

## 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, R. Heid, M. Policano, S. Rhodes, 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: Peter McConnell, East Penn Press Reporter

Randy Kraft, WFMZ Online Reporter

Kelly Martin, Morning Call Reporter

Mary Youtz, Emmaus.Patch.com Reporter

### 2. Requests to Address the Board-None

### 3. Approval of Minutes

Motion by Rhodes, Seconded by Fuller

RESOLVED, That the East Penn Board of School Directors approve the minutes for the September 24, 2012 meeting.

Ms. Donches suggested an editorial change. Ms. Fuller thanked the Board Secretary for the masterful reporting of all that went on at the last meeting.

This resolution was unanimously adopted by voice vote.

### 4. Report of the Superintendent of Schools

#### 1. District Update

Dr. Seidenberger reported on the Lehigh University Study Council trip that was held at the University of Pittsburgh with scheduled visits to Fox Chapel School District and Upper St. Clair that is described as the highest performing high school in Pennsylvania. The trip included 30 superintendents and central office staff. They had an opportunity to network with colleagues away from their offices.

They were given a presentation on the University of Pittsburgh's principal certification program and the Letter of Eligibility Program. It is designed to move people in and out of the principal certification program in four semesters. The Superintendent of Fox Chapel previewed their STEM Program. A local superintendent of a small district outside of Pittsburgh described their experience as a piloting district for the new teacher evaluation system. She estimated that it takes at least 8 hours/teacher to complete the process, not including other support staff evaluations. Dr. Seidenberger was most impressed with many of the activities taking place in the Upper St. Clair School District. He talked about their Leadership Program, STEM Program, International initiatives and the various Halls of Fame (academic, athletics, and the arts). EHS principal Dave Piperato will be in Pittsburgh for another conference and will be visiting the Upper St. Clair High School. They have also received PILS certification for their program. The group met Barbara Bolas, the Vice President of the Board, and former PSBA and NSBA President. She spoke passionately about what they value in education. The items that were significant and mirror East Penn

deal with a committed Board of School Directors, teachers who recognize change and were willing to make concessions, and a great commitment with community groups. They maintained all of their current programs and had a small tax increase.

The following students have been named as semifinalists in the 2013 National Merit Scholarship Competition:

Daniel Brindjar, Terence Cawley, Thomas, Fang, Ryan Jaeger, Connor Maake, Neeraj Tatikola

Mr. Scott Shearer from Public Financial Management is scheduled to come to the November 12 Board Meeting with refinancing news. This would help the 2013-14 Budget.

Today, Dr. Seidenberger received the report regarding the Willow Lane walking route. The report will be posted after Lower Macungie Township has had an opportunity to review it. Out of a possible 30 points, the Willow Lane walking routes all received 26 points. He thanked Dr. Mirabella, Dr. Moyer, and Mr. Glancy and others (state police, parents, teachers) for their work on this project.

Referring to the PA Inspired Leadership Program, Mr. Earnshaw indicated that this program requires certain administrators to receive 180 hours over a five year period to retain their certification.

## 2. Personnel

Motion by Earnshaw, Seconded by Donches

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

### Retirement

-Cheryl Felegy, Food Service Department, effective January 1, 2013 (Exhibit 1)

### Temporary Professional Employee Appointment

Name/Address:	Kirsten Tomasello 1576 Kennington Lane, Macungie
Educational Level:	B. A. Degree (1990)
Undergraduate School:	Gettysburg College
Graduate School:	Muhlenberg College (Certification)
Certification:	Instructional I, Elementary K-6
Assignment:	Grade 5, Shoemaker School New position and subsequent transfers
Effective:	October 9, 2012
Experience:	8/2010-Present: East Penn SD (FTS)
Salary:	\$45,508 (Year 2, Col. B)

### Leave as Per Collective Bargaining Agreement

Employee:	Kristen Bruckner Grade 1, Shoemaker School
Effective:	January 23, 2013, extension

### Income Protection

Joseph Schmoyer, Maintenance	November 16, 2012
William Moyer, Maintenance	September 25, 2012

### Part-Time Food Service Assistant Appointment

Name/Address: Renee Tigar  
11 W. Greenleaf Street, Emmaus  
Effective: To be determined  
Assignment: Shoemaker School, New Position  
Salary: \$13.61/hr., 2 hrs./day

Health Room Assistant

Name/Address: Jenna Ottinger  
1574 Pinewind Drive, Alburtis  
Effective: October 9, 2012  
Assignment: Willow Lane School  
Vacancy created by A. Nebel resignation  
Salary: \$18.77/hr., 29 hrs./wk.

Additions to the 2012-13 List of Per Diem Substitutes

Michelle Huber, Health Room Assistant  
Thelma Schaffer, Food Services  
Jill Schrader, Instructional/Staff Assistant  
Melissa King, Instructional/Staff Assistant  
Megan Nixon, Music

Co-Curricular Advisors

See Exhibit 2

Authorization of Attendance Officers

In accordance with Modifications 5.29, the East Penn Board of School Directors authorizes the following individuals to act in the capacity of attendance officers to write truancy citations:

Emmaus HS

David Piperato, Principal  
Laura Witman, Assistant Principal  
Mark Caccavo, Assistant Principal  
Matthew Gale, Assistant Principal  
Sally Hanzlik, Assistant Principal  
Andrea Edmonds, Assistant Principal

Elementary Principals

Dr. Jacqueline Attinello, Lincoln  
Tara Desiderio, Wescosville  
Dr. Ron Renaldi, Alburtis  
Cheryl Wetzel Scalzo, Jefferson  
Anthony Moyer, Willow Lane  
James Best, Macungie  
Lynn Brinckman, Shoemaker

Lower Macungie MS

Suzanne Vincent, Principal  
Greg Annoni, Assistant Principal  
Rodd Luckenbill, Assistant Principal

Eyer MS

Dave Silfies, Principal  
Michael Kelly, Assistant Principal

Student Services

Jennifer Curtis  
Karen Fairclough  
Meredith Frantz

Dr. Thomas Mirabella  
Dr. Linda Pekarik

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 with the exception of the PASBO Conference scheduled for Mr. Glancy.

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

Aye: Bacher, Ballard, Donches, Earnshaw, Fuller, Heid, Policano, Rhodes, Stolz-----9

At the request of Ms. Donches, the following conference was acted on separately:

Conference Title: PASBO Transportation Conference, Grantville  
Date(s): October 18-19, 2012  
Attending: Lynn Glancy, Director of Operations  
Estimated Cost: \$550.96

Motion by Earnshaw, Seconded by Fuller

RESOLVED, That the East Penn Board of School Directors approve the estimated expenses for the individual attending the educational conference listed below:

Conference Title: PASBO Transportation Conference, Grantville  
Date(s): October 18-19, 2012  
Attending: Lynn Glancy, Director of Operations  
Estimated Cost: \$550.96

Ms. Donches asked if Mr. Glancy could provide an Executive Summary of the conference when he returns since transportation is a high cost in the budget. Mr. Earnshaw pointed out that if Ms. Donches only wants to ask a question that there is no need to take separate action. She could ask the question as part of the original motion.

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

Aye: Bacher, Ballard, Donches, Earnshaw, Fuller, Heid, Policano, Rhodes, Stolz-----9

3. PSBA Compensation Analysis and Market Assessment for Act 93 Compensation Practices (Exhibit 4)

Motion by Bacher, Seconded by Fuller

RESOLVED, That the East Penn Board of School Directors authorize the Pennsylvania School Boards Association to conduct a Compensation Analysis and Market Assessment for Act 93 Compensation Practices at a cost not to exceed \$4,100.

Mr. Stolz asked why this was not being handled in-house by staff. Dr. Seidenberger replied that compensation is always a key issue in every school district. The Act 93 group can meet and discuss about compensation but they have no bargaining rights. In the past few years, there has been a tremendous amount of turnover of staff in this area. This study will give the district key information regarding the Lehigh Valley and other districts similar to East Penn in the area of aid ratio and size. The Act 93 salaries have ranges from minimum to maximum. This study will be confidential and proprietary. Dr. Seidenberger indicated that PSBA has access to information that is not available to school districts. They will also be looking at job descriptions. Dr. Seidenberger pointed out that the amount of time this will take will be well in excess of \$4100. PSBA staff have completed over 50 reports. Mr. Stolz asked if this means that there will be salary raises. Dr. Seidenberger replied that it is up to the Board. Mr. Stolz then asked if this was something that could be bid out. Dr. Seidenberger said that PSBA has a unique

talent in this area. Mr. Stolz said he has concerns about PSBA since they are part of the PSERS system and as such it could be a conflict of interest. Dr. Seidenberger responded that it was Mr. Stolz' opinion and he did not necessarily agree. Mr. Stolz introduced the following motion:

Motion by Stolz, Seconded by Donches  
RESOLVED, That the motion be tabled until it could be bid out.

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

Mr. Earnshaw said having been involved in Act 93 discussions the district is sometimes operating in the dark and this kind of study would set parameters in a more rational way. This is not about increasing current employees' pay. Over the past few years, there has been turnover in the Act 93 group because of retirements and people seeking other opportunities. PSBA will score the jobs so there is a like-to-like comparison and this will be valuable. Mr. Earnshaw, Mr. Bacher, and Mr. Ballard all acknowledged that, based on their working experience, it would cost more than \$4100 to have an outside consultant come in. Ms. Donches said she would have liked to see the analysis of bidding out to other organizations or corporations. She said by not bidding this out the Board cannot be sure that another company would have been more competitive. She, too, shared the concern about PSBA having a conflict of interest since they are educational lobbyists. Ms. Fuller said there have been several comments about increasing salaries but the information received will indicate whether the district is in the right parameter. It is a collection of data to help discussions in the future. Mr. Ballard concurred with Mr. Earnshaw and Mr. Bacher that this was a good cost, noting it is professional services and state law does not require going out to bid. He concluded that he had no problem with PSBA because they have served the interests of school boards and the people of Pennsylvania for over 75 years without a hint from any credible organization of having any bias no matter what pension plan they are under. He further stated that he found it disingenuous to be making those claims without any backing whatsoever. Mr. Ballard called for a vote on the original motion.

Motion by Bacher, Seconded by Fuller  
RESOLVED, That the East Penn Board of School Directors authorize the Pennsylvania School Boards Association to conduct a Compensation Analysis and Market Assessment for Act 93 Compensation Practices at a cost not to exceed \$4,100.

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

5. TIF Appointment(s)

Mr. Ballard explained that this is an exploratory committee and does not commit any of the parties to creating or approving a TIF. The committee is comprised of municipalities and the school district involved in any potential tax financing of a development. It is chaired by the Lehigh County Industrial Development Authority. The committee will inspect the proposals and the various available financing options and then determine whether it is recommended for all of the entities involved to go forward with the option of the TIF. The recommendation will be forwarded to the taxing bodies and then those entities will be voting on the TIF. Mr. Ballard cautioned that this process will not happen overnight and will take several months.

1. Appointment to the Hamilton Crossings Tax Increment Financing Committee

Motion by Ballard, Seconded by Rhodes  
RESOLVED, That the East Penn Board of School Directors designate Dr. Thomas L. Seidenberger and Dr. Ken Bacher as the primary East Penn School

District representative(s) to the Hamilton Crossings Tax Increment Financing Committee and Ms. Francee Fuller as an alternate.

Addressing Solicitor Fisher, Ms. Donches asked about the timing of the recommendation. Mr. Fisher said there was already a presentation done at Lower Macungie Township and at the last meeting of the Board. Ms. Donches claimed that the presentation had not been made to Lehigh County yet. He was not aware of whether or not it was presented to Lehigh County and further stated that it cannot go anywhere until the actual presentation is made. He stated that this can be done in this order. Ms. Donches asked at what point the board will get proof from Mr. Harrison's group and the Goldenberg Group as far as their financing that proves this financial assistance is needed and this TIF is not being requested just because of the government program out there to be taken advantage of. Mr. Ballard reiterated that this is part of the exploratory committee's work. He again explained the process for this recommendation. Mr. Stolz asked the Solicitor if there was a choice in appointing representatives to this committee, adding that he had concerns about Lower Macungie Township having representation when they do not have a property tax. Solicitor Fisher said the law requires the municipality and school district to be involved. Since a TIF could last for a period of ten or twenty years, there is the possibility that there could be taxes. Mr. Stolz questioned why the state is not required to have representation. Solicitor Fisher said he would not address the comment because the law itself stipulates the parties to be involved and does not include the state. Mr. Stolz reiterated his concerns about getting the government involved in the Free Market process and giving an advantage to one set of developers. He said he would fight this every step of the way to see that we do not become involved. Mr. Bacher pointed out that the Board was not making a decision this evening to support or not support the TIF and he would like to have the data from the committee to make an informed decision. The Board is simply appointing members to the committee. Mr. Earnshaw agreed with Mr. Bacher. He further stated that the Board not only needed the data from the committee but also needed to have a voice on the committee that can recommend whatever they want. Mr. Earnshaw commented on the economics and civics, noting that the tendency of a Free Market is to go to a monopoly to maximize their profits. The government interferes with that to put government restrictions on that practice. He said not being involved in commerce at all is naive and an oversimplification of what the market is like and what the realities would be if government did not interfere.

This motion was duly adopted by the following roll call vote:  
Aye: Bacher, Ballard, Donches, Earnshaw, Fuller, Heid, Rhodes, Policano-----8  
Nay: Stolz-----1

6. Legislative C. Ballard

Mr. Ballard said the Independent Fiscal Office ( a creation of the Legislature) issued an analysis of tax reform legislation (SB 1400 and HB 1776). The report indicated that the revenues provided by the plan would be insufficient to replace the school property taxes it eliminates. There would be a shortfall of 1.5 billion dollars in fiscal year 2013-2014 and the deficit would grow over time. He urged board members to take a look at the report. Mr. Ballard also pointed out that both bills talk about the state taking in the revenue and doling it out to school districts. In both of these bills, if the business does not pay sales tax and it is not a sole proprietorship, they get a windfall of no property taxes. He did discuss this with Representative Simmons. The Department of Education came out with new calculations for AYP for charters schools and suddenly a large number of charter schools were making AYP. The state did not get federal approval to use an alternative method. It appears that the AYP has artificially inflated scores for charter schools. The Act 1 index calculation is actually specified in Act 1. Due to a change in the law regarding unemployment payments, they were to go to a three year period so this lowered the index. Charter School reauthorization is being considered to make it easier for forming charter schools. Mr. Ballard pointed out that taxpayers pay 80% of the cost for a charter school. Referring to the school property tax bills, Mr. Bacher indicated that because sales tax cannot be deducted from federal income tax, residents would also pay more in federal taxes.

7. Board Operations

1. Approval of Bill List

Motion by Bacher, 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 and vouchers in the amounts indicated.

Ms. Donches questioned the following bill:

00017040 Visual Systems Group Inc. \$56,890

Director of Technology Michael Mohn explained it is an upgrade for K-12 distance learning. He explained how it is used across the district for advanced courses, including virtual museum tours and field trips.

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

Aye: Bacher, Ballard, Donches, Earnshaw, Fuller, Heid, Policano, Rhodes, Stolz-----9

2. Budget Transfers Post-Audit for June 30, 2012 (Exhibit 5)

Motion by Earnshaw, Seconded by Fuller

RESOLVED, That the East Penn Board of School Directors approve the attached list of budget transfers.

In answer to question raised by Ms. Donches, Mrs. Surdoval explained that these transfers must be made in order to complete the audit. These transfers are recommended by the auditor and are included in their working documents. These are transactions that took place near the end of the year. This is the last step to closing out the books for the last fiscal year.

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

Aye: Bacher, Ballard, Donches, Earnshaw, Fuller, Heid, Policano, Rhodes, Stolz----9

3. Approval of PLANCON K: General Obligation Bonds, Series A of 2012 (Exhibit 6)

Motion by Earnshaw, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors approve PLANCON K: General Obligation Bonds, Series A of 2012, for submission to the PA Department of Education as described in Exhibit 6.

Facility Rental Approval

RESOLVED, That the East Penn Board of School Directors grant permission for Armetta's Grand Jete Studio of Dance, 17 E. Main Street, Macungie to use Emmaus High School Auditorium and Band Room for a rehearsal and recital on June 20, 21, and 22, 2013. This is a Group V organization and will be charged the following fees:

\$18.00/hour EHS Band Room  
\$120.00/hour EHS Auditorium (Rehearsal)  
\$125.00/hour EHS Auditorium (Recital)  
\$24.00/hour Security  
\$20.00/hour Lighting and Sound Technicians  
\$41.49/hour Custodial Rate

Parent/Guardian Transportation Contract

RESOLVED, That the East Penn Board of School Directors approve the following Parent/Guardian Transportation Contract:

Parent/Guardian: Pamela Kline  
56 W. Daniel Road, Kutztown  
Effective: August 27-June 10, 2013  
Reimbursement: \$.555/mile-16.3 miles/day

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 in the amounts indicated on Exhibit 7.

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

8. Unfinished Business

1. Web Casting Board Meetings (as suggested by J. Stolz at the 9/24/12 meeting)

Motion by Stolz, Seconded by Donches

RESOLVED, That the East Penn School Board direct the administration to prepare a report on webcasting the School Board Meetings.

Mr. Earnshaw asked what Mr. Stolz would like in the report and felt there should be more elaboration. Mr. Stolz said he would like to see what would be required for web casting similar to the Lehigh County Commissioners and the Emmaus Borough Council. He also interjected that some board members had indicated their support for web casting in their campaigns. Dr. Seidenberger indicated that there had been a report about four years ago. He would have to go back to Mr. Glancy, Mr. Ritter, and Mr. Mohn to discuss what was reviewed four years ago, adding that it was determined that this would not be an easy thing to do in this room. Mr. Ballard said when the report is completed he would like to have Solicitor Fisher review it for liability. Mr. Earnshaw questioned what would happen if a Board Meeting would have to be moved out of the room to another location that was not equipped for web casting. Mr. Stolz pointed out the camera that is currently used by a citizen would be sufficient and he had every confidence that the administration could work that out. Mr. Ballard said that the administration has indicated they will do the report and asked if Mr. Stolz still wanted his motion and he indicated that he did.

Mr. Earnshaw proposed the following motion:

Motion by Earnshaw, Seconded by Fuller

RESOLVED, That the East Penn Board of School Directors table the motion.

This motion was defeated by the following roll call vote:

Nay: Bacher, Ballard, Donches, Heid, Policano, Rhodes, Stolz-----7

Aye: Earnshaw, Fuller-----2

The original motion was then voted upon:

Motion by Stolz, Seconded by Donches

RESOLVED, That the East Penn School Board direct the administration to prepare a report on webcasting the School Board Meetings.

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

Aye: Bacher, Donches, Heid, Policano, Rhodes, Stolz-----6

Nay: Ballard, Earnshaw, Fuller-----3

9. Announcements

Monday, October 8	All Schools are closed. 6:45 p.m.-Executive Session (Personnel, Legal, Confidential Matters) 7:30 p.m.-Board Meeting
Monday, October 22	7:30 p.m.-Board Meeting

Mr. Earnshaw shared his positive personal experience with his children's summer programs. His daughter is in the Humanities Program and talked about the requirement for her to read the Odyssey and Cold Mountain. She was required to visit an art museum and then do an analysis of a painting. She was exposed to classical music. He felt it was an impressive program and enriching experience for his family. He was impressed with the dedication of the teachers to prepare them for the oncoming year. His other children read classical novels and completed mathematics packets. He expressed his appreciation to the teachers. Mr. Bacher said he was impressed with the level of enthusiasm by the teachers. Ms. Fuller said both her sons had taken the Humanities course. They did not realize how valuable the experience was until they got to college and they were light years ahead of everyone else.

Mr. Stolz suggested people see Atlas Shrugged Part II that is coming out this Friday.

10. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 8:40 p.m.

Cecilia R. Birdsell, Board Secretary