr. David F. Bradley, Sr., Member	0	0	0	X
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	X	0	0	0
Mr. Larry Stern, President	X	0	0	0

D. Bradley abstained due to lack of information.

VOTE: YES - 6 NO - 2 ABSENT - 0 ABSTENTIONS - 1

G. Pre-Approval of Courses/Programs of Study

MOTION by W. Wentz, SECONDED by R. Spinelli, to approve the following requests for pre-approval of courses/Programs of Study for continuing education:

1. **Employee #1476** – July 26-August 18, 2021/An Educator's Guide to Managing and Solving Discipline Problems (\$ 270.00)
2. **Employee #1476** – September 13-October 11, 2021/Classroom Management for the 21st Century Educators(\$ 270.00)

Roll Call Vote:

	Yes	No	Absent	Abstention
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	X	0	0	0
Mr. Richard R. Beltz, Member	0	X	0	0
Mr. David F. Bradley, Sr., Member	X	0	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	X	0	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 8 NO - 1 ABSENT - 0 ABSTENTIONS - 0

H. Use of School Property

MOTION by W. Wentz, SECONDED by N. Foeller, to approve Use of School Property for the following requests:

1. **National Honor Society (Melissa Clark)** – September 30, 2021 – 6:30 PM – High School Auditorium – Parent Info Meeting
2. **National Honor Society (Melissa Clark)** – November 18, 2021 – 6:00 – 9:00 PM – High School Auditorium – National Honor Society Inductions
3. **National Honor Society (Melissa Clark)** – November 17 & 18, 2021 – 1:30-3:30 PM – High School Auditorium – National Honor Society Induction Practice
4. **National Honor Society (Melissa Clark)** – August 24, 2021 – 12:00-8:00 PM – Student High School Parking Lot – Food Truck & Community Resource Festival
5. **National Honor Society (Melissa Clark)** – December 22, 2021 – After lunch (2 hours) – High School Cafeteria – Winter Social
6. **High School (Sue Howland)** – August 4-6, 2021 – 9:00 AM-4:00 PM – High School Auditorium – Senior Photos
7. **High School (Sue Howland)** – August 26, 2021 – 6:00 PM – High School – New and Incoming Student Open House
8. **Guidance (Kathy Martin)** – August 28, October 2, November 6, December 4, 2021 and March 12, May 7, June 4, 2022 – 7:00 AM-2:00 PM – High School Classrooms – SAT Testing
9. **Lehighon Boys Basketball Parents Club (Trevor Miller)** – July 6-9, 2021 – 8:00 AM-1:00 PM – Elementary Gym – Youth Basketball Camp
10. **Girls Basketball Parents Club (Paula Fisher)** – August 10-11, 2021 – 6:00-8:00 PM – Elementary Center Gym – Skills Camp for Grades 3-8
11. **Kiss The Girl Productions LLC (Taylor Biechy)** – July 12, 2021 7:00 AM-4:00 PM – High School Hallway & Classrooms 0 Filming a TV Pilot "The Nameless"
12. **LABBA Band Boosters (Angela Christman)** – October 16, 2021 at 8:00 AM (Raindate October 17, 2021) – Old Stadium, Old Practice Field and Outside Fields – Fall Festival & Meadow Muffin Bingo
13. **LABBA Band Boosters (Bryan Buffington & Angela Christman)** – July 8, 2021 – 7:00-9:00 PM – High School Band Room – LABBA Monthly Meeting
14. **Touchdown Club (Ed Rarick)** – July 15, August 19 & September 16, 2021 – 7:00 PM – Multipurpose stadium & Common area by stand – Touchdown Club Meetings
15. **Lehighon Takedown Club (Floyd Brown)** – July 26-28, 2021 and August 2-4, 2021 – 9:00 AM-12:00 PM – High School Wrestling Room – Summer Camp

16. LAHS Band (Bryan Buffington) – High School Outside Fields, Auditorium & Classroom - Summer Band Rehearsals as follows:

July 6, 2021 - 6:00-8:00 PM
 July 7, 2021 - 9:00 AM-2:00 PM
 July 13, 2021 - 6:00-8:00 PM
 July 14, 2021 - 9:00 AM-2:00 PM
 July 20, 2021 - 6:00-8:00 PM
 July 21, 2021 - 9:00 AM-2:00 PM
 July 27, 2021 - 6:00-8:00 PM
 July 28, 2021 - 9:00 AM-2:00 PM

Roll Call Vote:

	Yes	No	Absent	Abstention
Ms. Joy Beers, Member	X	0	0	0
Mr. Richard R. Beltz, Member	X	0	0	0
Mr. David F. Bradley, Sr., Member	X	0	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	X	0	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 9 NO - 0 ABSENT - 0 ABSTENTIONS - 0

4. Programs

A. First Reading of Policies

MOTION by N. Foeller, SECONDED by W. Wentz, to move the following policies for First Reading for Public Review and Comment:

[218.3 Students Convicted or Adjudicated Delinquent of Sexual Assault \(New Policy\)](#)

[800.2 Electronic Signatures/Records \(New Policy\)](#)

D. Bradley felt the Policy Committee Meetings were not attended properly.

Roll Call Vote:

	Yes	No	Absent	Abstention
Mr. Richard R. Beltz, Member	0	X	0	0
Mr. David F. Bradley, Sr., Member	0	X	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	X	0	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	0	X	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 6 NO - 3 ABSENT - 0 ABSTENTIONS - 0

B. Second Reading and Final Approval of Policies

MOTION by W. Wentz, SECONDED by R. Spinelli, to approve the following policies for Second Reading and Final Approval:

[113.1 - Discipline of Students with Disabilities](#)

[113.4 - Confidentiality of Special Education Student Information \(New Policy\)](#)

[626 - Federal Fiscal Compliance](#)

[626.2 - Travel Reimbursement](#)

[626.3 - Cash Management](#)

[626.4 - Allowability of Costs](#)

[626.5 - Procurement For Federal Grants](#)

[626.6 - Administration of Federal Funds - Type of Costs, Obligations and Property Management \(New Policy\)](#)

[626.7 - Grant Subrecipient Monitoring Procedures - Federal Programs \(New Policy\)](#)

Roll Call Vote:

	Yes	No	Absent	Abstention
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	X	0	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0

Ms. Joy Beers, Member	0	X	0	0
Mr. Richard R. Beltz, Member	0	X	0	0
Mr. David F. Bradley, Sr., Member	0	X	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 6 NO - 3 ABSENT - 0 ABSTENTIONS - 0

5. Miscellaneous

A. Waiver of Expulsion

MOTION by R. Spinelli, SECONDED by S. Holland, to approve the Waiver of Expulsion Hearing and Admission of Facts Student # 56831

D. Bradley questioned the lawful authority that allows the Waiver of Expulsion Hearing and Admission of Facts. Atty. Filer explained that it is a joint agreement between the alleged individual and parents and the District to avoid due process hearings and all of the requirements for an expulsion. He explained that this is how an expulsion is handled when a student does not wish to contest the matter. D. Bradley felt it was not legitimate under the code. Atty. Filer stated they have a right to waive their rights. L. Stern said that the individual would still be getting an education even if they were getting expelled. D. Bradley did not feel the individual's rights were being properly processed. Atty. Filer said that decision is up to the student to decide and not the Board. D. Bradley felt they were being intimidated and believed they should have the right to a due process hearing. Atty. Filer reiterated that they were waving their right. D. Bradley asked if they were doing so in an educated fashion. Atty. Filer said the notices sent to the student were in conformity with the notice requirements to begin an expulsion process. D. Bradley asked if they could afford their own lawyer. Atty. Filer said that is not something he would look into. He explained the Board must remain as an impartial entity in case of the event where they may become the deciding factor. He warned D. Bradley that he could not take a side. D. Bradley wanted to postpone this.

Roll Call Vote:

	Yes	No	Absent	Abstention
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	X	0	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	0	0	0	X
Mr. Richard R. Beltz, Member	0	X	0	0
Mr. David F. Bradley, Sr., Member	0	X	0	0
Mr. Larry Stern, President	X	0	0	0

J. Beers abstained due to lack of information.

VOTE: YES - 6 NO - 2 ABSENT - 0 ABSTENTIONS - 1

B. School Board Treasurer

L. Stern called for nominations for School Board Treasurer per policy #005 for a one-year term, effective July 1, 2021 to June 30, 2022.

D. Bradley nominated himself for School Board Treasurer.

L. Stern nominated R. Spinelli to continue as School Board Treasurer.

R. Spinelli said she would gladly do it for the rest of the term or until the new Board decides otherwise. She said she felt J. Beers should do it the last time when she was nominated by D. Bradley, but J. Beers did not want to hold the position. She said she researched the position and the Treasurer has duties that are no longer done by a Board Member. She felt if the new Board wanted to spend the entire day doing the duties of the Treasurer, then they may do so, she agreed to do the job of Treasurer that most school districts do. D. Bradley argued about the treasurer duties.

MOTION by W. Wentz, SECONDED by N. Foeller, to close nominations.

J. Beers knows D. Bradley is committed and would go the extra mile.

B. Bowes disagreed with having D. Bradley as the Treasurer since he will not be on the Board past November.

G. Bowman agreed with B. Bowes.

MOTION by D. Bradley, SECONDED by R. Beltz, to elect D. Bradley as School Board Treasurer for a one-year term, effective July 1, 2021 to June 30, 2022.

Roll Call Vote for D. Bradley as Treasurer:

Yes No Absent Abstention

Mr. Stephen Holland, Member	0	X	0	0
Mrs. Gail Maholick, Member	X	0	0	0
Mrs. Rita Spinelli, Treasurer	0	X	0	0
Mr. Wayne Wentz, Member	0	X	0	0
Ms. Joy Beers, Member	X	0	0	0
Mr. Richard R. Beltz, Member	X	0	0	0
Mr. David F. Bradley, Sr., Member	X	0	0	0
Mr. Nathan Foeller, Vice President	0	X	0	0
Mr. Larry Stern, President	0	X	0	0

VOTE: YES - 4 NO - 5 ABSENT - 0 ABSTENTIONS - 0

Motion Failed

MOTION by W. Wentz, SECONDED by N. Foeller, to elect R. Spinelli as School Board Treasurer for a one-year term, effective July 1, 2021 to June 30, 2022.

Roll Call Vote for R. Spinelli as Treasurer:

	Yes	No	Absent	Abstention
Mrs. Gail Maholick, Member	0	X	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	0	X	0	0
Mr. Richard R. Beltz, Member	0	X	0	0
Mr. David F. Bradley, Sr., Member	0	X	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 5 NO - 4 ABSENT - 0 ABSTENTIONS - 0

Motion Passed

6. New Business for Discussion

A. PSERS

D. Bradley asked if the District could put PSERS funds in an escrow account until such time the FBI investigation is completed. Atty. Filer said they are contractually obligated to pay PSERS. E. Rarick said state funds would be withheld if PSERS would not be paid.

B. Common Core

D. Bradley wanted to terminate common core from the School District. J. Cleaver said the District does not follow Common Core, they follow the Pennsylvania Core Standards. He said he did not know what the legal or financial ramifications would be by doing that. L. Stern asked D. Bradley to research what the legal ramifications would be. N. Foeller and S. Holland wished to adjourn the meeting.

7. Communications

A. Directors' Concerns

None at the time

B. Public Comment

None at the time

C. Upcoming Meeting Announcements

The next Buildings & Grounds Committee Meeting will be rescheduled to July 6, 2021 at 9:00 AM.
The July Finance, Athletics, Policy & Academic Affairs Committee Meeting will be cancelled.
The next Board Meeting will be held on Monday, July 12, 2021, at 7:00 PM.

D. Adjournment

MOTION by R. Spinelli, SECONDED by S. Holland, to adjourn the Meeting. The June 28, 2021 Board Meeting was adjourned at 11:40 PM.

Respectfully Submitted,

Edward Rarick, Board Secretary
by Janine Partenio - Recording Secretary