

ORDER OF BUSINESS

1. Call to Order; Pledge of Allegiance

President Charles H. Ballard called the regular 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, M. Policano,
S. Rhodes, III, J. Stolz
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:

Jennifer Marangos, Editor, Emmaus.Patch.com
Peter McConnell, East Penn Press Reporter
Katrina Wehr, Morning Call Reporter
Randy Kraft, WFMZ on line reporter
Mariella Savidge, Editor, Lower Macungie.Patch.com

2. Requests to Address the Board

Susan Coenen, 6220 Wheatland Drive, Macungie addressed the resolution for the Willow Lane Site Improvements. She posed a series of questions about the changes that board members should consider before voting on the resolution. She asked why there had been no public comment or viewing of the site improvements. She asked where the sense of urgency is since the school district was a no show at the February 14 Lower Macungie Township meeting because the district's engineer was not available. She continued on with her comments about how the process should have been handled involving parents.

Dr. Lee LaRussa, 1982 Winthrop Way, Macungie thanked the administration since he felt he was getting a little feedback on the issue. He talked about the motion by Board Member Julian Stolz concerning a Transportation Committee involving parents, saying he would leave it to the Board's discretion on how to proceed. He said parents want to have a voice in a dialog fashion.

Jonathan Berger, 6912 Sunflower Lane, Macungie also commented on the Willow Lane busing issue. He commented on the level of decorum at the meeting, along with the ability of the audience to interact with the Township Commissioners. He talked about the comprehensive Transportation Study. He mentioned the statistics that talked about the percentage of students who are riding a bus, pointing out that Willow Lane has less than some of the other schools. He concluded his remarks with the presentation that was shown at the Commissioners Meeting citing the number of drug incidents in Lower Macungie Township, indicating that it was a suburb of Allentown.

Todd Salomon, 6654 Trafalgar Drive, Macungie asked the Board to reconsider having children walking up to 1.5 miles to school because of the safety issues.

Garrett Rhoads, 5595 Wedge Lane, Wescosville commented on the electronic recycling event that is free to all citizens on March 23 from 10:00 a.m.-2 p.m. at Willow Lane School. Proceeds will go toward the Angel Network. He thanked the administration for working with him on this event.

3. Approval of Minutes

Motion by Fuller, Seconded by Rhodes
RESOLVED, That the East Penn Board of School Directors approve the minutes of the February 11, 2013 meeting.

In the minutes, Dr. Bacher said the third meeting for TIF was not scheduled but **what he meant was that the meeting was scheduled but had not yet been held.**

Ms. Donches wanted to change her resolution and statement on Page 12 regarding the Insurance Advisory Council from the following:

RESOLVED, That the Solicitor provide a written opinion on whether the Board or the taxpayers are open to civil liability since the school district purchases insurance from members of the Insurance Advisory Council.

To: RESOLVED, That the Solicitor provide a written opinion on whether the Board or the taxpayers are open to civil liability since **it appears that** the school district purchases insurance from members of the Insurance Advisory Council.

This resolution was unanimously adopted by voice vote.

4. Emmaus HS SGA Report

Adam Kita and Will Geroni reported on the following activities at Emmaus High School:

- Congratulated the 2012-13 inductees into the National Honor Society.
- Announced that Marc Primelo was selected as Mr. Emmaus in the Second Annual Mr. Emmaus competition. Ms. Donches mentioned that she had also attended the event.
- Reported that "Legally Blonde" will be performed on April 10-12 at 7:00 p.m. and on April 13 at 2:00 p.m. and 7:00 p.m. in the EHS Auditorium. Tickets are \$12.00 for adults; \$10.00 for students and are available on line.
- Shave for the Brave will be held again this year. Participants have their heads shaved to raise funds for cancer awareness. In 2010, they raised over \$20,000 and last year they raised over \$39,000.
- Described setting up a dating survey for a nominal fee as a fundraiser.
- Thanked the students who travelled to Staten Island to help with the Sandy cleanup.
- Reported that science teacher Andrew McConville had experienced excessive damage to his home as a result of the past two October storms. He applied to HGTV to see if he would be considered for one of the shows that actually renovate a house that was damaged. HGTV did send a film crew to the high school for filming and this gave students the opportunity to see the type of equipment that is used as well as talk with the film crew.
- Students studying Spanish will be traveling to Spain; the Latin students will be traveling to Italy and Greece.

Mr. Ballard thanked the students for their report.

5. Willow Lane Site Improvements – Exhibit 1

Motion by Fuller, Seconded by Rhodes

RESOLVED, That the East Penn Board of School Directors approve the site improvements for the Willow Lane School as outlined in Exhibit 1 and in the East Penn School District Transportation Study (February 11, 2013).

Dr. Seidenberger provided a chronology of key events/communications/meetings regarding the Willow Lane busing issue. He stated that the district administration has been working with Lower Macungie representatives for the better part of six months. While the process may look arduous to the public, they should keep in mind that there are two different legislative bodies working together and the district must respect the Township rules and vice versa. This is the administration's recommendation to do this work. If nothing is done, there is still a traffic problem at Willow Lane, and we are trying to be a good neighbor to the Township. This is an opportunity to address the needs. Dr. Seidenberger talked about having a plan for emergency situations with the Fire Company. This plan has been reviewed twice with Lower Macungie Township officials and they had very few comments and seemed to like the plan. Using the attached Willow Lane Walking Path drawings, Mr. Paul Szwczak from Liberty Engineering explained the separation for cars and buses that would have the cars entering the school from the Mill Creek Road entrance and the buses using Sauerkraut Lane. He reviewed the installation of gates that would be open for special events. During the construction phase of the school, walking paths were installed. He explained the change in the walking path for the safety of children walking to school and leaving cars. Mr. Szwczak indicated that to make these changes will not require a lot of construction. Dr. Seidenberger indicated that the project will be bid sometime this spring and work will begin after school is out. Mr. Szwczak said the plans have been reviewed extensively by Keystone Engineers for Lower Macungie Township. Mr. Szwczak said the Township is perfectly on board with the changes.

Mr. Szwczak talked about the agreement the district had with the Township regarding the road to the Fire Company. The off-site issues such as crosswalks and the intersections are Township issues. The only walking paths that were built were to connect to the paths already built by the Township. He emphasized that the paths were in place prior to building the school. In answer to a question from Dr. Bacher, Mr. Szwczak illustrated how the students would walk and he mentioned the drainage swale and the pathway. Dr. Bacher asked if the students were getting out of cars while they are waiting in line or will students be getting out all around. Mr. Szwczak said it was his assumption that the students would get out of cars somewhere in the parking lot pattern. He thought it was similar to what was happening now. There seemed to be a discrepancy with some parents. Mr. Szwczak said it was really up to the administration. Dr. Bacher said it is similar to that plan that he saw in August and asked if it had been released to the public. Dr. Seidenberger said this one is an enhancement of plan from the one in August. These are minor changes to re-route the buses. He added that the Township had little concern about the plan. The administration felt that there would be better flow. He said they will also ask parents to follow instructions. Dr. Moyer will work with the parents on how students will be dropped off. Dr. Seidenberger said the immediate steps are to let the Township know the outcome of the vote this evening and then there will be a meeting with a small committee of Township Commissioners on March 14. This was discussed in the beginning of the school year and they have promised that they will expedite the process. The bid documents could then be prepared by Mr. Szwczak and Mr. Glancy to go out on bid in April and May. This work would then begin after school is over. It was emphasized that this is not an extensive construction project. Dr. Bacher asked if there was any drawback in tabling this project until the March 11 Board Meeting. He felt the improvements were necessary but it would give parents a chance to view the plan. Dr. Seidenberger said he would like to have approval from the Board before they meet with the Township. Ms. Donches said that a lot of her questions were answered but she was interested in the check in and check out process. She asked if the funds would come out of the Capital Reserve Account and asked if there was going to be an update on the account. Dr. Seidenberger

said that would be included as part of the budget process. She asked if the total parking capacity was changing. Mr. Szewczak said parking would not be affected.

In response to questions about students getting in and out of cars, Ms. Fuller shared her personal experience with taking her own sons to school and she found that everything was administered very efficiently. She further commented that she had no concerns with Dr. Moyer working with the parents about how the traffic will flow and it will meet the expectations of the parents and the safety of the children. She also noted that her office is across from the Fogelsville Elementary School and she said there must be 30-40 cars waiting to drop off or pick up and it is handled in an orderly fashion. Ms. Heid asked about the alternate walking path. Mr. Szewczak illustrated the changes on the drawings. He also explained the walkway and the shared access of the driveway with the Lower Macungie Fire Department which was part of the original agreement. The school district and township share it jointly. Ms. Heid felt it was good for the community to have the pathway. Parents will have to abide by the proper picking up and dropping off rules. She urged parents to utilize the busing that is provided to relieve the traffic. Mr. Rhodes asked how the cross over to the school would be handled from Mill Creek Road. Dr. Seidenberger responded that there will be people posted at the site who are district employees. Mr. Rhodes said he was positive about the plan as it is right now. Mr. Ballard said this looks like a plan that will fix some of the problems on the site no matter what is done about busing. He explained the benefits for both the district and the Township. Mr. Ballard commented on parent involvement and the plan that is developed and he did not feel a delay would be beneficial to the project. Mr. Stolz said he was glad to see there was a concrete plan in place. He said supporting this plan before there are any recommendation from the parents does not inspire a lot of confidence from the parents. He said he was going to propose tabling the motion but understood the need to have approval for the Township Meeting. He proposed the following amendment to the original motion:

Motion by Stolz, Seconded by Donches
RESOLVED, That there be preliminary approval with final approval to be subject to the recommendations of the Willow Lane Parent Committee and Lower Macungie Township approval.

Mr. Earnshaw said the reason engineers are hired is to get their professional opinion. Mr. Szewczak has been the district engineer since 1993 and in all that time he has never steered the district in the wrong direction. Mr. Earnshaw said he would be very reluctant to put this up for a popular vote. He did not see how a parent committee could be formed; have meetings, discussion, and votes within two weeks. He was not in favor of giving any group of people veto rights over the recommendation of the professionals. This plan looks like an improvement to the site and the second part is to implement guidelines and procedures for pick up and drop off of students. The committee will have access to the professionals on staff. Mr. Earnshaw said he was comfortable with Dr. Moyer's leadership and that he will take every consideration into account. Dr. Seidenberger said those discussions have been held multiple times and that is why the gates were suggested. Dr. Bacher said he was not suggesting that the plan be put up for a public vote but rather to postpone the vote until the March 11 meeting to give people a chance to comment since the engineer said that something was being done a particular way now and a parent said it was not being done. Mr. Ballard commented on the procedural requirements for the motion. Mr. Stolz commented on what he perceived as a need to have parents involved and hear their input. There was a brief debate on the motion made by Mr. Stolz.

The amended motion was defeated by the following roll call vote:
Nay: Bacher, Ballard, Earnshaw, Fuller, Heid, Rhodes-----6
Aye: Donches, Policano, Stolz

Dr. Bacher proposed a motion to table the resolution until the March 11 Board Meeting:

Motion by Bacher, Seconded by Stolz
RESOLVED, That the East Penn Board of School Directors table the motion to approve the site improvements for the Willow Lane School as outlined in Exhibit 1 and in the East Penn School District Transportation Study (February 11, 2013) until the March 11, 2013 Board Meeting.

This motion was duly adopted by the following roll call vote:
Aye: Bacher, Donches, Earnshaw, Policano, Rhodes, Stolz-----6
Nay: Ballard, Fuller, Heid-----3

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

1. District Update

Dr. Seidenberger said if there are more concerns about the Willow Lane plans they should be submitted before the next meeting. Dr. Seidenberger said he disagreed with a lot of the comments that have been made and provided a summary of the events that have taken place, adding that this issue has consumed an extraordinary amount of administrative time. Dr. Seidenberger said he would not put students at risk. There is another governmental agency involved in this process – Lower Macungie Township. There are approvals that have to take place at that level and be implemented before the start of the next school year. He will not make any student walk unless the Township's improvements are in place and operable before the school year starts. One of the things he plans to ask the Township on March 14 is what is their process and approval. He would like to go to the Township on March 14 with the Board's approval in hand. Referring to the cross guards, he said there are more than two crossing guards and the last time we met with Lower Macungie Township representatives they assured us that there would be crossing guards at Wheatland Drive and Willow Lane. If this plan, goes through there will also be two crossing guards at Willow

Lane and Sauerkraut Lane. He said last week there were comments about the class sizes at Willow Lane. He said there are problems all over the district and provided the attached enrollment information. Dr. Seidenberger is more concerned about the enrollments at Macungie School, pointing out that three teachers have been added to Willow Lane over the last few years. The district has been responsive to enrollment and they will continue to do that as we go through the budget process. The district has created multiple documents that are available on the website. This district is concerned about supervision of children. We transport to day care centers and Mrs. Campbell sat down with all of the day care providers prior to the opening of Willow Lane. The busing has been regionalized and there are before and after school activities. The parents have options.

Technology Director Michael Mohn has received approval from Apple to have our apps on line. East Penn is an authorized Apple developer. One of things that we want to work with real estate agents is to have a system where parents can click on an app to see their address and determine whether or not their student will receive busing.

EHS Senior Isaiah Zukowski won the regional competition of Poetry Out Loud. He will go on to compete at the Governor's mansion in Harrisburg on March 11. Junior Robert Bishop was named as a finalist in the Penn State Writing Contest. He was selected from 75 participants to be honored at a luncheon at Penn State.

Diana Ortiz, Chair of Lehigh Valley Green Schools Committee, is recognizing Willow Lane Elementary School as well as Broughal Middle School and Nazareth Area Middle School in May. Today, East Penn received information from the Department of Education that Willow Lane School was not nominated. Dr. Seidenberger congratulated the superintendents of the winning schools: Broughal Middle School and Nazareth Middle School.

Dr. Seidenberger thanked all the first responders, especially Emmaus Chief Dave Faust and Officer Vicki Schaeffer as well as district employees who provided assistance during the most recent bomb threat.

Dr. Seidenberger explained that the CLIU Technology Pool Consortium Intent to Participate Agreement is a consortium of sponsoring school districts. This agreement will provide in-service programs on search & seizure, transaction of inappropriate video, and students and the social media. Participating districts will be able to send as many administrators they want for this training. He thanked Dr. Eib and Dr. Culp for their work.

He briefly mentioned the Governor's budget and the elimination of charter school reimbursement. This amounts to over \$800,000 in reimbursement. He will be providing information regarding funding changes at the next meeting.

Dr. Seidenberger talked about the three options for Board Room Video Capture. In response to questions regarding the number of cameras, the connections required, and the storage capabilities, Mr. Ballard asked if there was any information on the number of hits for board meeting videos. Dr. Seidenberger said the administration was able to look at another organization's number of people who watched each meeting. The information is as follows:

January 14 – 9 views
November 12-8 views
October 8-13 views
September 24 – 29 views (Book Issue)
September 10-103 views (Book Issue)
August 27 – 26 views
August 13-17 views
July 9-13 views
June 25-11 views
June 11 – 23 views

Dr. Seidenberger said he had taping in his last district but he also had a person in charge of producing and viewing video. He talked to Parkland and he did not think East Penn had the personnel. He talked about Board Meetings being prolonged when they were videotaped. He also provided statistics on what is going on around the state. Ms. Donches said the numbers mentioned for the other entity are if the video is viewed in the beginning and is watched to the end, but if the video is only watched for a short time or just a segment is viewed, the number is not recorded. She said there could be more views than what is indicated. Mr. Stolz talked about archiving and making copies. Ms. Donches said the Borough produces a DVD for \$5.00. Mr. Ballard questioned how this would work with the Right to Know Law. Mr. Rhodes questioned what the concerns are. Dr. Seidenberger talked about having permission for students to be part of the video. There continued to be discussion about the number of cameras, the quality of the video, the legal ramifications, personnel costs, editing, HIPPA and FERPA legal issues, audio recordings, delayed broadcasting, live streaming, and looking at low cost options with one camera. Ms. Heid suggested that Dr. Seidenberger contact other districts to see what they are doing. Ms. Fuller said if anyone wants a full flavor of the meetings they should consult the minutes. Mr. Earnshaw said every option has a cost and cited some of the concerns expressed previously. He felt the cost was grossly underestimated. Dr. Bacher felt that if the district goes this route then it should be something installed. He brought up the legal issues and Dr. Seidenberger said he would discuss the issue with Dr. Mirabella, Dr. Pekarik, and Mr. Fisher on this issue. Dr. Seidenberger felt there was enough feedback to go ahead.

Dr. Seidenberger remarked on the PSBA Survey on pupil/staffing ratios in Pennsylvania.

Ms. Donches said she thought the Board was told that you could not charge for busing. Dr. Seidenberger said PDE was called and Dr. Mirabella was told that a district cannot charge for transportation. Ms. Donches said she was "poking around" the internet and found that Latrobe School District in PA appears to be a district that is charging. She submitted the information to the Board Secretary.

2. Personnel

Motion by Earnshaw, Seconded by Donches
RESOLVED, That the East Penn Board of School Directors approve the following personnel items:

Resignation

- Raymond Ross, Remedial Assistant, effective February 25, 2012 (Exhibit 2)
- Brittany Vanderhoef, Instructional Assistant at Eyer MS, effective March 1, 2013 (Exhibit 3)

General Leaves of Absence – Board Policy 539, General Leave

<u>Employee</u>	<u>Assignment</u>	<u>Effective</u>
Susan Wagner	Instructional Assistant, Willow Lane	3/22-10/25/13
Akila Shankar	Staff Assistant, Willow Lane	2/11/13-2/11/14

Income Protection Leave

Richard Bernecker	Custodian	2/28/13
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Leave as per Collective Bargaining Agreement

Julie Becker	Music Teacher Macungie/Alburtis Schools	3/22/13-5/1/13
Mary Beth Long	Special Education Teacher, Macungie	Ext. 6/30/13

Appointment of Interim Principal

Employee: Tricia Gutman
Interim Principal, Jefferson School
Stipend: \$250/pay
Effective: February 19, 2013

Appointment of Instructional Assistants

<u>Name/Address</u>	<u>Assignment</u>	<u>Salary</u>
Ashley Buchholz 26 Evergreen Lane, Levittown 19054	Instructional Assistant, EHS	\$13.38/hr., 29 hrs./wk.
Effective: February 26, 2013		

Kathy Kramer 5065 Rainbow Court, Allentown 18106	Instructional Assistant, EHS	\$13.38/hr., 29 hrs./wk.
Effective: February 26, 2013		

Food Services Department

Lori Krasnansky 5600 Stonecroft Lane, Allentown 18106	PT Food Service Assistant Shoemaker School	\$13.61/hr., 2 hrs./day
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Co-Curricular Appointments – Exhibit 4

See Exhibit 4

Change in Employment Status

Employee	From	To
Kim Moyer	PT Food Service Assistant Shoemaker School, 3.75 hrs./day	LMMS FT Food Service Assistant 5.5 hrs./day; PT Food Service Assistant 1 hr./day
Lisa Donmoyer	Staff Assistant, 12.5 hrs./wk. Wescosville School	Staff Assistant, 16 hrs./wk. Wescosville School

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.

Resignation-Kathleen Cole, Staff Assistant at Macungie School, effective March 15, 2013 (Exhibit 3A)

Change in Employment Status

Employee: Jessica Zosky
English, Emmaus HS
Vacancy created by J. Landgraf retirement
Effective: January 22, 2013

Additions to the 2013-2014 List of Per Diem Substitutes

Raymond Ross, Elementary
Travis Hontz, Wellness/Fitness

Instructional/Staff Assistants

Qua'niesha Grant Ellen Lynn
Evangelina Hoffman Kelly Kulpinsky

Kim Wanninger, Remedial/Instructional Assistant

Custodian Appointment

Name/Address: Jesse Shaw
411 Riverview Drive, Walnutport 18088
Assignment: Eyer, Second Shift
Vacancy created by D. Fritz retirement
Effective: February 26, 2013
Salary: \$18.94/hr., 40 hrs./wk.

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

- 7. Carbon Lehigh Intermediate Unit F. Fuller
 - 1. CLIU Technology Pool Consortium Legal Services Consultation Agreement (Exhibit 6)
 - Motion by Fuller, Seconded by Rhodes
 - RESOLVED, That the East Penn Board of School Directors agrees to participate in the CLIU Technology Pool Consortium from March 1, 2013 through July 31, 2013 and August 1, 2013 through July 31, 2014.
 - NOTE: The fee for the remainder of the year is \$3000 split among all participating districts. The fee for next year is \$9000 divided among all participating school districts.

In answer to a question from Ms. Donches, Dr. Seidenberger reiterated his previous comments that this is a consortium for participating districts. The big advantage is the in-service program for administrators and central office staff. There will be three workshops offered.

This resolution was duly adopted by the following roll call vote:
Aye: Bacher, Ballard, Donches, Earnshaw, Fuller, Heid, Policano, Rhodes, Stolz-----9

- 8. Policy-First Readings

Mr. Earnshaw and Dr. Bacher submitted comments and suggestions that will be incorporated for the second reading of the policies. Ms. Heid suggested that changes be highlighted. Ms. Donches had a question about the investment strategy. Dr. Seidenberger said the investment strategy is simple because the district is limited on investment options. Ms. Fuller pointed out that the policy does list the kind of instruments that the Board would wish to pursue. In response to Dr. Bacher, Dr. Seidenberger talked about being too specific. He cited his option mentioned in the Transportation Study and that may need to be incorporated. Ms. Donches talked about the audit language and Board Policy 619 stating "special audits by special interest groups are not permitted." She asked if there was ever a special interest group that wanted to audit. Dr. Seidenberger said he had not had a request in his five years in the district. Mr. Ballard talked about the district incurring additional expense, noting that anyone has the right to inspect records but an audit is more involved. The district is audited by federal, state, and local auditors. Ms. Donches thanked the administration for investigating the investment policy.

1. First Reading - Board Policy 609-Investment of District Funds – Exhibit 7
Policy has been reviewed by the Solicitor and Auditor William Gorman
2. First Reading – Board Policy 810-Transportation – Exhibit 8

9. Legislative C. Ballard

Mr. Ballard said overall the budget is considered "dead on arrival." Mr. Ballard will be testifying on behalf of PSBA to the House Democratic Policy Committee at the Bethlehem Town Center on Wednesday, February 27, from 2-4:40 p.m. A copy of his testimony will be available following his testimony.

1. Resolution Calling for Reform of the Charter and Cyber Charter School Funding Formula (Exhibit 9)

Motion by Ballard, Seconded by Bacher

RESOLVED, That the East Penn Board of School Directors approve the attached Resolution Calling for Reform of the Charter and Cyber Charter School Funding Formula as outlined on Exhibit 9.

Ms. Donches asked about the double dip. Mr. Ballard explained that the charter school receives two payments for pensions – one is from the state and the other part is included because we have to include the pension in our calculation of the formula that sends them money. The Auditor General claims that this costs taxpayers \$130,000,000 million dollars extra every year. Dr. Bacher said the district has to pay the full pension costs and the full pension costs are included in the payment to charter schools. They are paid a rate that is included in our budget and they are paid by the state.

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

Aye: Bacher, Ballard, Donches, Earnshaw, Fuller, Heid, Policano, Rhodes-----8
Nay: Stolz-----1

10. TIF Committee Dr. Ken Bacher
Dr. Thomas L. Seidenberger

The TIF Committee has not met since the last Board Meeting but will be meeting on Wednesday. Dr. Bacher said the minutes are available on the Lower Macungie Township website. He had received some questions from the public that he wanted to respond to regarding the TIF. Dr. Bacher responded to questions regarding property owners who may seek reassessment; what happens if the project does not work out. The Neighborhood Improvement District would limit the ability to appeal. There was a question about what would happen if the project does not work out. Even if the project is not successful the property owners would still have to pay their taxes. There is still no liability for the school district, township or the county. It would be the bond holders who would be out of the money. Why the TIF funds should be used for traffic improvements. Many of the improvements would remedy current traffic problems and the developers are being asked to remedy these problems. There is also a question about why East Penn should be giving tax breaks. No one is getting tax breaks and they all have to pay their full share of property taxes. Dr. Bacher said he would be available for any questions following the meeting.

11. Business Operations

1. Informational: Request for Proposals Opening Report – Food Service Management – Exhibit 10
2. Bill List Approval

Motion by Earnshaw, Seconded by Bacher

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.

Disbursement of Funds – Exhibit 11

RESOLVED, That the East Penn Board of School Directors authorize the disbursement of funds from the 33-2010 Series A GOB as outlined in Exhibit 11.

Ms. Donches said she has been asking for detailed account information so until she receives it she will abstain.

These resolutions were duly adopted by the following roll call vote:
Aye: Bacher, Ballard, Earnshaw, Fuller, Heid, Policano, Rhodes-----7
Abstain: Donches, Stolz-----2

12. Other Resolutions Presented by L. Donches at the February 11, 2013 Board Meeting

1. Chart of Accounts

Solicitor Fisher explained the process as described in Roberts Rules of Order as a motion to renew. Mr. Earnshaw called for a Point of Order when Ms. Donches made the motion. Mr. Earnshaw wanted to know who could make the motion. Mr. Fisher explained that since this is a motion to renew it can be made by any member of the Board. He further explained that motion to renew is one made at a different session as opposed to a motion to reconsider which is being made at the same session. Mr. Earnshaw still questioned the process based on the O. Garfield Jones book (Parliamentary Procedure at a Glance) on parliamentary procedure. Mr. Fisher said the official parliamentary procedure manual for the Board is Roberts Rules of Order.

Motion by Donches, Seconded by Stolz
RESOLVED, That the account codes from the PA Chart of Accounts be added to the Fund Accounting Check Summary.

Note: Discussed & Voted on at the September 24, 2012 Board Meeting (See Below)

Motion by Donches, Seconded by Stolz
RESOLVED, That the full budget code as determined from the Manual of *Accounting and Financial Reporting for PA Public Schools Chart of Accounts* be included for each check number on each Fund Accounting Check Summary.

This motion was defeated by the following roll call vote:
Nay: Bacher, Ballard, Earnshaw, Fuller, Heid, Policano, Rhodes-----7
Aye: Donches, Stolz-----2

Ms. Donches said she realized that all board members had different levels of information that they need to do their fiduciary responsibility. She wanted the codes on the check summary and if no one else wanted it she was requiring it to do her job. She commented on the technology available and she could not understand why she could not have the account codes. She said the district spends over three million dollars on supplies. She presented information from Phoenixville School District and Brick (NJ) School District, Dr. Seidenberger's former district. She claimed she was not micromanaging but overseeing and she is interested in everything to do with the budget in order to make the best decisions at budget time. Dr. Bacher said he found the English descriptions more informational than account codes. He said he did not understand how having those account numbers lets you know it is a legitimate expense. He concluded that his preference would be to keep the explanation since the account numbers would make it more difficult to review the expenditures. Mr. Earnshaw said the invoices are lumped together to produce a single check. This is done to reduce expenses and he felt it was a good practice. For any one of these line items, there could be multiple invoices and account numbers. He said he did not recall where anything was considered an unjustified expense. If there were those multiple line items, it would become onerous. The software is packaged and does present a report in the format requested. Mr. Stolz said she wanted this information to make better decisions. Dr. Seidenberger said he is not changing his position and indicated that he had no idea about what was going on in Brick since he left there five and a half years ago. The big thing that concerns the administration is looking at the role of the board member. As we talked last September, there is an annual audit and there were no citations about the way we handle the finances. The auditors look at the journal entries. The AFR is not given in the detail that Ms. Donches wants. He said there are not a lot of people to do extra work. They would need a part-time administrative assistant at about \$20,000 per year. He did not understand the need for the detail when the district is audited annually. Mr. Ballard pointed out that elected board members are not elected to run the district. The administration runs the district; the Board supervises the administration. Mr. Ballard questioned the motive for wanting this level of detail. There are federal, state, and local auditors who look for misappropriations. Mr. Ballard further pointed out that if the request came in under a Right to Know Request it would also be denied. There is no requirement to provide information that is provided by the district in a format based on personal specifications. He said this has come up twice and he would not entertain it a third time. He said he could not support the motion. Ms. Donches thanked everyone for their input. She said she is getting insight for items that are not clear to her. She said the audit report did not give insight into where the money is being spent. She did not understand the need for additional staff when there is a column that could be used as a data point. She said this is for her personal information. She talked about trust and it being a two-way street. Dr. Bacher said the question to be debated is to have the account codes on the bill list. He did not understand what this has to do with the budget. She again requested that the administration add the account codes. There was a brief exchange between Mr. Stolz and Mr. Ballard about the motion. Mr. Earnshaw presented the following motion:

Motion by Earnshaw, Seconded by Fuller
RESOLVED, That the Board end debate.

This resolution was defeated by the following roll call vote:

Aye: Ballard, Earnshaw, Fuller, Heid, Rhodes-----5
Nay: Bacher, Donches, Policano, Stolz-----4

Dr. Bacher concluded that if there are a small number of items requested it is one thing but to do that for the entire bill list is not justified.

Motion by Donches, Seconded by Stolz

RESOLVED, That the account codes from the PA Chart of Accounts be added to the Fund Accounting Check Summary.

This resolution was defeated by the following roll call:

Nay: Bacher, Ballard, Earnshaw, Fuller, Heid, Rhodes-----6
Aye: Donches, Policano, Stolz-----3

2. Insurance Advisory Council

Motion by Donches, Seconded by Stolz

RESOLVED, That the Solicitor provide a written opinion on whether the Board or the taxpayers are open to civil liability since it appears the school district purchases insurance from members of the Insurance Advisory Council.

There was a brief discussion about whether Solicitor Fisher would give an oral legal opinion or a written opinion on this item. Solicitor Fisher said he was prepared to give an oral opinion. He told Ms. Donches that she was incorrect in her belief that the school district purchases insurance from members of the Insurance Advisory Council members nor does the school district appear to purchase insurance from the Insurance Advisory Council members. Solicitor Fisher said that if Ms. Donches has information that something is improper she should submit it to the administration who can share it with him. He emphasized that he was not making this legal opinion without any knowledge of the situation. Mr. Stolz asked if Ms. Donches would share her background information. Ms. Donches said that the Insurance Advisory Council has members from two insurance companies. She recounted that the board members had received an email in July from a person who lives in the district and is also involved in insurance. She said she was accustomed to Mr. Ballard answering requests so she did not do anything for a while. She followed up with the gentleman and he had been in touch with Mr. Glancy about presenting his business to the Board. He was referred to one of the Insurance Advisory Council members who told him that the commissions are shared. She said that raised a red flag to her. Ms. Heid said for her personal insurance they have a consultant who recommends insurance. Mr. Glancy said this Insurance Advisory Council has been in existence for at least 40 years. In his experience, school districts may recommend an agent of record and have one insurance agent quoting insurance. Over the years, the district felt it was better to have the Insurance Advisory Council so there were multiple quotes so not one person got all the commission. They go through a process of vetting insurance policies and many will not put in quotes because of the association with the PSBA Insurance Trust. The agents get the best price for the insurance. We do not pay the Insurance Advisory Council members. We pay the insurance companies. The gentlemen to whom Ms. Donches referred was invited to join the Insurance Advisory Council but he did not want to share his commission. Ms. Donches said he told her the Insurance Advisory Council was closed. Mr. Glancy responded that it was closed if he did not want to share his commission. Solicitor Fisher said he was aware of the situation and he would be happy to put his opinion in writing if it was the will of the Board. Ms. Donches asked if Solicitor Fisher was stating that there is no conflict of interest. Solicitor Fisher emphasized that there was no conflict of interest. Mr. Ballard reiterated that the Solicitor is confident that there is no conflict of interest. Mr. Ballard asked if Ms. Donches wanted to withdraw the motion. She indicated that she wanted to continue and have the vote taken.

The motion was defeated by the following roll call vote:

Nay: Bacher, Ballard, Earnshaw, Fuller, Heid, Rhodes-----6
Aye: Donches, Policano, Stolz-----3

13. Willow Lane Transportation Study Committee (Resolution submitted by Julian Stolz, 2-19-13)

Motion by Stolz, Seconded by Policano

RESOLVED, That the East Penn Board of School Directors directs the Administration to form a Willow Lane Transportation Study Committee that shall be comprised of, but not necessarily limited to, a representative or representatives from the East Penn School Board, members of the administration, parental representatives from Willow Lane School who shall not be employees of nor closely related to employees of the East Penn School District, and a representative or representatives from the Lower Macungie Township Board of Commissioners should that body wish to take part in the study.

Mr. Stolz explained his motion and the rationale. Ms. Fuller said as was brought up during the presentation that we are working on a timeline. Ms. Fuller said in another meeting she attended the engineer from Lower Macungie Township said they are willing to make the improvements but they are waiting for the Board approval. She pointed out that the district has the Walkability Study, a Transportation Study, and site improvement plan and she felt this was an impediment to moving ahead and she saw it as a

stalling tactic. Ms. Donches felt the parents wanted a dialog with everyone in the room at the same time. Mr. Bacher did not see how this would enhance what is already happening in the district. Mr. Stolz said this would be part of the committee that is being discussed. He felt there had not been a dialog with the parents. Mr. Earnshaw commented on the previous survey that could not be used and now there is another survey that was sent out today. He said that the administration has heard the parents' comments and have incorporated them into the plan. He questioned the strictures that are being put on the committee suggested. He said not everything is being brought to this committee. He did not see the point of the committee. Dr. Seidenberger said he did not know what the committee would do. Once the Board takes action, then the district can go to the Township. There are only a couple of issues that have not been resolved. He said there are concerns about how Dr. Moyer will be handling traffic. He said when this school was opened Dr. Moyer handled the traffic without any committee. There is no reason why Dr. Moyer cannot work with the parents developing these ideas. The Board policy is very clear about forming these committees. He again asked what this committee is being charged to do and who is in charge. The next step is to vote up or down the site improvement plans. Mr. Rhodes said the focus is to get the site improvement plan approved. This committee just muddies the water. At this point, we should just get feedback and have the site plan improvements voted on at the next meeting. Mr. Ballard said the Board does have a policy on Citizen Advisory Committees. This motion flies in the face of that and it entangles another municipality. He did not understand why a representative from the Lower Macungie Township Commissioners on a school committee. Mr. Ballard said he would not support the motion. Mr. Bacher asked for a Point of Order about not addressing the motion. Ms. Fuller indicated that she would not support the motion. Dr. Seidenberger said the district sat down on two occasions to be sure that Lower Macungie would approve the plans. We have reduced the parents concern to traffic before and after school, what to do in bad weather, and is there any interest in moving forward with a walking school bus. Dr. Moyer has a great record of working with parents. Once the Township has taken action, there can be a full airing out of what is being done. The Board has been presented with two options and Dr. Seidenberger will present a recommendation when the Township time line is known. Dr. Moyer will work with the committee on things that are germane to Willow Lane. Mr. Ballard said the plan is rerouting traffic on the site. There was a brief exchange with the Solicitor, Mr. Stolz, and Mr. Ballard regarding the policy. Mr. Stolz withdrew his motion.

Mrs. Heid asked if Mr. Rhodes would take her place reporting to the Board actions that are taken at the next LCTI Joint Operating Committee Meeting. Mr. Ballard encouraged other members of the Board to attend a LCTI meeting to see how another Board operates.

14. Announcements

Monday, February 25	4:30 p.m.-Executive Session (Personnel) 7:00 p.m.-Executive Session (Personnel, Confidentiality, Real Estate, Negotiations) 7:30 p.m.-Board Meeting
Monday, March 11	7:30 p.m.-Board Meeting

15. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 11:07 p.m.

Cecilia R. Birdsell, Board Secretary