

ORDER OF BUSINESS

1. Call to Order; Pledge of Allegiance

President Francee E. Fuller called the meeting of the East Penn Board of School Directors to order at 7:30 p.m. in the Board Room, followed by the Pledge of Allegiance.

Board Members Present: C. H. Ballard, A. Earnshaw, F. Fuller, E. Gannon, C. Jones, S. Kowalchuk,
M. Prinzing, T. Richwine, J. Stolz

Solicitor: Marc S. Fisher, Esq., Worth, Magee & Fisher

Board Secretary: Cecilia R. Birdsell

Treasurer: Gary Reigal

Superintendent of Schools: Dr. Thomas L. Seidenberger

Press Present: Kevin Ameran, Morning Call Reporter

Loretta Fenstermacher, East Penn Press

2. Requests to Address the Board

Colleen Kelly, 5329 Covenant Court, Wescosville complained about the condition and safety of several pieces of playground equipment. She had discussed the situation with building Principal Tony Moyer and Jim Carl, Supervisor of Maintenance. She questioned if there was a maintenance policy or inspection process and found that there was none. She said the parents requested that the unsafe areas be noted and Mr. Moyer did comply with the request. She also questioned the practice of using PTO funds to replace playground equipment. Mrs. Kelly talked about a survey that was sent to parents that indicated they would like to see shade trees planted. She left a poster for the administration and board to review.

3. Approval of Minutes

Motion by Ballard, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors approve the minutes of the January 14, 2008 meeting.

This resolution was unanimously adopted by voice vote.

4. Report of the Superintendent of Schools – Dr. Thomas L. Seidenberger

Dr. Seidenberger pointed out the Strategic Planning Steering Committee list, noting there are still a few people to be appointed. Overall, the administration was pleased with the response from the public. He noted a memo that had been sent to the Board answering questions about the PSSA test scores. Ms. Fuller mentioned that the trends mentioned in the presentation were evident across the state but East Penn's scores are much higher than the state average.

1. Personnel

Motion by Earnshaw, Seconded by Gannon

RESOLVED, That the East Penn Board of School Directors approve the following personnel items:

Resignations

-Tina Coulomb, Teacher Aide at Alburtis School, effective January 15, 2008 (Exhibit 1)

-Rebecca Murphy, Hall Monitor at Emmaus HS, effective January 10, 2008 (Exhibit 2)

-M. Brooks Matelan, Teacher Aide at Macungie School, effective January 28, 2008 (Exhibit 3)

-Cara Troxell, Office Aide at Emmaus HS, effective January 16, 2008 (Exhibit 4)

Appointment of Full-Time Substitute Teacher

Name/Address: Amanda Gery
1229 Echo Circle, Whitehall 18052

Education Level: B. A. Degree (2005)

Undergraduate School: Lycoming College (2005)

Certification: Instructional I, Elementary-K-6

Assignment: Grade 1, Shoemaker School

Opening created by T. Goszka leave.

Effective: January 29, 2008

Experience: 12/06-Present: East Penn SD (per diem substitute)

Salary: \$41,432 prorated (Step A, Year 1, Col. B)

Teacher Aide Appointments

Name/Address	Assignment	Salary
Kay Wetzel 66 St. Peter's Road Macungie 18062	Health Room Aide, Floater New Position	\$16.20/hr., 32 hrs./wk.
Effective: January 15, 2008 or immediately after clearances		
Angela Fields 7706 Racite Road Macungie 18062	Study Hall, Emmaus HS Opening created by Lopez resignation	\$11.55/hr., 27 hrs./wk.
Effective: January 29, 2008		
Meyre Schmitt 6931 Tuscany Drive Macungie 18062	One-on-one at Macungie Opening created by Matelan resignation	\$11.55/hr., 32.5 hrs./wk.
Effective: January 28, 2008		

Additions to the 2007-08 List of Per Diem Substitutes

Marissa Fox, Elementary Diana Reitnauer, Food Services
 Rebecca Murphy, Teacher Aide
 Heather Brusseler, Elementary/Early Childhood
 Cynthia Vinovskis, Music
 Leslie Bowen, Library Science

Co-Curricular Advisors

George Gibbs	Marine Fitness Club-Girls	\$1028.00
	Marine Fitness Club-Boys	\$1028.00
Don Herb	Athletic Department Photographer	Volunteer

Change in Employment Status

Employee	From	To
Mary Lou Ely	Shoemaker, 12.5 hrs./wk.	Shoemaker, 29 hrs./wk., Spec. Ed.

Educational Conferences-Exhibit 5

That the East Penn Board of School Directors approve the expenses for the individuals attending the educational conferences listed on Exhibit 5.

Informational: Administrative Reports – See Exhibit Section

These resolutions are duly adopted by the following roll call vote:

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----9

2. Policy

Approval of Board Policy 249 – Behavior Support Relating to Special Education Services and Programs-Exhibit 6

Motion by Gannon, Seconded by Ballard
 RESOLVED, That the East Penn Board of School Directors approve Board Policy 249,
 Behavior Support Relating to Special Education Services and Programs.

This policy has been reviewed by Solicitor Fisher.

This resolution was duly adopted by the following roll call vote:

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----9

First Reading: Board Policy 916 Volunteers – Exhibit 7

In response to a question raised by Ms. Kowalchuk, Dr. Seidenberger explained that there are volunteers who provide workshops that may relate to drug and alcohol. He clarified that no volunteer is working directly with students and providing these services. Ms. Kowalchuk asked if there is a time line for obtaining the clearances. Dr. Seidenberger stated that no one will work with students until both clearances have been received. Ms. Kowalchuk said if

someone has clearances within the past may they be utilized. Dr. Seidenberger said the district would want a fresh set of clearances. Mr. Earnshaw questioned using two terms synonymously – program volunteer and independent volunteer. He provided some further editorial suggestions throughout the policy. He also questioned having the principals maintain a list of the names and services provided and thought that may be cumbersome. He suggested adding “or designee” along with the Superintendent. Referring to the cost of the clearances, Ms. Gannon suggested adding a “not to exceed” amount even though it would require changes to the policy when fees are increased. She asked if fingerprinting will still be required. Dr. Seidenberger said the requirement has been taken out of the policy. She asked about the ID badges and would it include transporting students to an event. Dr. Seidenberger said the ID badge would be required. Mr. Ballard talked about the syntax and grammar. He suggested that the time limits also be included in the records retention policy. Ms. Kowalchuk asked that the policy be publicized so that people new to the district will understand the requirements so they are available when the district needs them. Dr. Seidenberger said once the policy is adopted by the Board it will be widely distributed to building principals and the various parent advisory groups.

3. Approval of Agreement with Invo HealthCare Associates, Inc.-Exhibit 8

Motion by Gannon, Seconded by Earnshaw
RESOLVED, That the East Penn Board of School Directors authorize an Agreement with Invo HealthCare Associates, Inc., 1780 Kendarbren Drive, Jamison, PA for the services of a speech therapist as outlined in Exhibit 8.

Mr. Ballard questioned paragraph 10, specifically item B, adding it did not even allow for a waiver. Solicitor Fisher indicated that this is a reasonable limitation of time. He explained it is a restrictive covenant that is reasonable in time, place, and service. Mr. Ballard felt it was too restrictive to the district. Mr. Jones asked if there was any way to be flexible. Solicitor Fisher had not discussed this standard contract with Invo and he felt if there was consensus then the Board could approve the contract except for paragraph B. Mr. Earnshaw also questioned the limiting of the district's ability to hire someone. The following amendment was introduced:

Motion by Ballard, Seconded by Earnshaw
RESOLVED, That the East Penn Board of School Directors authorize an Agreement with Invo Healthcare Associates, Inc., 1780 Kendarbren Drive, Jamison, PA for the services of a speech therapist as outlined in Exhibit 8 and that the Solicitor renegotiate Paragraph 10, striking item 10B, of the Agreement for the better protection of the district.

This resolution was duly adopted by the following roll call vote:
Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----9

5. Strategic Planning Steering Committee Dr. Denise Torma
Mr. Greg Nolan

1. Approval of Steering Committee

Motion by Richwine, Seconded by Kowalchuk
RESOLVED, That the East Penn Board of School Directors approve the attached list of Strategic Planning Steering Committee members.

Mr. Ballard questioned approving TBA designations. Dr. Seidenberger explained the Board would be approving the individuals listed. The TBA category is to hold a place for an individual not appointed as of yet. Those appointments will be approved at a subsequent meeting. Mr. Ballard started questioning the legality and the statutory requirement for appointments. Solicitor Fisher explained that the Board is approving the identified members on the list. The other individuals can be approved at a subsequent meeting. Dr. Seidenberger said the allotments for adults in the various categories have been filled. In response to a question by Mr. Jones, Dr. Seidenberger said two board members are required for the Steering Committee.

This resolution was duly adopted by the following roll call vote:
Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----9

6. Other Educational Entities

- Carbon Lehigh Intermediate Unit T. Richwine

Mr. Richwine reported that the IU Board had met last week and elected new members: Mr. Robert Bold, from Parkland; Duane Eidem from Lehigh; and Ms. Donna Trimmel from Panther Valley. The Board also approved the refinancing of the new building that is currently leased with possibly wrapping in the Transportation Center. They are looking at investigating a bond or bank loan. Mr. Richwine reported that there is a picture of the Emmaus HS Life Skills Bell Choir and Chorus in an IU UPDATE. The IU services 53 students who receive major services and a total of 299 East Penn students who receive other services.

-Lehigh Career & Technical Institute A. Earnshaw
F. Fuller

Mr. Earnshaw reported that the JOC recognized the 2007 Friend of Career & Technical Education Mr. Robert Zampella. He had a very impressive set of contributions. The Board did approve the construction of the new diesel training center. It was approved unanimously by board members who were present in their respective supporting districts with only six members who were not present. He also mentioned the procurement cards that are used by selected LCTI employees. He would support the Business Office pursuing procurement cards. Mr. Richwine commented on the number of visitors from across the country to LCTI to review the outstanding program. He talked about the cooperation among the sponsoring districts, noting that Carbon County Vo-Tech has been trying to initiate a building program that has been rejected by the sponsoring districts. The Skills USA competition is taking place at Ag Hall on Wednesday. Students from five counties will be participating with 130 students from LCTI. It is open to the public.

7. Facilities

1. PLANCON PART D: Project Accounting Based on Estimates – Exhibit 9

The East Penn School District has received approval for Plancon Part D: Project Accounting Based on Estimates for the Willow Lane Elementary School and the documents will be entered into the permanent minutes of this meeting.

Mr. Ballard questioned and asked for an explanation about why this document was so marked up by PDE. Mr. Carl said he would request a written response from the architect.

8. Business Operations

1. Bill List Approval

Motion by Ballard, Seconded by Gannon
RESOLVED, That the East Penn Board of School Directors approve the attached bill list, including the addenda, and that the Treasurer be authorized to issue checks and vouchers in the amounts indicated.

Treasurer's Report

RESOLVED, That the East Penn Board of School Directors approve the Treasurer's Report.

Disbursement of Funds – Exhibits 10 & 10A

RESOLVED, That the East Penn Board of School Directors authorize the expenditure of funds from the Capital Reserve Fund, 2002 AAA GOB Issue, 2004 and 2004A GOB Issues, and the 2007 EGA Issue as listed on Exhibits 10 and 10A.

Bond Issue Refinancing

RESOLVED, That the East Penn Board of School Directors authorize the administration to work with Public Financial Management and Rhoads & Sinon, LLP, to refinance portions of the Series of 2001AA, 2002, and 2002 A outstanding Bond Issues.

These resolutions were duly adopted by the following roll call vote:

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----9

2. Tax Exemption Approval – Exhibit 11

Motion by Earnshaw, Seconded by Prinzing
RESOLVED, That the East Penn Board of School Directors approve a resolution exempting Lower Macungie Township from paying real estate taxes on the Camp Olympic acquisition property beginning January 1, 2008 as outlined on Exhibit 11.

In answer to questions raised by Mr. Ballard, Solicitor Fisher and Mr. Reigal explained that this is similar to any purchase of property where the taxes are pro-rated at the time of settlement. A portion of the taxes were paid by the municipality which is tax exempt. Mr. Reigal further explained that there will not be an assessment or a tax bill as long as the property is owned by the municipality. Mr. Ballard questioned the time frame, whether the original owners had paid the taxes, how much the district will be losing and does the district have to pay tax monies back to Lower Macungie Township. Mr. Fisher and Mr. Reigal could not ascertain that the seller had paid the taxes for the time period previous to settlement. Mr. Fisher noted that someone would be entitled to a refund at settlement, emphasizing that from December 27 on this property is not taxable.

Mr. Ballard requested further legal research on the issue before he would vote. He presented a motion to table the resolution:

Motion by Ballard, Seconded by Stolz
RESOLVED, That the East Penn Board of School Directors table the resolution exempting Lower Macungie Township from paying real estate taxes on the Camp Olympic acquisition property beginning January 1, 2008 as outlined on Exhibit 11.

The motion to table was approved by the following roll call vote:
Aye: Ballard, Gannon, Kowalchuk, Richwine, Stolz-----5
Nay: Earnshaw, Fuller, Jones, Prinzing-----4

3. Approval of ALERTNOW Contract – Exhibit 12

Motion by Kowalchuk, Seconded by Earnshaw
RESOLVED, That the East Penn Board of School Directors authorize the Service Agreement with ALERTNOW Rapid Communication Service, 400 Westchase Blvd., Raleigh N.C. and as described in Exhibit 12 and pending review by the Solicitor.

Mr. Ballard said he had questions about the syntax and the meaning of the contract, including the primary contact. Again, Mr. Ballard requested a document review by the solicitor. Ms. Kowalchuk asked if there is on-site training. Dr. Seidenberger said the key staff will include the building administrators, Dennis Ramella, and the two assistant superintendents. He noted that this is for emergency situations and then year 2 the messages would be more customized. Parents will be given two options for numbers and this can be updated. The system will not dial extension numbers.

This resolution was duly adopted by the following roll call vote:
Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----9

9. Announcements

Monday, January 28 7:00 p.m.-Executive Session (Negotiations, Personnel, Real Estate)
7:30 p.m.-Board Meeting, Board Room
Friday, February 1 6:00 p.m.-Pasta Pi-Jazz, EHS Cafeteria
Tuesday, February 5 7:00 p.m.-Strategic Planning Steering Committee Meeting, Board Room
Monday, February 11 7:30 p.m.-Board Meeting

Mr. Ballard called attention to the information from PSBA regarding statewide health care and temporary development moratorium bills to be considered. Dr. Seidenberger indicated that there must be some kind of legislative oversight. Mr. Ballard said that property tax is again being brought up for review.

Mr. Richwine talked about the information regarding the senior tax rebate program. Mr. Reigal gave copies to the press with the hope that it will receive some newspaper coverage. There have been changes in the guidelines so more senior citizens would be eligible. The information will be on the district's website.

Mr. Richwine commented on a Letter to the Editor of the New York Times. The writer said "that the achievement gap will remain until we stop thinking of public education as an expense to be contained but rather as an investment in the future."

10. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 8:45 p.m.

Cecilia R. Birdsell, Board Secretary