FERNDALE AREA SCHOOL DISTRICT
Board Meeting Minutes
Board Room
October 12, 2011

I.	The October 12, 2011 Board Meeting of the Ferndale Area School Board was held in the Board Room of the Elementary School, 100 Dartmouth Avenue, Johnstown, Pennsylvania. The Meeting was called to order by Mr. Banks at 6:05 p.m.
II.	Pledge of Allegiance
	Notice was given that the Meeting of the Ferndale Area School Board conducted in the Board Room will be tape recorded and entry constitutes consent to the taping of any individual who comments.
III.	Roll Call: Present: Susan Bailey, Ridley Banks, Greg Blue, Sandra Chobany, Melissa Garman, Edward Jones, Wayne Meekins, Barbara Penna, and Stephen Thompson. Absent: None.
	Student Board Representatives: Present: Elizabeth Chobany. Absent: Ashlee Grow.
	Others in attendance were Carole Kakabar, William Brotz, John Kowal, Brian McDermott, Administrators; Robert Boyle, At-Risk Coordinator; Attorney David Novak, Solicitor; Susan Layton, Stephanie Mino, Teachers; Judith Virgin, School Nurse; Cassandra Jones and Ben Hoover, UPJ Students; Patricia Craig, Recording Secretary.
IV.	Hearing of Citizens/Ferndale Area Education Association
V.	Committees Agenda
1.	Board
BD-07-10/11	Mr. Jones made a motion, seconded by Mrs. Penna, to approve the October 12, 2011 Board Meeting Consent Agenda items (BD-08-10/11 through P-42-10/11).
BD-08-10/11	Approve the Minutes of the September 21, 2011 Board Meeting, as presented.
IBD-09-10/11	The Appalachia Intermediate Unit 8 Board of Directors has approved the election of IU8 Board Members through the method of mail ballot.
IBD-10-10/11	Received a bereavement thank you from the family of Helen Keim (Susan Bailey's mother).

BG-07-10/11

Approve the request of the Ferndale Recreation (Responsible Officer - Mark Wissinger, Jr.) to use the Elementary Gymnasium for Ferndale Recreation Basketball (Grades 2 through 6) from November 5, 2011 through March 31, 2012 on Tuesdays and Thursdays from 6:00 p.m to 8:00 p.m., and on Saturdays from 9:00 a.m. to 1:00 p.m., providing that no conflicts occur with District programs. (Received insurance and completed use of facilities form certifying compliance with clearance requirements.)

BG-08-10/11

Approve the request of the Ferndale Recreation (Responsible Officer - Mark Wissinger, Jr.) to use the Elementary Gymnasium for wrestling practice for Ferndale Area elementary students from November 2, 2011 through March 31, 2012 on Mondays, Wednesday, and Fridays from 6:00 p.m. through 8:00 p.m., providing that no conflicts occur with District programs. (Received insurance and completed use of facilities form certifying compliance with clearance requirements.) Note: Home wrestling meets will be approved at a future meeting.

IE-14-10/11

The following have been assigned as student teachers (UPJ) in the Ferndale Area Elementary School from October 17, 2011 to December 9, 2011:

Student Teacher	Cooperating Teacher	
Jaret Chilcote	Janet Russell	Grade 2
Erica DelSignore	Susan Pudliner	Grade 2
Sabrina Martinec	Rachelle Hrabosky	Grade 4
Laura Whiteford	Stephanie Mino	Grade 5
Melinda Hodges	Debra Utz	Grade 5

IE-15-10/11

Ten FAHS students have received ACE/Dual Enrollment Scholarships for courses taken at Penn Highlands Community College. They will each be refunded for one 3 credit course taken this year at PHCC.

F-06-10/11

Approve the September Treasurer's Report, as presented.

F-07-10/11

Approve the General Fund and Cafeteria Bills, as presented.

F-08-10/11

Approve the following Resolution:

DELINQUENT COST RESOLUTION

A RESOLUTION OF THE GOVERNING BOARD OF FERNDALE AREA SCHOOL DISTRICT, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING AND EMPOWERING ITS LOCAL TAX COLLECTOR, BERKHEIMER, TO IMPOSE AND RETAIN COSTS OF COLLECTION ON DELINQUENT TAXES.

WHEREAS, FERNDALE AREA SCHOOL DISTRICT, CAMBRIA COUNTY, by Resolution, has levied, assessed and provided for the collection of certain local taxes under and pursuant to the authority of the Act No. 511 of the 1965 General Assembly of the Commonwealth of Pennsylvania, enacted December 31, 1965, and effective January 1, 1966, as amended; and

WHEREAS, FERNDALE AREA SCHOOL DISTRICT, CAMBRIA COUNTY, has hired Berkheimer to collect said taxes levied by the FERNDALE AREA SCHOOL DISTRICT, CAMBRIA COUNTY, including taxes that are or may become delinquent; and

WHEREAS, pursuant to Act 192 of the 2003-2004 General Assembly of the Commonwealth of Pennsylvania, FERNDALE AREA SCHOOL DISTRICT, CAMBRIA COUNTY, has the right to impose a cost of collection on taxes that become delinquent and/or that remain due and unpaid;

NOW, THEREFORE, BE IT RESOLVED that

1. FERNDALE AREA SCHOOL DISTRICT, CAMBRIA COUNTY APPROVES AND ADOPTS the Cost of Collection Schedule attached hereto and made apart of this Resolution to be imposed by BERKHEIMER upon any taxpayer whose taxes are or become delinquent and/or remain due and unpaid.

2. BERKHEIMER is authorized to retain said costs of collection set forth in the attached schedule incurred in recovering delinquent taxes and assessed to the delinquent taxpayer as allowed by law.

3. Any resolution or part of this resolution conflicting with the provisions of this resolution be and the same are hereby repealed to the extent of such conflict.

ENACTED into a RESOLUTION this 12th day of October, 2011.

F-09-10/11

Approve the following Resolution:

CONFIDENTIAL CONTACT RESOLUTION

A RESOLUTION OF THE GOVERNING BOARD OF FERNDALE AREA SCHOOL DISTRICT, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING, EMPOWERING AND DIRECTING THE PROPER OFFICERS OF THE GOVERNING BOARD TO APPOINT A LIAISON BETWEEN IT AND BERKHEIMER, THE DULY APPOINTED COLLECTOR OF EARNED INCOME TAX FOR THE DISTRICT, FOR THE EXPRESS PURPOSE OF SHARING CONFIDENTIAL TAX INFORMATION WITH THE DISTRICT FOR OFFICIAL PURPOSES.

WHEREAS, Act No. 511 of the 1965 General Assembly of the Commonwealth of Pennsylvania (53 P.S. §690l et seq.), enacted December 31, 1965, and effective January 1, 1966, authorizes certain political subdivisions, including FERNDALE AREA SCHOOL DISTRICT, CAMBRIA COUNTY, to provide for the creation of such bureaus or the appointment and compensation of such officers, clerks, collectors and other assistants and employees as may be deemed necessary for the assessment and collection of taxes imposed under the authority of that Act; and

WHEREAS, FERNDALE AREA SCHOOL DISTRICT, CAMBRIA COUNTY, has entered into contractual agreement with BERKHEIMER of Bangor, Pennsylvania, whereby and whereunder CLIENT appointed Berkheimer to collect Earned Income Tax; and

WHEREAS, said Act 511 specifically mandates that any information gained by the appointed tax officer, his agents or by any other official or agent of the taxing district, as a result of any declarations, returns, investigations, hearings or verifications required or authorized by the taxing municipality's ordinance or resolution, be kept confidential, except for official purposes; and

WHEREAS, any person who divulges any information which is confidential under the provisions of any ordinance or resolution, upon conviction may be subject to fines and/or imprisonment, upon conviction, and dismissal from office or discharge from employment; and

WHEREAS, Berkheimer requires passage of a resolution by the governing body of FERNDALE AREA SCHOOL DISTRICT, CAMBRIA COUNTY specifying that said confidential information is needed for official purposes and absolving Berkheimer from any liability in connection with the release of said confidential information;

NOW, THEREFORE, BE IT RESOLVED that:

1. FERNDALE AREA SCHOOL DISTRICT, CAMBRIA COUNTY hereby appoints the Business Manager or designee as its authorized representative to make requests upon and receive any and all tax information and records from Berkheimer, relative to the collection of taxes for FERNDALE AREA SCHOOL DISTRICT, as desired and deemed necessary by FERNDALE AREA SCHOOL DISTRICT, to be used for official purposes only; and

2. Berkheimer is hereby directed to provide and/or transmit any and all tax information and records, or any portion thereof, relating to the collection of taxes for the FERNDALE AREA SCHOOL DISTRICT, upon request, to the Business Manager as the authorized contact representative for it.

3. FERNDALE AREA SCHOOL DISTRICT, CAMBRIA COUNTY COUNTY hereby saves harmless, indemnifies and/or absolves Berkheimer from and against any and all liability in connection with the release of said confidential information.

F-10-10/11

Approve the following Resolution:

RESOLUTION APPROVING FLEXIBLE BENEFITS PLAN

Be it resolved, by Ferndale Area School District (the "Employer"), that a Plan known as the Flexible Benefits Plan, including a completed Adoption Agreement and a Basic Plan Document, is hereby adopted and a copy of said Plan is attached. The Plan will be provided to certain employees and allows for employees' portion of the contribution for specified insurance/self-funded coverages specified in the Adoption Agreement to the Plan to be made on a pretax basis.

Be it further resolved, if so specified in the Adoption Agreement to the Plan, this Plan establishes Medical Care and/or Dependent Care Reimbursement Plans. An eligible employee may reduce his/her salary for reimbursement of eligible medical care and dependent care expenses under these Plans.

Authorization is hereby granted for an officer of the Company to execute this Plan on behalf of the Employer.

IF-06-10/11 A reconciled report, by the Community Foundation for the Alleghenies, of the FASD Endowment Fund as of June 30, 2011, reports a total current endowment fund total of $1,585.21.

IF-07-10/11 Receipts and disbursements.

IF-08-10/11 A Sale of Real Estate is scheduled for December 2, 2011:

Owners	Address	Amount
Eddie Lynn & Cathy Lynn Boyd	305 Cliff Street	$200.00

P-42-10/11 Approve Jennifer Gmuca and Lindsey Swearman to the substitute teachers list.

Record vote for the motion: Bailey, Banks, Blue, Chobany, Garman, Jones, Meekins, Penna, and Thompson. Against the motion: None. Abstained: None. Absent: None. The motion carried.

BD-09-10/11 Mrs. Penna made a motion, seconded by Mr. Meekins, to appoint Ridley Banks as a PSBA Voting Delegate, Legislative Policy Council. (Up to two delegates may be appointed and must attend the PSBA School Leadership Conference.) The motion passed unanimously by a roll call vote.

IBD-11-10/11 A Making the Grade Virtual Town Hall Meeting on Effective Teaching was held on November 1, 2011 from 7:00 p.m. to 9:00 p.m. at the Appalachia Intermediate Unit 8 Office in Altoona. Board Members interested in attending, RSVP Patti Craig by October 14, 2011.

IBD-12-10/11 Please note the following dates for Board Meetings:

-- November 9, 2011
-- December 7, 2011

IBD-13-10/11 PSBA research shows that smaller schools produce stronger student performance (September 2011) - Carole Kakabar.

IBD-14-10/11	A PSBA-sponsored New Board Member Workshop was planned (2 evenings at GJCTC) in collaboration with Windber Area, Richland, and Westmont Hilltop School Districts.
IBD-15-10/11	Outline of Governor Corbett's Educational Reform Plan, released October 11, 2011 (Carole Kakabar)
2.	Buildings and Grounds
	None.
3.	Cafeteria
	None.
4.	Education
IE-16-10/11	October 1 FASD enrollment report - Carole Kakabar.
IE-17-10/11	Highlights of the Joint Operating Committee - Ridley Banks/Barbara Penna.
IE-18-10/11	Highlights -- District Summary of October 10, 2011 Act 80/Inservice Day - Carole Kakabar -- Elementary - William Brotz -- High School - Brian McDermott/Robert Boyle
IE-19-10/11	Student Board Representatives Report.
5.	Finance
IF-09-10/11	Summary of summer cost savings - Carole Kakabar/John Kowal.
IF-10-10/11	Received notification from the Department of Education that the 2012-2013 Act 1 base index for allowable property tax increases is 1.7%. The adjusted index for Ferndale Area School District is 2.7%. Ferndale Area School District current tax millage is 67.25 which allows a maximum tax increase of 1.81 mills for 2012-2013 to comply with the requirements of Act 1 of 2006.

F-11-10/11

Mrs. Penna made a motion, seconded by Mr. Jones, to approve the following Resolution:

A RESOLUTION OF FERNDALE AREA SCHOOL DISTRICT, CAMBRIA COUNTY, ESTABLISHING, MODIFYING AND REENACTING AN EARNED INCOME TAX FOR RESIDENTS OF THE FERNDALE AREA SCHOOL DISTRICT

WHEREAS, Act No. 511 of the 1965 General Assembly of the Commonwealth of Pennsylvania, known as the "Local Tax Enabling Act" (hereafter "LTEA"), authorizes certain political subdivisions to levy, assess and collect a tax on salaries, wages, commissions, compensation, net profits and earned income referred to as the "Earned Income Tax;" and

WHEREAS, Act No. 32 of the 2008 General Assembly of the Commonwealth of Pennsylvania, 53 P.S. §6924.501 et seq., (hereafter "Act 32") amended and restated the LTEA, wherein said Act 32 established entities known as a Tax Collection Districts (hereafter "TCD" for the purposes of county-wide collection of income taxes and other taxes. The geographic boundaries of a TCD shall be coterminous with the county in which it is created and shall consist of municipalities and school districts located within TCD; and

WHEREAS, Ferndale Area School District is located within the Cambria County TCD;

WHEREAS, Act 32 established tax collection committees (hereafter "TCC") wherein said TCCs would govern the TCDs pursuant to Act 32; and

WHEREAS, pursuant to Act 32, CCTCC was established to serve as the TCC for the Cambria County TCD; and

WHEREAS, the CCTCC has recommended to the municipalities and school districts within the Cambria County TCD that it update its current Earned Income Tax Resolution to reflect the changes set forth by Act 32; and

WHEREAS, FERNDALE AREA SCHOOL DISTRICT intends to update its current income tax Resolution to reflect the changes of Act 32; and

NOW THEREFORE, the Governing Body of FERNDALE AREA SCHOOL DISTRICT hereby ordains as follows:

Section 1. Authorization

This Resolution is enacted pursuant to the authority granted by the Local Tax Enabling Act, P.L. 1257, known as Act No. 511 of 1965, effective January 1, 1966, as thereafter amended through in Act 166 of 2002 and Act No. 32 of 2008, 53 P.S. Sec. 6924.101 et seq. (known as and herein referred to as the "LTEA"). The provisions contained herein are made for the purpose of amending and supplementing the Resolution adopted on June 30, 1981.

Section 2. Incorporation by Reference

The Governing Body of the FERNDALE AREA SCHOOL DISTRICT hereby adopts by reference the LTEA and the amended provisions of Act 32 (53 P.S. §6924.101 through 53 P.S. §6924.901) and its definitions, duties, directives, rules, regulations, powers and penalties as if same had been set forth fully herein.

Section 3. Imposition of Tax

A tax at the rate of one percent (1%) on each dollar is hereby imposed on all earned income and net profits, as defined by Act 32, earned by residents of the FERNDALE AREA SCHOOL DISTRICT. All changes shall remain in effect on a calendar year basis without annual reenactment unless the rate of tax is subsequently changed.

Section 4. Administration - Powers and Duties of Officer

The collection and administration of the tax provided for in this Resolution shall be performed by the Tax Officer appointed by the Cambria County Tax Collection Committee ("CCTCC"). Said Tax Officer shall receive such compensation for his services and expenses as determined from time to time by the CCTCC. Such Tax Officer shall have the powers and duties as provided for by Act 32 and the Local Tax Enabling Act.

Section 5. Severability

Should any section, subsection, sentence, clause or phrase of this Resolution be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of the Ordinance in its entirety or of any part thereof other than that part declared to be invalid.

Section 6. Effective Date

This Resolution shall be effective January 1, 2012. It is the intention of the governing body of the Ferndale Area School District that this Resolution shall provide procedural modifications only to the previously adopted Earned Income Tax Resolution, and no gap as to imposition of the tax set forth herein should be inferred.

The motion passed unanimously by a roll call vote.

The Board went into an Executive Session at 7:30 p.m. for personnel issues. The Executive Session ended at 8:30 p.m.

6. Personnel

Mr. Blue made a motion, seconded by Mrs. Chobany, to approve P-43-10/11 through P-46-10/11.

P-43-10/11 Approve Kathleen Kirwan's resignation (Secondary Special Education Teacher and Detention Monitor) and request permission to post/advertise for a long term substitute secondary special education teacher position through the end of the first semester (possibly through the end of 2011-2012 school year). (Letter dated September 27, 2011)

P-44-10/11 Employ Tonia Mitchell as a High School Cook, with a 90-day probation period, at a stipend of $7.40 per hour, effective October 13, 2011. (Position was vacated by the retirement of Carol Hanik.)

P-45-10/11 Advertise for a Secondary Special Education Teacher, Substitute Dishwashers, Cooks, and Kitchen Utility Workers.

P-46-10/11 Grant tenure to Susan Leftwich, English Teacher. Ms. Leftwich has completed three years of satisfactory service, the Induction Program, and has earned the status of permanent employment within the Ferndale Area School District on a regular basis.

Record vote for the motion: Bailey, Banks, Blue, Chobany, Garman, Jones, Meekins, Penna, and Thompson. Against the motion: None. Abstained: None. Absent: None. The motion carried.

7.	Student Activities
	Mrs. Penna made a motion, seconded by Mr. Meekins, to approve the following resignations:
ST-11-10/11	Approve the resignation of Donald Robertson as an Assistant Varsity Football Coach, effective September 22, 2011.
ST-12-10/11	Approve the resignation of Timothy Harrigan as an Assistant Varsity Football Coach, effective September 23, 2011.
	The motion passed unanimously by a roll call vote.
	Mr. Jones made a motion, seconded by Mr. Meekins, to approve ST-13-10/11 through ST-26-10/11.
ST-13-10/11	Ryan Durham as the Head Varsity Boys' Basketball Coach, at a salary of $2,913.75, based on a 15-week season, pending receipt of Act 151 clearance and CPR/AED certification;
ST-14-10/11	Jay Detwiler as the Assistant Junior High Boys' Basketball Coach, at a salary of $1,275.00, based on a 12-week season, pending receipt of Act 151 clearance and CPR/AED certification.
ST-15-10/11	Stephen Clawson as the Head Varsity Baseball Coach, at a salary of $3,172.50, based on a 10-week season;
ST-16-10/11	James Rubal as an Assistant Varsity Baseball Coach, at a salary of $1,392.50, based on a 10-week season;
ST-17-10/11	Adam Hale as an Assistant Varsity Baseball Coach, at a salary of $736.25 based on a 10-week season; (split position with Gary Kinsey)
ST-18-10/11	Gary Kinsey as an Assistant Varsity Baseball Coach, at a salary of $616.25 based on a 10-week season; (split position with Adam Hale)
ST-19-10/11	Michael Harrison as the Junior High Baseball Coach, at a salary of $500.00, based on a 6-week season;
ST-20-10/11	Arthur McClucas as the Head Varsity Girls' Softball Coach, at a salary of $2,042.50, based on a 10-week season;
ST-21-10/11	Daniel Endler as the Assistant Varsity Girls' Softball Coach, at a salary of $1,232.50, based on a 10-week season;

ST-22-10/11	Theresa Kessler as the Head Junior High Girls' Volleyball Coach, at a salary of $1,883.75, based on an 11-week season;
ST-23-10/11	Post and/or advertise an Assistant Junior High Girls' Volleyball Coach. (No applications received for this position.)
	Approve the following Volunteer Coaches for the 2011-12 school year:
ST-24-10/11	Paul Byer as a Volunteer Varsity Boys' Basketball Coach;
ST-25-10/11	William Sharpe as a Volunteer Varsity Boys' Basketball Coach;
ST-26-10/11	Kathleen Murphy as a Volunteer Junior High Cheerleading Advisor.
	Record vote for the motion: Bailey, Banks, Blue, Chobany, Garman, Jones, Meekins, Penna, and Thompson. Against the motion: None. Abstained: None. Absent: None. The motion carried.
ST-27-10/11	Mrs. Penna made a motion, seconded by Mr. Blue, to approve the French I-IV student to attend St. Francis University on October 27, 2011 to study Joan of Arc. Cost: Transportation: $225.00. Tickets: $32.00. Total Cost: $257.00. (Paid by students) Record vote for the motion: Bailey, Banks, Blue, Chobany, Garman, Jones, Meekins, Penna, and Thompson. Against the motion: None. Abstained: None. Absent: None. The motion carried.
IST-01-10/11	Mike Stohon and In-Shore Technologies has graciously agreed to pay for the Junior-Senior High School to take a bus of students to UPJ on November 8, 2011 for the annual S.T.E.M. Professions Day ($87.41 total cost).
IST-02-10/11	Brenda Pawlowski and the Pennsylvania Institute of Certified Public Accountants has graciously agreed to pay for a the Junior-Senior High School to take a bus of students to Saint Francis University on November 8, 2011 for the annual "Passport to Opportunity" (Accounting & business related presentation) ($225.00 total cost).
IST-03-10/11	Jodie Corle-Babich, Trish Corle and Dr. Tammi (Corle) Croce, FAHS Alum, have graciously agreed to cover the transportation cost (of $225.00) for the Junior-Senior High School to take a bus of students to Mount Aloysius College for the annual "Health Quest" on October 27, 2011.
IST-04-10/11	The PTO generously donated $1,755 for 2011-12 school supplies.

IST-05-10/11	Received a donation of $100 from a resident of the District.
VI.	Adjournment
	Mr. Thompson made a motion, seconded by Mrs. Bailey, to adjourn the meeting at 8:35 p.m. All were in favor.