

ORDER OF BUSINESS

1. Call to Order; Pledge of Allegiance

President Alan Earnshaw called the meeting of the East Penn Board of School Directors to order at 7:30 p.m. in the Board Room located at 800 Pine Street, Emmaus, PA, followed by the Pledge of Allegiance.

Board Members Present: K. Bacher, C. Ballard, L. Donches, A. Earnshaw, F. Fuller, R. Heid, Z. Munson, S. Rhodes, W. Vinovskis

Solicitor: Marc S. Fisher, Esq., Worth, Magee & Fisher
Treasurer: Lynn Glancy
Board Secretary: Cecilia R. Birdsell
Superintendent of Schools: Dr. Thomas L. Seidenberger

Press Present: Peter McConnell, East Penn Press Reporter
Precious Petty, Express Times Reporter
Melinda Rizzo, Morning Call Reporter

2. Requests to Address the Board

John Donches, 559 Minor Street, Emmaus continued to voice his opposition to the TIF project, Hamilton Crossings. He criticized Lehigh County Executive Tom Muller, who was in the audience, and his newspaper comments about "side deals." Mr. Donches continued to criticize the developers, their investment in the project, as well as the funds that they have received from grants and other funding sources. He claimed that the project has been steeped in secrecy, noting that the TIF was defeated by a vote of the Lehigh County Commissioners. He felt that everyone was giving the developers so much to make this project work. He disputed the type of jobs that would be generated by the project such as retail stores. He claimed Target on Cedar Crest Boulevard would probably go for a re-assessment because all the money would be going to the Hamilton Crossings Target. Referring to his personal building experience, he said no one gave him money up front to construct his place. Again, he criticized Lehigh County Executive Tom Muller and questioned outside funding of his campaign. He insinuated that this project was union driven because they knew they would get Prevailing Wage.

Becca Kahle, 1131 Pennsylvania Avenue, Emmaus spoke about the snow make up days. She asked if March 7 could be considered as a makeup day or lengthening the school day.

3. Bond Refinancing – Zack Williard, Public Financial Management & John Cox, Esq., Rhoads & Sinon

Mr. Williard reviewed the Bid Results and Debt Service Schedule for the refinancing. He noted that the Moody's Investor Service has assigned an Aa2 rating and they expect "that the district will maintain a satisfactory financial position given its history of conservative fiscal management practices." Mr. Williard noted that it was a very active bidding process with 12 bidders and over 150 bids. This was close to a record for that many bids. The successful bidder was FTN Financial. The rates range from 2.5% to 4.37%; it is for the same time period; and it has a five year call provision. The net savings for the district is \$589,992.86. A copy of the document is attached to the minutes of this meeting. Mr. Ballard asked about the statement from Moody's statement under "What Could Make the Rating Go UP" that indicated "substantial improvement in the district's financial reserves." Mr. William said there are a variety of indicators that go into this rating. The current rating is very good and there are only a few that are higher. In response to questions raised from Rev. Vinovskis, Mr. Williard explained that the savings are structured to be most effective during the first three years; however, it would not matter how it is structured the savings come out the same.

Mr. Cox reviewed the Post-Issuance Compliance Procedures Resolution. The IRS has strongly recommended this policy to insure that there is accountability and monitoring of bond issues and to insure there are proper records maintained. In response to a question raised by Dr. Munson, Solicitor Fisher indicated that that he had been involved in the preparation of the resolution.

1. Resolutions for Bond Refinancing & Post-Issuance Compliance Procedures Resolution (Exhibits 1 & 2)

Motion by Bacher, Seconded by Donches
RESOLVED, That the East Penn Board of School Directors adopt the resolutions for bond refinancing and post-issuance compliance procedures as described in Exhibits 1 and 2.

These resolutions were duly adopted by the following roll call vote:
Aye: Bacher, Ballard, Donches, Earnshaw, Fuller, Heid, Munson, Rhodes, Vinovskis-----9

Mr. Earnshaw thanked Mr. Williard and Mr. Cox for their services.

4. Approval of Minutes

Motion by Bacher, Seconded by Rhodes

RESOLVED, That the East Penn Board of School Directors approve the minutes for the February 10, 2014 Board Meeting.

This resolution was unanimously adopted by voice vote.

5. Emmaus HS SGA Representatives - Katie Croy and Nina Rowan

Ms. Croy and Ms. Rowan reported on the following activities:

- Success of the FBLA Club at the recent competition at LCCC; They will move on to the regional competition.
- The Snow Ball raised \$500 and students collected 240 cans of tuna.
- Beauty & the Beast produced by the Drama Department will run from March 19-22.
- The Mr. Emmaus Contest was another success with Drew Switzer being elected.
- EHS Academic Team won the Conference Championship with a victory of over Liberty HS.

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

1. District Update

Referring to snow make up days, Dr. Seidenberger reported that whatever is recommended will be met by some negativity. He noted that the Board members received a tentative calendar for 2014-15. He pointed out that make up days are listed on the calendar and it has consistently been said that after exhausting those days, make up days will be added to the end of the school year. His strongest recommendation is to maintain the Staff Professional Day on March 7. The PSSA testing window has been extended so there is the same number of instructional days. He cannot do anything about the Keystones and PSSA Science. The recommendation is to change Monday, April 21, as an instructional day and June 17 is currently the final day. Responding to the citizen suggestion of adding time to the school day, he said that has a lot of complexities and it will not happen in Lehigh County. He explained how the superintendents review the calendar and most are adding days to the end of the year. The Acting Secretary of Education has said that districts must use every available day before requesting any waiver. Again, he said principals are to treat parent requests with sensitivity and staff will be treated on a case-by-case basis. All of the buildings are air conditioned and in great shape. He concluded that this year has been a very difficult weather year. The timing of these storms has been difficult as well. He explained how the superintendents communicate with each other from approximately 4:00 a.m. The March 7 professional day has a comprehensive schedule for the day and he does not want to dilute those efforts.

The Board has received information regarding a recommended PSBA resolution regarding a fair funding formula. He felt it could be discussed at a later date. He noted that John Bradley scheduled the cancelled Robotics event this past weekend. He congratulated Denise Reaman and the Stinger reporters who won 12 Student Keystone Press Awards from the PA Newspaper Association for Outstanding Journalism. He noted that this is another form of student expression. Rev. Vinovskis discussed his difficulty in finding out when the Robotics competition was rescheduled. He indicated he could not find it on the web site. Dr. Bacher said he thought that it was on the web site. Ms. Donches commented on the PSBA resolution and on the actual bill regarding reimbursement for travel for the members of the commission and the difference between "may" and "shall" and how the reimbursement could get out of line.

2. Personnel

Motion by Rhodes, Seconded by Munson

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

Request for General Leave of Absence – Board Policy 539

Employee: Ellen Peters
Staff Assistant, Macungie School
Effective: March 4, 2014-March 3, 2015

Income Protection Leaves

Employee: Andrew Krause, Custodian, Third Shift, Emmaus HS

Effective: March 12, 2014
Employee: Warren Buss, Head Custodian, LMMS
Effective: March 24, 2014

Appointment of Health Room Assistant

Name/Address: Tina Shelton
5245 Dartmouth Drive, Macungie 18062
Assignment: Jefferson School, Health Room Assistant
Vacancy created by G. Hochella resignation
Effective: February 25, 2014
Salary: \$19.60/hr., 29 hrs./wk.

Co-Curricular Appointments

See Exhibit 3

Additions to the 2013-14 List of Per Diem Substitutes

Mabel Rodriguez-Marte, Food Service
Kayla Bringenberg, Social Studies, ML Math
Jennifer Lamar, Art
Elizabeth Pruitt, Art
Kelly Nichols, English
Samantha Solomon, Elementary, PK-4

Educational Conferences – Exhibit 4

That the East Penn Board of School Directors approve the estimated expenses for the educational conferences listed on Exhibit 4.

Ms. Donches asked if there could be a running account of how much is being spent for the PA Core Standards. Mr. Earnshaw explained the complexity of keeping an accurate record of all the expenses. Ms. Donches indicated she would be interested in the cost of textbooks and conferences. The recent purchase of textbooks for the AP courses had nothing to do with the PA Core Standards. There is a shelf life for AP textbooks that are used and it is the same across the nation. The textbooks are approved by the Board when they are adopted.

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

Aye: Bacher, Ballard, Donches, Earnshaw, Fuller, Heid, Munson, Rhodes, Vinovskis-----9

3. Change in 2013-14 School Calendar

Motion by Ballard, Seconded by Fuller

RESOLVED, That the East Penn Board of School Directors amend the 2013-14 Calendar to include the following:

Monday, April 21 Instructional Day – All schools & offices will be open.

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

Aye: Bacher, Ballard, Donches, Earnshaw, Fuller, Heid, Munson, Rhodes, Vinovskis-----9

7. Legislative

1. Prevailing Wage Reform Resolution – Submitted by L. Donches – Exhibit 5

Motion by Donches, Seconded by Ballard

RESOLVED, That the East Penn Board of School Director approve the attached Prevailing Wage Reform Resolution (Exhibit 5).

Solicitor Fisher indicated some editorial changes. Mr. Ballard added HB 796 to the listing and clarified the legislation for Dr. Bacher. Ms. Donches felt this was important legislation, suggesting that if the TIF would be built as much as 18% would be added to the labor costs because of Prevailing Wage. It was noted that a similar resolution was passed two years ago.

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

Aye: Bacher, Ballard, Donches, Earnshaw, Fuller, Heid, Munson, Rhodes Vinovskis-----9

8. Business Operations

1. Approval of Bill List

Motion by Ballard, Seconded by Rhodes

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

Dr. Munson read the following opinion from the Single Audit Report (Page 10) prepared by Gorman and Associates, Certified Public Accountants for the fiscal year ended June 30, 2013:

"In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, the aggregate remaining fund information, and the general fund budgetary comparison statement of the East Penn School District, as of June 30, 2013, and the respective changes in financial position and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America."

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

Aye: Bacher, Ballard, Earnshaw, Fuller, Heid, Munson, Rhodes, Vinovskis-----8

Abstention: Donches-----1

2. Treasurer's Report

Motion by Donches, Seconded by Vinovskis

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

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

Aye: Bacher, Ballard, Donches, Earnshaw, Fuller, Heid, Munson, Rhodes, Vinovskis-----9

3. LCCC Candidate for the At-Large Seat on the Board of Trustees

Ms. Fuller recommended former East Penn, IU, LCTI board member Terry Richwine as a candidate for this vacancy. She indicated that she had not talked to him about this position but she thought he would be an excellent candidate to replace Mr. Torbert because Mr. Richwine also has a financial background. Rev. Vinovskis affirmed that Mr. Richwine would be an excellent candidate and has maintained an active interest in the district. Mr. Earnshaw will speak to Mr. Richwine about the nomination.

4. Audit Report

Ms. Donches indicated there were a few policies mentioned in the report. Dr. Seidenberger said the staff was developing them internally and they would be brought to the Board at a later date.

5. HB 1507 & SB 1034 – Support Public Workers Paycheck Protection

Ms. Donches distributed copies of a resolution that would support these two legislative bills. She requested that it be included in the next agenda.

9. Announcements

Mr. Earnshaw announced that there was an Executive Session held on February 12 and 20 dealing with personnel items.

Monday, February 24 6:00 p.m.-Executive Session (Personnel & Real Estate Items; an Executive Session is scheduled following the Board Meeting for personnel items.)
7:30 p.m.-Board Meeting

Monday, March 10 7:30 p.m.- Board Meeting

10. Adjourn

There being no further items to come before the Board, the meeting was adjourned, upon motion at 8:30 p.m.

Cecilia R. Birdsell, Board Secretary