

ORDER OF BUSINESS

1. Call to Order; Pledge of Allegiance

President Charles H. Ballard 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, M. Policano, J. Stolz
Board Members Absent: R. Heid, S. Rhodes, III
Solicitor: Marc S. Fisher, Esq., Worth, Magee & Fisher
Treasurer: L. 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
Mariella Savidge, Emmaus/Lower MacungiePatch.com
Randy Kraft, WFMZ online reporter
Margie Peterson, Morning Call Freelance reporter

2. Requests to Address the Board

Dr. Lee LaRussa, 1982 Winthrop Way, Macungie wanted to clarify that the vote this evening was for the site improvements.

Garrett Rhoads, 5595 Wedge Lane, Allentown said he was unable to take the Willow Lane survey because he was not living in a development that is affected. He requested that other Willow Lane parents be part of the discussion since they may be dropping off and picking up students.

Melissa Huffer, 1885 Greenshire Drive, Macungie complained that her school and Lower Macungie Township taxes were being used for site and traffic improvements that should have been completed when the school was built. She address the fairness issue by stating that busing was being taken away for 350 students as well as being provided to 40 students as described in the Transportation Study. She concluded her comments by urging Dr. Seidenberger to talk to and listen to the parents and their concerns.

Susan Coenen, 6220 Wheatland Drive, Macungie distributed copies of her report concerning the site improvements that were explained at the February 25 Board Meeting. She had emailed copies of the report to board members on Sunday evening. She claimed that some of the proposed site changes did not conform to state and federal guidelines. She interpreted the Transportation Study as having students cross four lanes of traffic. She said the engineer who conducted the walkability study overlooked some problem areas on the site, such as floating curbs. She forwarded her report to the PennDOT officials as well as the walkability study.

Donna Jurado, 1975 Winthrop Way, Macungie distributed copies of her two-page report, "Operation Hug." She, too, claimed that students would be crossing the parking lot. She described her proposal that is enclosed in the attached minutes. She said she and other parents were willing to work with Dr. Seidenberger and the staff.

Jonathan Berger, 6912 Sunflower Lane, Macungie submitted information that he claimed illustrated a major breach in ethics regarding when the information regarding the November 27 meeting was on the Willow Lane and district web site. He claimed that the district actually posted this information to the calendar on February 25 and March 7. He demanded an explanation. He said there needed to be a change of procedures and personnel.

Dave Kee, Brandywine II, Macungie said he felt the site changes were worrisome and interpreted the changes as having students cross in front of traffic. Some of his concerns deal with the number of accidents on Willow Lane and Mill Creek Road. He went to a meeting at the Willows where Ms. Donches claimed she had talked to a psychologist who said it was not in our children's best interest to walk to Willow Lane. He questioned why there was being a price put on children's safety.

Todd Salomon, 6654 Trafalgar Drive, Macungie requested that there be an open dialog with the parents. He expressed his frustration about the way the superintendent and Board is handling the situation. He wanted an informal meeting with the parents. He questioned how many crossing guards would be warranted as well as when the signage will be in place. He claimed that Willow Lane had not been designed as a walking school.

Matthew Mull, 6676 Rutherford Drive, Macungie claimed the issue to have students walking to Willow Lane has not been thoroughly thought through. He talked about the fairness issue, noting that his daughter had attended Kindergarten at the Lower Macungie School where there was no air conditioning. He said progress by definition comes in spurts. He did not want to succumb "to back in the day." It is a different world now. He did not like the plan.

Nancy Salomon, 6654 Rutherford Drive, Macungie said she did not like the attitude of the Board, stating that they are rude and disrespectful to the audience and each other. She said a true walking school would have a separate entrance. She urged the Board to have respect for everyone.

3. Approval of Minutes

Motion by Donches, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors approve the minutes for the February 25, 2013 meeting.

This resolution was unanimously adopted by voice vote.

4. Willow Lane Site Improvements – Exhibit 1

Motion by Fuller, Seconded by Earnshaw

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 said this recommendation is in response to the problems we have seen develop over the past three years. He said no one anticipated the amount of cars that are dropping off students. The district has had discussions with the Lower Macungie Fire Department who are concerned about access for the Department's vehicles. This plan flip-flops the traffic flow. On two specific occasions, there have been meetings with both the district's and the Township's engineering staff to review these plans. We have come up with a plan that is agreeable and acceptable to the Township. The district will be appearing before the Township on March 14. The Township Commissioners have indicated that the plan will move forward. It was Dr. Seidenberger's understanding that they will make public their part of the safety plan. He thanked Ms. Coenen and Ms. Jurado for their plans. The staff has met with the engineer and they will take a couple of things under advisement. Ms. Fuller commented that this vote is simply physical improvements to the property. Any vote on busing is another issue or discussion on how traffic is handled will be discussed separately. Ms. Donches asked if parents have to physically go in with their children and sign them in. Dr. Seidenberger said they do that in the afternoon. She asked about the road between the school and the Fire station and if there were parking spaces. Mr. Paul Szwczak explained that the way the plan was developed was to illustrate where cars can cue up in the parking lot in order to get them to the drop off points. These are not parking spaces but how the cars can cue up. The driveway depicted is not designed for the cars to stop and students to get out. It is intended to give the longest cueing distance which fits the most cars on site. He said there is a long sidewalk on the gym side and this could be where the students can disembark and have staff help them. It does not designate parking spots in front of the building. Ms. Donches talked about the gates. Mr. Szwczak said these are not a set of fully developed drawings. Ms. Donches asked about the buses discharging. He said his understanding is that when students are discharged in the morning the buses will not all be there at the same time; however, in the afternoon, they will line up. He said some of it is to be worked out. There are 11 buses. In response to a question from Ms. Donches, Dr. Seidenberger said the signage size can be done. In terms of supervision, Dr. Seidenberger said there are seven people supervising morning traffic and depending on what is decided Dr. Moyer has been granted permission for increased hours for staff. He said they are committed to safety in this situation. He said students are collected in one area and then the bus numbers are called. It will be the decision of the principal. Ms. Donches asked if students would be crossing in front of the buses on the side by the detention pond. Mr. Szwczak responded that the walking path does cross the driveway but there will be school staff available. Ms. Donches said her concern was whether this would be accepted by the Township on Thursday because she had attended on February 14 and there were concerns from the committee people. She asked if it was

premature to go to the Township and suggested the district should hear their concerns before having the Board take action. Dr. Seidenberger said he was asking the Board to take action because someone has to go first. He reiterated what he had said at the last board meeting about if things do not go well we would go back to the old system. If someone from the Township calls and they have changed their minds, then we will go back. What we are recommending is a good plan because of the concerns of the Fire Department. Ms. Donches said she is still concerned about the drop off and pick up. Again, Dr. Seidenberger explained that the district has had two meetings with the Township engineer and this has been reviewed. He would not bring the plan to the Board if the response had not been positive. This is a plan where the Township engineer and the staff are agreeable. He said he could not say he had an affirmative vote from the Commissioners. Dr. Bacher clarified that the district was allocating funds but bids would have to go out. The bids will establish the cost of the project and action will have to take place before the work can be done. Dr. Bacher said that he looked at the site and felt the walking path by the detention pond was narrow. Mr. Earnshaw clarified that the Board is authorizing the engineer and district employees to take this plan to the Township. The district cannot solicit input from the Commissioners without violating the Sunshine Law. He talked about the sidewalk widths and what would be needed to enhance the walkway and the fact that it may be impossible to do that. He indicated his support for the motion. Mr. Stolz said he would approve a plan when all the parents have approved the plan. He indicated that he would be voting no. Mr. Ballard said it was his understanding that this has been proceeding in the manner that involves two government bodies. He thought that the traffic flow issue had been initiated by the Township. Dr. Seidenberger reiterated that this site improvement plan had been discussed on two separate occasions. Mr. Ballard questioned Mr. Szewczak about the rolling curbs and the detention pond. Mr. Szewczak explained this was done for maintenance and easier snow removal. The curbing is to control storm water runoff and it is not a traffic control item. In response to a question from Mr. Ballard, Mr. Szewczak said the site has two ways in and out. One is the driveway between the school and fire department and the rear one from Mill Creek is actually on township property. Mr. Szewczak talked about the restrictions with the site that had to be overcome - it is a large land holding but more than half is in a flood plain; there is a fence because of the retaining wall; the site lines are also unsafe as determined by PennDOT. He indicated again that this site was not designed for 140 cars. There is no site for an infinite number of cars. He said the consensus of those involved (state police and fire department) is that this will provide more stacking and eliminate the cars off Sauerkraut Lane and will only have to accommodate 11 buses. Ms. Fuller talked about the limitations of the site and the fact that Willow Lane had been owned by the district for over 40 years. Due to an influx of over 400 students, the district had to make a decision between this site and perhaps putting an elementary at the Wescosville site. The Willow Lane site seemed to be the more appropriate choice and now people are hearing about other site restrictions. The district worked with the material available. She was impressed with the commitment of the parents and the quality of the work going into these reports. She was confident that Dr. Moyer welcomes the input. She again reminded the parents that the vote tonight is for the site improvements. She would support the motion. In response to a question from Ms. Donches, Mr. Szewczak indicated that there is enough room for a bus to exit.

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

Aye: Bacher, Ballard, Earnshaw, Fuller, -----4
 Nay: Donches, Policano, Stolz-----3
 Absent: Heid, Rhodes-----2

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

1. District Update

Dr. Seidenberger announced that parents will be getting information from Technology Director Michael Mohn that will indicate they can add up to three phone numbers for the Edulink calls.

Dr. Seidenberger called attention to the vignettes that have been added to the web site providing more information regarding Autism Awareness, Instructional Rounds, S.T.E.M., The Daily 5, RTII and Keystone Exams/Common Core Standards. Thank you to the Emmaus High School TV Studio for creating the videos (preproduction, interviews and post production).

A recent state report on low income students indicated that between 11-12 and 12-13 there has been an increase of 320 students. Referring to the March enrollment in East Penn, there is a decrease of 40 students from the February enrollment.

Dr. Seidenberger announced that EHS has received a substantial grant from the Zazo Scholarship fund, which is administered by the PA DEP, in the amount of \$21,000 - this funding is for various activities within the

biology and environmental science programs. Science teachers Steve Baier and Brent Ohl applied for this scholarship in the fall. This will allow them to expand environmental programs through club activities, geology field trips, create ground water models, and the ability to create an outdoor classroom.

The annual Junior Academy of Science Competition results indicate that at Emmaus HS there were 42 students who competed and 32 scored first place; 14 received monetary awards and 5 had perfect scores. At Eyer MS there were 42 students who scored first place; 20 scored second place; 1 received third place; and 19 received monetary awards. At LMMS, there were 37 students who scored first place; 22 scored second place; and 11 monetary awards.

Referring to the second survey for Willow Lane Parents, Dr. Seidenberger indicated there were 69 parents who completed the survey and 17 indicated that they would be interested in serving on a committee.

On Thursday afternoon, the district will be appearing before a subcommittee of Lower Macungie Commissioners to submit the site improvements for Willow Lane. Dr. Seidenberger will be making his recommendation to the Board concerning the two options in the Transportation Study. The district will continue to have conversations with Bruce Fosselman and his staff and try to bring this issue to a conclusion. As part of the budget process, he will make his recommendation. He said there has been a lot of conversation and controlling traffic is one of the priorities.

At the last meeting Ms. Donches presented information regarding the accounting codes for Brick Township (NJ) School District and then submitted information that there was a district in Pennsylvania (Latrobe School District) that was charging for transportation. Dr. Seidenberger said he had called Brick and found that they do indeed provide account codes as part of their new software program. He talked about his experience in Phillipsburg, NJ. He called attention to PDE information regarding transportation that indicated a school district that provides transportation to its students cannot charge a fee according to Section 1361 of the School Code (information attached to the minutes). In addition, the information submitted by Ms. Donches was for the Latrobe School District located in Shingle Spring, California. The PA district is actually Greater Latrobe School District. Ms. Donches asked if the district gets reimbursed because of hazardous roads even if they are within the 1.5 miles. Dr. Seidenberger responded affirmatively.

2. Personnel

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

Appointment of Professional Employee

Name/Address:	Barbara Freiwald 254 Cold Run Road, New Ringgold 17960
Education Level:	B. S. N. Degree (2005) M. Ed. Degree (2010)
Undergraduate School:	Kutztown University
Graduate School:	Alvernia University
Certification:	Educational Specialist II, School Nurse
Assignment:	Certified School Nurse, Shoemaker School Vacancy created by C. O'Connor retirement
Experience:	8/2009-Present: Reading School District
Salary:	\$54,544 (Year 4, Col. M)

Appointment of Full Time Substitute Teacher

Name/Address:	Heather Potenski 1380 West University Avenue, Bethlehem 18015
Education Level:	B. S. Degree (2008)
Undergraduate School:	West Chester University
Certification:	Instructional I, Early Childhood N-3; Special Education N-12
Assignment:	Learning Support Teacher, Macungie School

Experience: Opening created by M. Long leave
11/12-Present: East Penn SD
Salary: \$45,185 (Year 1, Col. B)

Awarding Tenure

That, in accordance with Section 1121 of the PA School Code, the following temporary professional employees based upon satisfactory service be awarded tenure:

<u>Temporary Professional Employee</u>	<u>Assignment</u>
Alexis Williams	Grade 4, Lincoln School

Leaves as Per Collective Bargaining Agreement

<u>Employee</u>	<u>Leave</u>
Melissa Saylor Grade 1 Teacher, Macungie	Extension to 6/30/13
Jennifer M. Thomas Grade 2 Teacher, Macungie	April 15-June 30, 2013
Kristina Svencer Science Teacher, Emmaus HS	Extension to 6/30/13

Custodial Appointment

Name/Address: Matthew Bachert
650 Minor Street, Emmaus
Effective: March 18, 2013
Assignment: Second Shift, Lincoln School
Vacancy created by T. Gable Retirement and subsequent transfers
Salary: \$18.94/hr., 40 hrs./wk.

Co-Curricular Advisors – Exhibit 2

See Exhibit 2

Change in Employment Status

<u>Employee</u>	<u>From</u>	<u>To</u>
Michele Streit Instructional Assistant, Wescosville	22.5 hrs./wk	24.5 hrs./wk.
Shelley Christman-Sharer Instructional Assistant, Wescosville	29 hrs./wk.	27 hrs./wk.

Additions to the 2012-2013 List of Per Diem Substitutes

Jennifer Stuetz, Elementary/Family & Consumer Science
Patricia Dieter, Food Service
Veronica Cibelli, Instructional/Staff Assistant
Ronald Storch, Elementary

Educational Conferences – Exhibit 3

That the East Penn Board of School Directors approve the estimated expenses for the individuals attending the educational conferences listed on Exhibit 3.

Ms. Donches asked to see a report from Mr. Ramella on his conference.

Professional Services Agreement – Exhibit 4

RESOLVED, That the East Penn Board of School Directors approve the Professional Services Agreement with 360 Degree Customer, Inc. 4423 Fortran Drive, San Jose, CA to provide speech therapy services as listed in Exhibit 4.

Note: This contract has been reviewed by the Solicitor.

In answer to questions raised by Dr. Bacher, Dr. Pekarik responded that we are hiring this company to find a speech pathologist since we currently do not have any substitute speech and language therapists. We would contract with this agency through the end of the 2012-13 school year. The range for the rate is \$68 - \$80 per hour. After board approval of the contract we will interview the candidates. The training refers to any day that staff are in session when the district is providing professional development for employed staff members. Ms. Donches pointed out an editorial change. In response to another question from Ms. Donches, Dr. Pekarik indicated that the therapists must be certified in Pennsylvania.

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

6. Policy

- 1. Second Reading - Board Policy 609-Investment of District Funds – Exhibit 5
Policy has been reviewed by the Solicitor and Auditor William Gorman

In answer to a question from Mr. Earnshaw, it was noted that the law guiding this reference was part of the School Code. Dr. Bacher asked if the Guidelines were an enumeration from the School Code and was told that was correct.

- 2. Second Reading – Board Policy 810-Transportation – Exhibit 6

7. Legislative C. Ballard

Mr. Ballard said there has not been any movement on the budget and several of the Governor’s proposals are being questioned by members of both parties. He said special education is being underfunded as well Basic Education Subsidy. There are proposals for unfunded mandates being considered but nothing specific. Ms. Donches asked what would be the top 3 that should be discussed with the state legislators. Mr. Ballard indicated that the three priorities would be prevailing wage, transportation of non-public students to 10 miles outside the district’s boundaries, and funding of charter schools. Dr. Seidenberger added that the underfunding of special education is also a concern. There has been five years of hold harmless funding. Mr. Ballard indicated that within the past five years the district’s costs have gone from 5 million dollars to 13 million dollars. East Penn only received \$150,000 in reimbursement for extraordinary costs that amounted to over \$900,000. Mr. Stolz commented on finding a different method of paying for schools other than property taxes.

- 8. TIF Committee Dr. Ken Bacher
Dr. Thomas L. Seidenberger

Dr. Bacher indicated that there had been a meeting on February 27. The issues discussed dealt with the extraordinary costs incurred by the Developer for remediation of the site, costs for improvements in the infrastructure, and proprietary information dealing with the Developer’s pro-forma financial analysis for the project, and bond issuance. Referring to the process, Dr. Bacher indicated that the TIF Committee does not actually vote on the plan. LCIDA prepares the TIF Plan with input from the committee members and the plan will be presented at public meetings for each of the taxing bodies. There was another meeting on March 7; however, the minutes were not available. Dr. Bacher said there was an article in the Morning Call about the TIF which may have given the

impression that the benefits would not come until the end of the TIF project. Dr. Bacher clarified that the benefit will come to the taxing bodies from the start of the project. He indicated he had not received any further input from residents and he would be available after the meeting. Mr. Earnshaw asked about re-assessment and tax revenues if the project is built in phases. Dr. Bacher said they are not planning to build this in phases and even if the space is not rented the taxes will be paid. Ms. Donches asked how many jobs this project will provide in job hours. Dr. Bacher said 495 jobs will be for construction and 1,000 jobs will be full time.

9. Business Operations

1. Bill List Approval

Motion by Earnshaw, Seconded by Fuller

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 in the amounts indicated.

Ms. Donches announced that she would be abstaining until she gets the codes that she requested.

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

Aye: Bacher, Ballard, Earnshaw, Fuller, Policano-----5
 Abstention: Donches, Stolz-----2
 Absent: Heid, Rhodes-----2

2. Treasurer’s Report

Motion by Bacher, Seconded by Stolz

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

Disbursement of Funds – Exhibit 7

RESOLVED, That the East Penn Board of School Directors authorize the disbursement of funds from the 33-2010 Series A GOB as described in Exhibit 7.

Record of Investments – Exhibit 8

RESOLVED, That the East Penn Board of School Directors approve the investment of funds as listed on Exhibit 8.

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

Aye: Bacher, Ballard, Donches, Earnshaw, Fuller, Policano, Stolz-----7
 Absent: Heid, Rhodes-----2

10. Announcements

Sunday, March 10	Daylight Savings Time Begins-Turn clocks ahead 1 hour
Monday, March 11	6:30 p.m.-Executive Session (Real Estate, Negotiations, Confidentiality) 7:30 p.m.-Board Meeting
March 21 & 22	7:30 p.m.- “How to Succeed in Business Without Really Trying” LMMS Spring Musical
March 23	2:00 p.m. & 7:30 p.m.-“How to Succeed in Business Without Really Trying” LMMS Spring Musical

11. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 9:10 p.m.

Cecilia R. Birdsell, Board Secretary