

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: Jennifer Marangos, Editor, Emmaus.Patch.com

Randy Kraft, WFMZ.com Online Reporter

Jennifer Rodgers, Morning Call Reporter

Peter McConnell, East Penn Press Reporter

2. Requests to Address the Board

Arlene Dabrow, 7515 Spring Creek Road, Macungie indicated that she could not afford to have her taxes increase another year. She presented her personal budget to the board members. She urged the Board to consider a zero percent tax increase. In response to Mr. Ballard, she indicated that she was aware of East Penn's Senior Tax Rebate Program.

Garrett Rhoads, 5596 Wedge Lane, Allentown criticized the Board for approving an unnecessary tax increase at the May 14 Board Meeting. He talked about information that was presented to show this could be accomplished without any cuts to education. He said five board members ran and claimed they were fiscal conservatives and only two kept their pledge. He claimed they were presented with multiple options and asked the Board to honor their pledges and vote for a 0% increase. He did not think it was fair to fiscally victimize the lower income and fixed income residents and it did not matter what other school districts did; only what East Penn does. He concluded that a tax increase was not required.

Julie Hess, 4406 South Drive, Allentown said there was enough in the Fund Balance to not require a tax increase and it was not fair to the people who are paying the taxes. There are people on the Board who have no consideration for the taxpayers. She urged the Board to do the right thing for the taxpayers. She claimed Willow Lane was not built for the education of children but for a show place.

Gary Bechtel, 351 West Second Street, Alburtis complained about increasing taxes every year. He criticized the sports complex for the high school and recounted his experience as a student at Harrison Morton in Allentown.

Claire Kowalchik, 2980 Keystone Avenue, Emmaus spoke in favor of the Board action on May 14 and commended the Superintendent and members of the Board, agreeing it is fiscally unsound to spend down the Fund Balance. She talked about the tax increases and the reduction of staff in neighboring districts while East Penn has had lower taxes and supported quality education. She pointed out that funding to education has been cut by one billion dollars across the state. She said the low increase in taxes was the result of excellent long term planning, smart budgetary management, and a deep and genuine regard for quality education for all citizens.

3. Approval of Minutes

Motion by Earnshaw, Seconded by Fuller

RESOLVED, That the East Penn Board of School Directors approve the minutes for the May 14, 2012 meeting.

Change: Page 8: Mr. Ballard announced that the information that was distributed by Ms. Donches immediately before the Board Meeting has not been produced or validated by the East Penn staff, adding that this is the first time that the board members and staff are seeing this information.

This resolution was unanimously adopted by voice vote.

4. Public Financial Management

Mr. Scott Shearer, Managing Director of Public Financial Management, proposed refinancing two of the outstanding bond issues, Series AA of 2004 and Series of 2007. Referring to bank eligibility, Mr. Shearer indicated that he was suggesting refunding all of the 2004 Series and a good portion of 2007. The bond sale will be conducted on July 9 provided that the sale meets the minimum savings for the district. If not, the sale will be moved to a later date. The optional redemption date is November 15, 2012. Based on current market information, the savings for East Penn would be approximately \$305,823.94. He reviewed the Refunding Analysis that was conducted that includes the Summary of Outstanding Indebtedness, refunding steps, bonds remaining after refunding, and the composition of the issue. Over the past 14 years the district has saved \$9,805,150 by refinancing bond issues. A copy of the Refunding Analysis is attached to the minutes of this meeting.

Mr. Bacher asked about the time line for refinancing the bonds. Mr. Shearer explained that the federal and state regulations allow for the settlement transaction to take place 90 days before the call date which is basically August 15. The Pennsylvania regulations allow for the pricing of the bonds 30-40 days. He said on July 9 the rates could be locked in. Ms. Fuller pointed out that the 2003 and 2006 bonds will be paid off in June 2013. This indicates that 1.6 million dollars of indebtedness will be off the books at the end of the fiscal year. Mr. Shearer also called attention to the 2008 and 2009 bonds that will also be paid off in a short time. He said this is one of the positives that has gained an excellent credit rating for the district. Mr. Ballard had Mr. Shearer clarify that the savings for these bonds would not accrue in this year's budget but rather will show up in the 2012-13 budget in the form of lower debt payments. Mr. Shearer further stated that because of the volatility of the market he was not recommending that districts include anything in the budget. Mr. Ballard asked about the bond rating and what would happen if it was downgraded. Mr. Shearer explained the various ratings, noting that triple A is the best rating and East Penn has had an AA2 rating from Moody's. If the rating would drop, it is possible to see an increase of .5% in the interest rate that could actually wipe out the savings. One of the considerations used by the bond rating agencies is the amount of funds in the Budgetary Reserve and Undesignated Fund Balance. Mr. Shearer explained that close to 50% of the rating criteria is based on Fund Balance factors. They are also putting emphasis on contingent liability for retirement and health care for retirees. Mr. Earnshaw pointed out the indebtedness is \$126.3 million dollars as of June 7. Mr. Earnshaw asked if there were any additional bond payments coming out this year and was told that most of those payments are for September or April/May. In answer to a question raised by Mr. Bacher regarding the structure of this issue, Mr. Shearer replied that they are not proposing to change the structure of the existing date. Also, the refunding is capturing all the savings in year one because we have principal that can be refunded.

1 Bond Refinancing Authorization

Motion by Earnshaw, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors authorize the administration to work with Public Financial Management, as Financial Advisor, and Rhoads & Sinon, Bond Counsel, in conjunction with the issuance of General Obligation Bonds, Series A of 2012, in the approximate principal amount of \$10,000,000 for the purpose of refunding all or a portion of the General Obligation Bonds, Series AA of 2004 and or a portion of the General Obligation Bonds, Series of 2007, at a minimum net savings of \$250,000.

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

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

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

1. District Update

Dr. Seidenberger updated the Board on the following events/activities:

-Class of 2012 Graduation Ceremony. Dr. Seidenberger thanked the students, staff and parents for their efforts in restoring dignity to the ceremony. The Class of 2013 will have to meet the new challenge.

-STEAM Advisory Committee Meeting. Parents and community members who had the kind of educational and career background needed attended the meeting. There is a lot of interest and parent support. It was noted that Downingtown SD has built a STEM high school and an administrative visit is being discussed. Dr. Seidenberger thanked Mrs. Campbell and Mrs. Noack for their work in this area.

-State Science Fair. Dr. Seidenberger thanked the teachers and students for their interest in science. Listed below are the winners from EHS, LMMS, and Eyer MS:

EHS

14 - 1st Place Awards

7 - 2nd Place Awards

0 - 3rd Place Awards

LMMS MS

32 - 1st Place Awards (2 perfect score awards)

14 - 2nd Place Awards

3 - 3rd Place Awards

Eyer MS

23 - 1st Place Awards (1 perfect score award)

15 - 2nd Place Awards

2 - 3rd Place Awards

-Annual School Calendar. This year East Penn may be able to produce a hard copy of the district calendar through advertising. Mrs. Nicole Bloise, Community Liaison, has collected approximately 60% of the cost through some sort of advertising. Contributors to the calendar thus far: East Penn Education Association; Giant; Wesley Works; Alburts Animal Hospital; EBC; and the local McDonalds.

-Last day of School. June 12 is the last day of school. It was an excellent school year.

-Busy Summer. On June 26, work will continue on Instructional Rounds and the team will be coming back in August. They have prepared a draft of Quality Instructional Practices. Staff Development has been realigned to make it more meaningful. Teachers can now register and follow courses online.

-Secondary Curriculum Coordinator. Dr. Seidenberger is hoping to make a recommendation on June 25. The person will be leading the high school work and realigning courses for the Common Core Standards.

- Teachers will be working on E-books. IT Director Michael Mohn will be conducting a presentation for the Board in August.
- Lehigh University School Study Council. As a result of a panel discussion at LUSCC on social networking, the district will be using Facebook, Twitter, and iTunes beginning in September.
- East Penn has been selected to be a technology visitation Center for NSBA in April 2013 and is the first site in Pennsylvania. This site visit will take place in April 2013 and will involve between 100-150 participants. The administration will be working with NSBA to coordinate the theme selections. There will be a one-day visit to LCTI as well. There will also be visits to actual classrooms. Teachers and staff in East Penn will be conducting the various sessions. Participants will be able to select up to three workshops and will be supplied with iPads during their visit and receive a flash drive of all workshops when they leave. A reception is being planned at the Da Vinci Science Center. Ann Flynn from NSBA will be visiting this summer. Dr. Seidenberger talked about the Local Chamber of Commerce being interested in sponsoring the reception.

Mr. Glancy gave an update on the NIZ and how it will impact East Penn. Berkheimer was able to pull together a report on the final figures. For one quarter, East Penn will lose \$39,000 for a total of \$160,000. The funds will be held up for nine months and the district will not receive it until the end of the next fiscal year. It will have an impact on the revenue and the EIT. Mr. Earnshaw asked how the financing will work and talked about the various scenarios that he had heard. He felt the district should be fairly conservative on how these funds are treated for the budget. Mr. Stolz asked if there was any thought being given to joining the other municipalities in the legal suit. Dr. Seidenberger said the position of most districts has been to sit on the sidelines. On Solicitor Fisher's advice, Mr. Ballard said this would be a discussion for Executive Session.

Dr. Seidenberger commented on the assessment appeals and upcoming cases that involve two large commercial entities.

Referring to the Governor's budget, there has been talk about having a budget by June 13. He noted the charter school reform bill that has been introduced by Rep. Fleck to limit tax liability and asked the Board to contact Rep. McKenzie with their support for this proposed legislation. Dr. Seidenberger contacted PSBA Executive Director Tom Gentzel with information that indicates suburban school districts that have a charter school located in the district are either raising taxes or having deep cuts in their budgets. Dr. Seidenberger noted that seven out of the nine school districts in Lehigh County are having tax increases. East Penn's budget has decreased to 1.56% from 1.89% which is below the 1.7% index. This averages about \$48.10/taxpayer of .72 mills. He noted that \$60,000 has been cut out of the budget for busing approximately 325 students to Willow Lane. Dr. Seidenberger gave four scenarios if the ABG grant is funded and how the funds could be used to reduce the budget. He further talked about the three goals for this budget – avoiding acrimony; maintaining as many of the education programs as possible; and presenting a fiscally prudent and educationally sound budget. Dr. Seidenberger said the staff has spent countless hours on this budget and talked about the exceptions. Over the last three years, there have been many things done regarding internal controls. At the April 23 Board Meeting, the direction from the Board by a 5-4 vote was to not prepare a 0% increase budget. He indicated that he met with President Ballard and they agreed that maybe a 0% increase with cuts could be prepared. Again, the staff spent hours developing 1.4 million dollars in cuts and also attached a series of articles that described similar cuts across the state. He expressed his concern about having another presentation at the Board Meeting. It is not the opinion of the staff that using Fund Balance would be a wise choice. He directed people to the PSBA web site to the Q and A about Fund Balance. It is not something simplistic but a bit more complex. Dr. Seidenberger explained how bond savings were used so the district could be more flexible. He reminded the Board that 4.1 million dollars is already being used to balance this budget. He explained how the Fund Balance was generated last year by enacting a freeze on spending. Dr. Seidenberger commented on a report that indicates East Penn is 72nd out of 500 districts for Fund Balance; 42% of districts do not have a committed Fund Balance; only 13 districts above East Penn do not have a committed Fund Balance. East Penn ranks 5th out of nine Lehigh County districts and Southern Lehigh and Northwestern Lehigh have larger total funds in reserve. East Penn is the 24th largest school district in Pennsylvania and ranks 34th in total budgets. He pointed out that the district is locked into a 1.7% index and the total number of exceptions allowed is declining. Next year the eligible funds that could be raised would be 1.9 million dollars which is less than what could be raised this year. He noted the following defined liabilities for next year that include 2.2 million dollars in salaries; 1.3 million dollars for retirement; \$772,000 for health insurance; \$716,000 for charter schools; \$194,000 in transportation; and increased in special education and ELL. There are already 9 more students in the autistic program and an increase of 60-70 students in kindergarten. Dr. Seidenberger indicated that he may need to come back in August to recommend additional staff, specifically in special education. He also noted that the district will be audited next year. He reported that the CPI is currently 2.8%. Dr. Seidenberger explained that when the budget process starts in September he will be looking at a deficit of 3.2 million dollars. He concluded that the district will need the Fund Balance for next year. Mr. Ballard pointed out that there may not even be a state budget within the next two weeks.

2. Personnel

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

Resignations

- Joseph Henrich, Guidance Counselor at Emmaus HS, effective May 21, 2012 (Exhibit 1)
- Donna Gaumer, Staff Assistant at Jefferson School, effective May 15, 2012 (Exhibit 2)
- Dana Johnson, Staff Assistant at Emmaus HS, effective May 24, 2012 (Exhibit 3)
- Michele Rodriguez, Instructional Assistant at Emmaus HS, effective May 29, 2012 (Exhibit 4)

Requests for General Leaves – Board Policy 539

Employee	Assignment	Effective
----------	------------	-----------

Payal Bhowmick	LMMS, Language Arts	2012-13 School Year
Loretta Shuima	Eyer, PTFS Assistant	6/4/12-6/3/13
Mary Wieder	Alburtis, Staff Assistant	5/17/12-6/4/12

Income Protection Leave

Laura Oswald	Special Education Teacher Wescosville School	6/7/12-6/12/12
--------------	---	----------------

Leave as per Collective Bargaining Agreement

Loribeth Knauss	Grade 5 Teacher, Shoemaker	6/12/12-6/30/12
-----------------	----------------------------	-----------------

Temporary Professional Employee Appointment

Name/Address:	David Abruzzi 293 West 30 Street, Northampton 18067
Education Level:	B. S. Degree (2009)
Undergraduate School:	Penn State University
Certification:	Instructional I, Elementary, K-6
Effective:	August 21, 2012
Assignment:	Grade 1, Willow Lane School Vacancy created by D. Feigenbaum resignation
Experience:	9/2011-6/2012: East Penn SD
Salary:	\$45,508.00 (Year 2, Col. B)

Full-Time Substitute Teacher Appointment

Name/Address:	Katie Gustafson 995 Kressler Road, Allentown 18103
Education Level:	B. S. Degree & BFA Degree (2010)
Undergraduate School:	Kutztown University
Certification:	Instructional I-Art, K-12
Effective:	August 21, 2012
Assignment:	Art Department, Emmaus HS Opening created by L. Caruso Leave
Experience:	1/2011-Present, East Penn SD (per diem substitute)
Salary:	\$45,185 (Year 1, Col. B)

Summer Book Repair Program

Debbie Moyer	Sharon Woodeshick
--------------	-------------------

Extended School Year

Jessica Harrington, Macungie School Health Room
Katie Hummel, Macungie School Health Room

Summer Technology Workers

New:	Devon Reinert; Patrick Hughes; Andrew Grippon
Returning:	Jared Roth; Adam Hersh; Logan Hallowell; Matthew Struble

Appointment of Chief School Physician –Exhibit 5

That the East Penn Board of School Directors approve Dr. Robert Barnes, 723 Chestnut Street, Emmaus as the Chief School Physician from July 1, 2012 to and including June 30, 2013 for a retainer of \$6,000 and as outlined in Exhibit 5.

Educational Conferences – Exhibit 6

That the East Penn Board of School Directors authorize the estimated expenses for the individuals attending educational conferences as listed on Exhibit 6.

2012-13 Calendar Changes

RESOLVED, That the East Penn Board of School Directors approve the following calendar changes:

From:	August 27 Kindergarten Registration
-------	-------------------------------------

To: August 27 First Student Day

Reason: Principals have decided to have Kindergarten Orientation during the summer and not the first day of school.

From: May 3, 2013 – EHS Early Dismissal
May 10, 2013-EHS Early Dismissal

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

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

Note: EdulinkSystems, Inc. Agreement – Exhibit 7 (Withdrawn from agenda.)

6. Policy – Board Policy 250, Bullying (Exhibit 8)

Motion by Stolz, Seconded by Donches

RESOLVED, That the East Penn Board of School Directors adopt and amend Board Policy 250, Bullying.

Note: All districts are required, by CIPA (**Children's Internet Protection Act of 1999**) to remove the word "may" from their Internet Safety Policy (Bullying Policy). All schools are required to teach Internet Safety starting in the school year 2012/2013.

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

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

7. Legislative C. Ballard

Mr. Ballard said there is a lot of speculation about the state budget and there is a hope that it will be passed on June 13 because on June 15 the state will release how much revenue has been collected. Representative Fleck's bill is HB 2364 and he is attempting to get some relief and more accountability for charter schools. He explained that the legislation for Sudden Cardiac Arrest Training is another unfunded mandate since school districts will be offering training and this comes at a time when districts are already strapped for funds. Mr. Stolz asked if there was a figure for how much has been spent for charter school reimbursement payments in the state budget, adding he would be meeting with the Governor. Dr. Seidenberger said they would check with PSBA.

8. Other Educational Entities

-Carbon Lehigh Intermediate Unit F. Fuller

Ms. Fuller reported that as of May 9, there were 356 East Penn students who were receiving IU services. She noted that 62 students are considered major assignments that include deaf or hearing impaired, emotional support, life skills, and multiple disabilities. There are other students who receive related services that include occupational therapy, speech and language pathology/therapy, and work based learning. Ms. Fuller announced that the IU also supports a camp for special needs children and will be sponsoring a golf tournament on June 19 to raise funds so they can continue to provide services.

-Lehigh Career & Technical Institute
R. Heid
F. Fuller
A. Earnshaw
S. Rhodes

Mr. Rhodes reported on the April 25 and May 23 meetings. In April, Mr. Rhodes reported that the JOC approved special agreements with local industries for customized training for their employees. Some of the companies include B. Braun, Johnson & Johnson, and Just Born, Inc. The JOC appointed Patricia Bader as the new Business Administrator at a salary of \$96,000. She will replace Randy Hensinger who is retiring. He reported that Camp LCTI will be running from June 18-21 and June 25-28. He said the variety of courses is impressive. In May, additional agreements for customized training were approved for Nestle and Cactus Wellhead. He mentioned the retirement of Jane Vanim, Secretary to the Executive Director, was approved, with regret. He noted the East Penn students who received and had been acknowledged during the year. Mr. Rhodes said he had a chance to meet Alicia Anders, an Emmaus High School student who also gave a speech at the EHS graduation. He said she was a positive and energetic person and was a pleasure to meet. Ms. Fuller commented that employers are invited to attend the awards dinner and the gentleman who spoke was a graduate of LCTI and who is employed at an automotive repair company and he has continued the tradition by bringing students into the business. She felt that this illustrated how LCTI perpetuates the Lehigh Valley economy.

9. Business Operations

1. Bid Opening Report: Lincoln School, Window Wall Replacement; Fire Alarm System Full Service Contract; Full Service Elevator Contract; Refuse Collection, Communications, Clock, Audio and Camera Systems Service Contracts (Exhibits 9 & 10)

2. Bid Rejection – Refuse Collection

Motion by Bacher, Seconded by Heid
RESOLVED, That the East Penn Board of School Directors reject all bids received on May 30, 2012 for Refuse Collection and rebid the entire package.

Approval of Bill List

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

Bid Awards – Computer and General Supplies (Exhibits 11 & 12)

RESOLVED, That the East Penn Board of School Directors authorize the bid awards for Computer and General School Supplies as outlined on Exhibits 11 & 12.

Facility Rentals

RESOLVED, That the East Penn Board of School Directors grant permission for the following Group V organizations to use district facilities:

Lehigh Valley Martial Arts

544 Jubilee Street, Emmaus

Facility: Jefferson School All Purpose Room
Dates: June 15; July 13; August 17; September 14; November 16; December 14, 2012
Fees: \$30.00/hr. rental free

Patricia Bostick Dance Center

5925 Tilghman Street, Allentown

Facility: LMMS Auditorium; 2 locker rooms
Dates: May 30; June 1-2, 2012
Fees: \$18.00/hr. locker rooms
\$120/hr., Auditorium Rehearsal
\$125/hr., Auditorium Recital
\$40.10/hr., custodial fee
\$40.10/hr., stage manager fee
\$15.00/hr., security

Treasurer's Report

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

Disbursement of Funds – Exhibit 13

RESOLVED, That the East Penn Board authorize the disbursement of funds from the 33-2010 Series A GOB as outlined on Exhibit 13.

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

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

3. Informational: Plancon Part K: Project Refinancing – Exhibit 14

The Pennsylvania Department of Education has approved Plancon Part K: Project Refinancing and the document and appended materials will be entered into the minutes of this meeting.

Ms. Heid commented on buses being empty during the week of finals and wondered if there was something that could be done. Dr. Seidenberger cautioned that the district must be mindful of what can be done legally but, in philosophy, he would agree. Ms. Heid supported the further use of technology through Facebook, Twitter, and other social media. Dr. Seidenberger said IT Director Michael Mohn will be giving the Board an update in August. Mr. Earnshaw said the students and their family members were exceptionally respectful during graduation unlike in previous years. It showed an outstanding example of good citizenship in East Penn. He thanked the members of the Graduation Committee as well. The students were the ones who came up with the idea of interspersing speeches among the handing out of diplomas. It worked amazingly well and kept everyone's attention. He thanked everyone involved. Mr. Ballard reiterated the kudos and commended the students, staff, and family members, who made this a respectful ceremony. He commented on the number of honor students and the students wearing the collar of the National Honor Society in this graduation, adding that it was a tremendous show of success. He was honored to be participating in the ceremony. Ms. Fuller said her husband was a member of the 50th Anniversary Class. The 1962 graduates came from around the country and went on a tour of the high school. The class members were delighted and amazed at what they saw at Emmaus High School and there were high compliments for the cleanliness of the facility as well as the tour guides. One group was accompanied by assistant principals and the others were toured by Tenth Grade student Ambassadors. She said it was a wonderful weekend. Ms. Donches said it was her first graduation ceremony, adding it was exciting to see the students. She then reverted to the budget and the \$66,000 median price for an average home, commenting that although the increase each year may be small, it is compounded from

year to year and after a period of time would amount to approximately \$575. She felt that figure should be calculated when presenting budget information.

10. Announcements

Monday, June 11

7:00 p.m.-Executive Session (Personnel, real estate, confidential matters, and Negotiations)

7:30 p.m.-Board Meeting

Future Board Meetings:

June 25; July 9; August 13 & 27

11. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 9:20 p.m.

Cecilia R. Birdsell, Board Secretary

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 7:40 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: L. Glancy

Board Secretary: Cecilia R. Birdsell

Superintendent of Schools: Dr. Thomas L. Seidenberger

Press Present: Mariella Savidge, Emmaus.Patch.com Reporter
Precious Petty, Express Times Reporter
Pat Lester, Morning Call Reporter
Peter O'Connell, East Penn Press Reporter
Randy Kraft, Online Reporter for WFMZ

2. Requests to Address the Board

Willow Lane Busing

Todd Salomon, 6654 Trafalgar Drive, Macungie, expressed concern about the proposal to eliminate busing for some Willow Lane students. He cited safety issues, noting that there will be costs associated with crossing guards and traffic signals so students may cross safely.

Jonathan Berger, 6912 Sunflower Lane, Macungie also expressed the same concerns about the abolition of busing for students. He cited issues with strangers, weather conditions, and going green. He did not think it was thought out completely. He said parents will be driving their children to school and creating traffic issues in the Township.

Kathleen Atti, 5976 Fountain Road, Old Zionsville who is a school bus driver for Willow Lane did not understand where the \$60,000 savings was coming from for the busing. She spoke about the contract with First Student, adding that just because the Willow Lane run was taken away that the bus will still be making runs for the high school and/or middle school. She said this measure would be raising her taxes and lowering her wage.

Budget Related

Richard Musselman, 945 Franklin Street, Emmaus, talked about the positive learning experience that his daughter had while a student in East Penn and her subsequent successes. He described the reduction in pension funds during the Ridge administration and the fact that many school districts did not put funds aside for future increases.

Arlene Dabrow, 7515 Spring Creek Road, Macungie, expressed concern about the tax increase, sharing that she did not have the money to pay these increases. She noted that she is pro-education and teacher, and is even pro-union. She added that not all seniors qualify for a tax rebate. Mrs. Dabrow talked about the conditions that some seniors live in. She felt the district has crossed the line on what seniors can pay.

Julie Kibelbek, 435 Beechwood Street, Emmaus submitted a petition* with 114 signatures from East Penn residents who support the budget with a 1.7%-1.9% tax increase. The signatures were accumulated at a Lincoln event. She spoke about the cuts that included downsizing of staff, increasing class sizes, eliminating printed report cards, and reducing supplies. There is strong support for maintaining the high quality of education in East Penn. She pointed out that property values are determined by the quality of schools. She asked the Board to support the budget. (*Petitions are attached to the permanent minutes of this meeting.)

Cristina Negron, 709 North Seventh Street, Emmaus discussed that she was a product of public education. She felt it was the duty of residents to do right by the students as people did right by them when they were in school. She was against a 0% tax increase. Her husband is retired and he understands that a small increase is necessary and like her he supports it. She questioned why people who got a quality education would deny the same for the next generation of children. She added that she did not see why the small tax increase was even being discussed. She concluded that she supported public education, teachers, and the tax increase and urged the Board to do the same.

Alisa Bowman, 33 West Berger Street, Emmaus said she moved to Emmaus so her children would have the benefit of an East Penn Education. She was not disappointed in the students or their teachers and wanted to speak to how wonderful the teachers have been and how they put in so much time. She pointed out that many of the extras are provided through the PTO fundraisers. She volunteers at Lincoln and has even seen teachers paying for their students to go on a field trip. She talked about cutting services that students need. She said to save \$50/year it could cost thousands of dollars in property values.

Julie Hess, 4406 South Drive, Allentown spoke in support of board member Lynn Donches' proposed budget that showed a 0% increase without cutting staff or programs. She criticized the salaries for the Superintendent and Board Secretary. She commented on

the Fund Balance, the Budgetary Reserve, and the Plancon reimbursement. She said there are people who do not get \$10,000 a year on their Social Security. She claimed that the \$500 senior tax rebate does not get much. She concluded that they are the taxpayers and urged the Board to do the right thing.

Becca Kahle, 1131 Pennsylvania Avenue, Emmaus thanked the Board and the Superintendent for the work that has been done. While her children are second and fourth graders, she did not want to see program cuts for the middle school or the high school. She supported the decision regarding busing for Willow Lane students because from the beginning Willow Lane was going to be a neighborhood school. Her students are at Jefferson and are bused because of crossing Chestnut Street. She would not complain if a bus route at Jefferson was eliminated as long as academic programs were not cut.

Matthew Junker, 435 Beechwood Street, Emmaus expressed his support for the budget. He shared that he had lived in several other states and he and his wife specifically bought in the East Penn School District because of the high quality of education. He indicated that a quality education had made the difference in his life. Having strong schools benefits everyone in the community. In Emmaus you can find active neighborhoods and good libraries. He talked about neighboring districts that have higher tax rates and he urged the Board to vote in favor of the proposed budget.

Noreen Yamamoto, 2011 Elbow Lane, Allentown indicated her support for the budget and added that it is pennywise and pound foolish to use the Fund Balance, adding other districts have followed that path and are now in trouble. She said the tax burden has shifted from the state to the local level. She supports reasonable salaries for the teachers and the administration. She concluded that good, qualified people are important and the \$50.00/year increase is reasonable.

Larry Schneider, 5332 Lamb Terrace, Allentown indicated that he is an active member in Lower Macungie Township. He spoke about the state abdicating its responsibility for education and commended Dr. Seidenberger and his administration for their exceptional budget management and sensitivity to financial constraints for the citizens and accomplishing this without program cuts. He criticized Lower Macungie Township for their attitude toward growth which has impacted the growth in the school district. He suggested that the district and the township have a dialog.

Lori Ramsey, 442 North Third Street, Emmaus thanked the Board and the administration for their work to maintain quality education despite the decreasing state funding. She indicated her support for the proposed budget.

3. Approval of Minutes

Motion by Bacher, Seconded by Earnshaw

RESOLVED, That the East Penn Board of School Directors approve the minutes for the June 11, 2012 meeting.

This resolution was unanimously adopted by voice vote.

4. 2012 Homestead and Farmstead Resolution; 2012-13 East Penn School District Budget

Motion by Fuller, Seconded by Earnshaw

RESOLVED, by the Board of School Directors of East Penn School District, that homestead and farmstead exclusion real estate tax assessment reductions are authorized for the school year beginning July 1, 2012, under the provisions of the Homestead Property Exclusion Program Act (part of Act 50 of 1998) and the Taxpayer Relief Act (Act 1 of 2006), as follows:

1. Aggregate amount available for homestead and farmstead real estate tax reduction. The following amounts are available for homestead and farmstead real estate tax reduction for the school year beginning July 1, 2012:
 - a. Gambling tax funds. The Pennsylvania Department of Education (PDE) has notified the School District that PDE will pay to the School District during the school year pursuant to Act 1, 53 P.S. § 6926.505(b), as a property tax reduction allocation funded by gambling tax funds, the amount of \$1,755,954.64.
 - b. Philadelphia tax credit reimbursement funds. PDE has notified the School District that PDE will pay to the School District during the school year pursuant to Act 1, 53 P.S. § 6926.324(3), as reimbursement for Philadelphia tax credits claimed against the School District earned income tax by School District resident taxpayers, the amount of \$40,034.84.
 - c. Aggregate amount available. Adding these amounts, the aggregate amount available during the school year for real estate tax reduction is \$1,795,989.48.
2. Homestead/farmstead numbers. Pursuant to Act 50, 54 Pa. C.S. § 8584(i), and Act 1, 53 P.S. § 6926.341(g)(3), the County has provided the School District with a certified report listing approved homesteads and approved farmsteads as follows:
 - a. Homestead property number. The number of approved homesteads within the School District is 16,029.
 - b. Farmstead property number. The number of approved farmsteads within the School District is 26.
 - c. Homestead/farmstead combined number. Adding these numbers, the aggregate number of approved homesteads and approved farmsteads is 16,055.

3. Real estate tax reduction calculation. The school board has decided that the homestead exclusion amount and the farmstead exclusion amount shall be equal. Dividing the aggregate amount available during the school year for real estate tax reduction of \$1,795,989.48 by the aggregate number of approved homesteads and approved farmsteads of 16,055, the maximum real estate tax reduction amount applicable to each approved homestead and to each approved farmstead is \$111.86.
4. Homestead exclusion calculation. Dividing the paragraph 3 maximum real estate tax reduction amount of \$111.86 by the School District real estate tax rate of 46.87 mills (.04687), the maximum real estate assessed value reduction to be reflected on tax notices as a homestead exclusion for each approved homestead is \$2,387.00, and the maximum real estate assessed value reduction to be reflected on tax notices as a farmstead exclusion for each approved farmstead is \$2,387.00.
5. Homestead/farmstead exclusion authorization – July 1 tax bills. The tax notice issued to the owner of each approved homestead within the School District shall reflect a homestead exclusion real estate assessed value reduction equal to the lesser of: (a) the County-established assessed value of the homestead, or (b) the paragraph 4 maximum real estate assessed value reduction of \$2,387.00. The tax notice issued to the owner of each approved farmstead within the School District shall reflect an additional farmstead exclusion real estate assessed value reduction equal to the lesser of: (a) the County established assessed value of the farmstead, or (b) the paragraph 4 maximum real estate assessed value reduction of \$2,387.00. For purposes of this Resolution, “approved homestead” and “approved farmstead” shall mean homesteads and farmsteads listed in the report referred to in paragraph 2 above and received by the school district from the County Assessment Office on or before May 1 pursuant to Act 1, 53 P.S. §6926.341(g)(3), based on homestead/farmstead applications filed with the County Assessment Office on or before March 1. This paragraph 5 will apply to tax notices issued based on the initial tax duplicate used in issuing initial real estate tax notices for the school year, which will be issued on or promptly after July 1, and will not apply to interim real estate tax bills.
6. Homestead/farmstead exclusion authorization – interim real estate tax bills. No homestead or farmstead exclusion will apply to any interim tax bill except an interim tax bill applicable to a property that includes an approved homestead or approved farmstead listed in the report received by the School District from the County Assessment Office on or before May 1, but not included in the tax assessment reflected in the July 1 tax bill for the property. In most cases, the assessment of approved homesteads and approved farmsteads will be reflected in July 1 tax bills. However, in any case when there is an approved homestead or an approved farmstead that is not included in the assessment reflected in the July 1 tax bill, and when an interim real estate tax notice is issued later based on an interim assessment including the approved homestead or approved farmstead, the interim tax notice shall reflect a homestead or farmstead exclusion real estate assessed value reduction calculated under paragraph 5, except that the paragraph 4 maximum real estate assessed value reduction will be prorated in the same manner as the real estate tax is pro-rated. Assuming the interim tax notice reflects taxation as of July 1, as will occur in most such cases, the full amount of the paragraph 4 maximum real estate assessed value reduction will apply. In the extraordinary case where the new interim tax assessment is effective after July 1, the paragraph 4 maximum real estate assessed value reduction will be pro-rated in the same manner as the real estate tax reflected in the interim tax bill is pro-rated.

2012-13 Budget - Final Adoption

RESOLVED, That the East Penn Board of School Directors adopt the 2012-13 budget that was tentatively adopted on May 14, 2012, and revised; and,

Be it further

RESOLVED, That the East Penn Board of School Directors, Lehigh County, Commonwealth of PA, hereby authorize expenditures totaling \$124,996,104 as set forth therein; and,

Be it further

RESOLVED, That the East Penn Board of School Directors levy a tax of 46.87 mills per dollar of assessed valuation on real estate, and the following taxes be levied under Act 511:

A one-half percent (.5%) earned income tax, and,
A one percent (1%) real estate transfer tax

Be it further

RESOLVED, That the Senior Citizen Real Estate Tax Rebate Program be continued for the 2012-13 year with the same eligibility income guidelines as the previous year's program; and,

Be it further

RESOLVED, That the East Penn Board of School Directors approve the establishment of a Committed Fund Balance as of June 30, 2012 in the amount of \$1,250,294 for the purpose of future anticipated rate increases by the Public School Employees Retirement System.

Dr. Seidenberger commented on the actions in Harrisburg such as the elimination of the district's 30% reimbursement for charter schools which totally represents 224 million dollars. For East Penn, the share is \$701,000 that evaporated. He indicated that there is a recent report from Attorney General Wagner that taxpayers are overpaying cyber/charter schools by 365 million dollars in the Commonwealth of Pennsylvania. There appears to have been a deal to increase the state budget to 27.6 billion dollars. He said for another year one of the issues that has been clearly pointed out is being bypassed. He talked about the difficulty in budgeting and managing future budgets with a cap when there is growth in the district. Dr. Seidenberger talked about his previous districts and the cuts that he had to make. There is a push to put 100 million dollars back in the budget for ABG grants which would mean \$200,000 more for East Penn. He said the issue for the Board is whether or not to take the gamble that East Penn will receive these extra funds. He understood the concerns about eliminating the transportation for some of the Willow Lane students and again pointed out that the school was built to be a neighborhood school where students could walk. Mr. Bacher had suggested adding the proposed \$200,000. Dr. Seidenberger indicated that it could be added to the revenue side if the funds are received. If not, then the proposal remains the same. Referring to Willow Lane, Dr. Seidenberger emphasized that parents were notified that at some point they would be walking. The cost of crossing guards is not a liability against school districts but is a municipality cost. The numbers were worked out with the bus company. One of the things to be decided this evening is whether or not the ABG grant should be included. He said based on the information that he is receiving from the various professional organizations about the state budget process, it looks as though districts may receive these funds although nothing has been decided. If the Board agrees to adding the ABG grant, the change would be a tax increase of 1.3%, a homestead exclusion of \$2,393, a reduction to 46.75 mills which amounts to an increase of \$40.08/year tax increase. If the transportation is restored and the full ABG grant is added, the tax increase would drop to 1.37%, a homestead exclusion of \$2,391, a reduction to 46.78 mills which would amount to an increase of \$42.08/year tax increase. There are approximately 325 students who live within the 1.5 miles. He talked about the EITC legislation that is being considered.

Mr. Ballard asked for discussion on whether the ABG grant should be added in and/or the restoration of the bus for Willow Lane. Mr. Earnshaw asked for clarification of the increase currently and Dr. Seidenberger responded 1.56%. Ms. Fuller said she was reluctant to make a commitment for funds that are not assured. Dr. Seidenberger said PSBA, PASA, PASBO, and reliable reporters are citing these sources so there is reasonable assurance at this time that the ABG grant will be restored. Mr. Bacher said he had concerns about safety and who makes the determination about whether the walkway is safe. Dr. Seidenberger said the parents can call PennDOT and they would determine if it is safe or not. There are places in the district that have been declared unsafe. Ms. Donches asked if this could be done gradually rather than right away. Mr. Glancy said it would be difficult to schedule and communicate a schedule under those circumstances as well as have bus drivers available. Mr. Earnshaw said he was hesitant to trust the Legislature. He felt the deals had been cut with the Governor. He said once the budget is set then that is it. He was not in favor of relying on the Legislature. Referring to the busing, he said he did understand the parents' concerns but this was not new and it was almost changed last year. It was also discussed during the planning of the school as well. He said it was a nice thing to do but nice things have to go in favor of necessary things. Mr. Rhodes was against putting the \$200,000 in the budget but wanted to know where it will go if it does come in. Dr. Seidenberger said if it is received it will go into the General Fund. Mr. Stolz distributed a copy of information from the PA School Code received from former Rep. Doug Reichley that indicates a school district could delay the annual budget beyond the last day in June where legislation providing the appropriation for basic education funding is not enacted by June 15. Mr. Stolz said that it appeared that the Board did not have to vote on the budget this evening and proposed the following motion:

Motion by Stolz, Seconded by Donches
RESOLVED, That the East Penn Board of School Directors table the budget until the July 9, 2012 meeting.

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

Mr. Stolz said he would ask that busing be restored and he made a promise that he would support busing in East Penn. Ms. Heid said she would accept the ABG grant and she felt there were issues that needed to be ironed out with Willow Lane but she felt if students had an opportunity to walk then they should walk. She was concerned about safety. Mr. Policano said he agreed with Dr. Seidenberger about the ABG grant and supported the students walking. Mr. Ballard said he was not confident about the Legislature but felt the ABG grant had a reasonable chance of being restored. He was in favor of cutting the busing even though it was a hard issue. Ms. Fuller commented on re-opening the budget. Mr. Earnshaw did not recall ever re-opening the budget. Mr. Ballard asked if the Board could have a friendly amendment for the two items. A majority of the board members, by a show of hands, was in favor of adding the ABG grant to lower the tax rate. Ms. Fuller and Mr. Earnshaw agreed to the friendly amendment. Mr. Ballard then asked board members, by a show of hands, who wanted to include the Willow Lane busing in the budget. A majority of board members voted against restoring the busing. Dr. Seidenberger indicated the changes to the motion that reflected adding the proposed \$200,000 ABG grant. This will lower the tax increase to 1.3%.

Motion by Fuller, Seconded by Earnshaw
RESOLVED, by the Board of School Directors of East Penn School District, that homestead and farmstead exclusion real estate tax assessment reductions are authorized for the school year beginning July 1, 2012, under the provisions of the Homestead Property Exclusion Program Act (part of Act 50 of 1998) and the Taxpayer Relief Act (Act 1 of 2006), as follows:

1. Aggregate amount available for homestead and farmstead real estate tax reduction. The following amounts are available for homestead and farmstead real estate tax reduction for the school year beginning July 1, 2012:

- a. Gambling tax funds. The Pennsylvania Department of Education (PDE) has notified the School District that PDE will pay to the School District during the school year pursuant to Act 1, 53 P.S. § 6926.505(b), as a property tax reduction allocation funded by gambling tax funds, the amount of \$1,755,954.64.
- b. Philadelphia tax credit reimbursement funds. PDE has notified the School District that PDE will pay to the School District during the school year pursuant to Act 1, 53 P.S. § 6926.324(3), as reimbursement for Philadelphia tax credits claimed against the School District earned income tax by School District resident taxpayers, the amount of \$40,034.84.
- c. Aggregate amount available. Adding these amounts, the aggregate amount available during the school year for real estate tax reduction is \$1,795,989.48.
2. Homestead/farmstead numbers. Pursuant to Act 50, 54 Pa. C.S. § 8584(i), and Act 1, 53 P.S. § 6926.341(g)(3), the County has provided the School District with a certified report listing approved homesteads and approved farmsteads as follows:
- a. Homestead property number. The number of approved homesteads within the School District is 16,029.
- b. Farmstead property number. The number of approved farmsteads within the School District is 26.
- c. Homestead/farmstead combined number. Adding these numbers, the aggregate number of approved homesteads and approved farmsteads is 16,055.
3. Real estate tax reduction calculation. The school board has decided that the homestead exclusion amount and the farmstead exclusion amount shall be equal. Dividing the aggregate amount available during the school year for real estate tax reduction of \$1,795,989.48 by the aggregate number of approved homesteads and approved farmsteads of 16,055, the maximum real estate tax reduction amount applicable to each approved homestead and to each approved farmstead is \$111.86.
4. Homestead exclusion calculation. Dividing the paragraph 3 maximum real estate tax reduction amount of \$111.86 by the School District real estate tax rate of 46.75 mills (.04675), the maximum real estate assessed value reduction to be reflected on tax notices as a homestead exclusion for each approved homestead is \$2,393.00, and the maximum real estate assessed value reduction to be reflected on tax notices as a farmstead exclusion for each approved farmstead is \$2,393.00.
5. Homestead/farmstead exclusion authorization – July 1 tax bills. The tax notice issued to the owner of each approved homestead within the School District shall reflect a homestead exclusion real estate assessed value reduction equal to the lesser of: (a) the County-established assessed value of the homestead, or (b) the paragraph 4 maximum real estate assessed value reduction of \$2,393.00. The tax notice issued to the owner of each approved farmstead within the School District shall reflect an additional farmstead exclusion real estate assessed value reduction equal to the lesser of: (a) the County established assessed value of the farmstead, or (b) the paragraph 4 maximum real estate assessed value reduction of \$2,393.00. For purposes of this Resolution, “approved homestead” and “approved farmstead” shall mean homesteads and farmsteads listed in the report referred to in paragraph 2 above and received by the school district from the County Assessment Office on or before May 1 pursuant to Act 1, 53 P.S. §6926.341(g)(3), based on homestead/farmstead applications filed with the County Assessment Office on or before March 1. This paragraph 5 will apply to tax notices issued based on the initial tax duplicate used in issuing initial real estate tax notices for the school year, which will be issued on or promptly after July 1, and will not apply to interim real estate tax bills.
6. Homestead/farmstead exclusion authorization – interim real estate tax bills.
No homestead or farmstead exclusion will apply to any interim tax bill except an interim tax bill applicable to a property that includes an approved homestead or approved farmstead listed in the report received by the School District from the County Assessment Office on or before May 1, but not included in the tax assessment reflected in the July 1 tax bill for the property. In most cases, the assessment of approved homesteads and approved farmsteads will be reflected in July 1 tax bills. However, in any case when there is an approved homestead or an approved farmstead that is not included in the assessment reflected in the July 1 tax bill, and when an interim real estate tax notice is issued later based on an interim assessment including the approved homestead or approved farmstead, the interim tax notice shall reflect a homestead or farmstead exclusion real estate assessed value reduction calculated under paragraph 5, except that the paragraph 4 maximum real estate assessed value reduction will be prorated in the same manner as the real estate tax is pro-rated. Assuming the interim tax notice reflects taxation as of July 1, as will occur in most such cases, the full amount of the paragraph 4 maximum real estate assessed value reduction will apply. In the extraordinary case where the new interim tax assessment is effective after July 1, the paragraph 4 maximum real estate assessed value reduction will be pro-rated in the same manner as the real estate tax reflected in the interim tax bill is pro-rated.

2012-13 Budget - Final Adoption

RESOLVED, That the East Penn Board of School Directors adopt the 2012-13 budget that was tentatively adopted on May 14, 2012, and revised; and,

Be it further

RESOLVED, That the East Penn Board of School Directors, Lehigh County, Commonwealth of PA, hereby authorize expenditures totaling \$124,996,104 as set forth therein; and,

Be it further

RESOLVED, That the East Penn Board of School Directors levy a tax of 46.75 mills per dollar of assessed valuation on real estate, and the following taxes be levied under Act 511:

A one-half percent (.5%) earned income tax, and,
A one percent (1%) real estate transfer tax

Be it further

RESOLVED, That the Senior Citizen Real Estate Tax Rebate Program be continued for the 2012-13 year with the same eligibility income guidelines as the previous year's program; and,

Be it further

RESOLVED, That the East Penn Board of School Directors approve the establishment of a Committed Fund Balance as of June 30, 2012 in the amount of \$1,250,294 for the purpose of future anticipated rate increases by the Public School Employees Retirement System.

In response to a question from Mr. Stolz, Mrs. Surdoval responded that the 1.3% represented \$998,826 in tax revenue. In response to Ms. Donches' question, Mrs. Surdoval responded that the amount to offset any tax increase would be \$1,198,590. Ms. Heid said the administration had done a fantastic job to get the budget below the index. She pointed out that the Board had already approved increases in the budgets for LCTI and LCCC for percents higher than the 1.3%. She indicated her support for the 1.3%. Mr. Stolz commented on the Constitutional right to own property without the taxes and the many faults of the Governor and the Legislature. He claimed that the reason there is a high quality of education in East Penn is because of the parents' support, not because taxes are going up each year. Mr. Stolz expounded on raising taxes each year and forcing people to move out of the district. He criticized the explanations on the Fund Balance and claimed the district spent 3 million dollars more than last year. Dr. Seidenberger responded that talking about the budget is one thing but running the district day to day is quite another. He talked about the freeze enacted last year, the increases in special education, additional personnel, staff development, and supplies and materials. Dr. Seidenberger said it is hard to predict because there are outstanding items that will be reconciled by the auditors. Mr. Stolz proposed the following motion:

Motion by Stolz, Seconded by Donches

RESOLVED, That the East Penn Board of School Directors approve the following amendments for the budget:

\$1,198,998 of the Fund Balance to offset the tax increase
\$1,000,000 of Plancon funds to offset future construction costs
\$240,000 to provide for busing to Willow Lane for the next 4 years
\$10,000 for web casting for the next two years

Ms. Donches said she had looked at the budget through the eyes of the students, teachers and staff, parents, administration, and the taxpayers. She felt that all of the constituents were well served, except the taxpayers. She believed that not everything had been done that can be done to avoid a tax increase. This year there is no reason to have a tax increase. She supported the amendment that would not require a tax increase. She did not think it was harmful to use the fund balance and talked about in previous years if the district had refunded money to the taxpayers as it accumulated then we would not have the Fund Balance to spend. She supported the 5% Budgetary Reserve. She talked about taxpayers who may not have the ability to support even a small increase. She said of all the parties who benefit it is the taxpayer who should be the one best served now. She said it is easy to do, the right thing to do, and it can be done. Mr. Earnshaw talked about the defined benefit package and the implications of freezing benefits at the time of retirement. Providing a cost of living increase would only exacerbate the pension situation. He talked about the uncommitted Fund Balance for the 12-13 year that shows slightly over 10 million dollars. He said that is the best estimate of the administration of the remaining funds that would be available to the district. The total revenue is \$114,974,776 and the total expenditures are \$124,996,104. There is a Budgetary Reserve of \$5,952,195. He said the district will then expend \$119,043,909. He said there is a 4 million dollar difference so we are already using about 40% of the Fund Balance to balance the budget this year. If an additional 1.2 million dollars, as suggested by Mr. Stolz, is added to the 4.1 million dollars then the district will have 1.2 million dollars less. If 5.2 million dollars is spent out of the Fund Balance that would leave less than 4.8 million dollars of Fund Balance. If the funds are taken out of Fund Balance and the Budgetary Reserve there will not be enough to balance the budget next year. The only place to take money out of is Budgetary Reserve. Mr. Earnshaw provided various scenarios and he concluded that it was financial irresponsibility. He would not support anything above the 4 million dollars already proposed. Mr. Bacher supported the budget on the table and commended the administration for taking the budget from 1.56% to 1.3%. He supported that reduction. He said there are a lot of misconceptions about reckless spending but, if you look at the web site, there is a list of the cuts that were made. Referring to the pension situation, Mr. Bacher pointed out that we know we have 1.3 million dollars for pensions for each of the next three years. He felt it was irresponsible to spend down the bank account when we have already done a significant job of decreasing the tax impact. He said 1.3% is half of what the district could raise taxes under Act 1. Mr. Bacher said he would not support the resolution. Ms. Fuller said she could not support Mr. Stolz' amendment and she congratulated

the administration for their hard work. Mr. Policano thanked the administration for their work in bringing down the budget but felt it was incomplete. He supported Mr. Stolz' amendment and talked about the constant increases over the years and the impact on the taxpayers. He concluded that at some point the responsibility for providing a quality education must also be balanced with doing it affordably. He said the Board is not doing that by constantly increasing the budget every year. Mr. Rhodes said that while he did not support the 1.3% he would vote in favor of it. He said one of the problems is the funding from the state. The state makes it very difficult to run a school district because the only thing the Board can do is raise the property tax. He did not feel it was a fair tax. He said East Penn is being run in a way that it is fitting and this raise is reasonable. He pointed out that the inflation rate is 3%, yet the district is spending less. He concluded that he would support the budget. Ms. Heid said she may have considered Mr. Stolz' motion but she was not happy about throwing in the web casting. Mr. Ballard said the statement was made that there was no reason to have a tax increase. He pointed out that the revenues vs. the expenditures are not balanced and the difference is being made up with 4.1 million dollars from the Fund Balance. There is a hope that revenues will increase as the economy gets better. He talked about the impact of charter school funding. He talked about two publications that were forwarded to the Board and that recommended that any governmental agency that had less than two months of operating expenses in their Fund Balance was potentially courting fiscal disaster. It would mean that the district would have to have a 20 million dollar Fund Balance. He noted that the district has considerably less and cited examples when the district had to use funds when the state was late on payments. There is a local district that is already approving a Tax Anticipation Note which will cost taxpayers approximately \$20,000 in interest. He explained that when there is a designated percentage of the budget for Budgetary Reserve it grows the same as the budget does. He talked about the fiscal irresponsibility being proposed and the dangers of not having revenue increase. Mr. Ballard also pointed out that two reputable financial institutions, Moody's and Standards & Poors, cited East Penn's financial status to determine what the bond rating would be. Our bond rate is very good right now. If the Fund Balance is raided, then the bond rating would change as stated by Scott Shearer, Managing Director, for Public Financial Management. Mr. Ballard said he would not support any more funds being taken from Fund Balance. Mr. Ballard further stated that he had cited four reputable organizations and their advice, noting that other statements by board members were their opinions and not backed up with professional credentials, expertise and research. As for web casting, Mr. Ballard is against it because of the cost with very little return. Taxpayers can look at the CEPTA web site. He also cited some of the legal issues that may arise from various situations. The Board meets in public and this is the place where you can see the people. Mr. Stolz rebutted Mr. Ballard's comments and felt he was trying to dazzle the audience. He talked about the uncommitted Fund Balance and how the Fund Balance increases miraculously increases after July 1. He cited other school districts and their budgets and Fund Balances. Mr. Stolz again said that the district could put the budget on the ballot next year and let the voters decide whether or not they want a tax increase. He contended that the public would make the right decision. Mr. Stolz expounded on his campaign promise to the taxpayers that he would not raise taxes and talked about the Founding Fathers. He criticized Mr. Ballard for voting on a tax increase for his time on the Board. He expounded on items being over budgeted; one time funds for one-time expenses; pension increases; meaningful tax reform, and elected officials. Mr. Stolz called the question.

Motion by Stolz, Seconded by Policano

RESOLVED, That the question be called.

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

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

Nay: Donches-----1

Mr. Ballard then called on the Board to vote on the previous motion proposed by Mr. Stolz:

Motion by Stolz, Seconded by Donches

RESOLVED, That the East Penn Board of School Directors approve the following amendments for the budget:

\$1,198,998 of the Fund Balance to offset the tax increase

\$1,00,000 of Plancon funds to offset future 5 million dollars on construction costs

\$240,000 to provide for busing to Willow Lane for the next 4 years

\$10,000 for web casting for the next two years

This resolution was defeated by the following roll call vote:

Nay: Bacher, Ballard, Earnshaw, Fuller, Heid, Rhodes-----6

Aye: Donches, Policano, Stolz-----3

Referring to comments about having the public vote on the budget in a referendum, Mr. Earnshaw pointed out that the law prohibits the expenditure of funds to advocate for an increase. He also noted that the millage rate for Catasauqua is more than East Penn's millage at 46.15. He compared their number of pupils and status as a much smaller district. He did not think there was any comparison. Mr. Earnshaw moved to end debate.

Motion by Earnshaw, Seconded by Heid

RESOLVED, That the Board end debate.

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

Aye: Bacher, Ballard, Earnshaw, Fuller, Heid, Rhodes-----6

Nay: Donches, Policano Stolz-----3

Motion by Fuller, Seconded by Earnshaw

RESOLVED, by the Board of School Directors of East Penn School District, that homestead and farmstead exclusion real estate tax assessment reductions are authorized for the school year beginning July 1, 2012, under the provisions of the Homestead Property Exclusion Program Act (part of Act 50 of 1998) and the Taxpayer Relief Act (Act 1 of 2006), as follows:

1. Aggregate amount available for homestead and farmstead real estate tax reduction. The following amounts are available for homestead and farmstead real estate tax reduction for the school year beginning July 1, 2012:
 - a. Gambling tax funds. The Pennsylvania Department of Education (PDE) has notified the School District that PDE will pay to the School District during the school year pursuant to Act 1, 53 P.S. § 6926.505(b), as a property tax reduction allocation funded by gambling tax funds, the amount of \$1,755,954.64.
 - b. Philadelphia tax credit reimbursement funds. PDE has notified the School District that PDE will pay to the School District during the school year pursuant to Act 1, 53 P.S. § 6926.324(3), as reimbursement for Philadelphia tax credits claimed against the School District earned income tax by School District resident taxpayers, the amount of \$40,034.84.
 - c. Aggregate amount available. Adding these amounts, the aggregate amount available during the school year for real estate tax reduction is \$1,795,989.48.
2. Homestead/farmstead numbers. Pursuant to Act 50, 54 Pa. C.S. § 8584(i), and Act 1, 53 P.S. § 6926.341(g)(3), the County has provided the School District with a certified report listing approved homesteads and approved farmsteads as follows:
 - a. Homestead property number. The number of approved homesteads within the School District is 16,029.
 - b. Farmstead property number. The number of approved farmsteads within the School District is 26.
 - c. Homestead/farmstead combined number. Adding these numbers, the aggregate number of approved homesteads and approved farmsteads is 16,055.
3. Real estate tax reduction calculation. The school board has decided that the homestead exclusion amount and the farmstead exclusion amount shall be equal. Dividing the aggregate amount available during the school year for real estate tax reduction of \$1,795,989.48 by the aggregate number of approved homesteads and approved farmsteads of 16,055, the maximum real estate tax reduction amount applicable to each approved homestead and to each approved farmstead is \$111.86.
4. Homestead exclusion calculation. Dividing the paragraph 3 maximum real estate tax reduction amount of \$111.86 by the School District real estate tax rate of 46.75 mills (.04675), the maximum real estate assessed value reduction to be reflected on tax notices as a homestead exclusion for each approved homestead is \$2,393.00, and the maximum real estate assessed value reduction to be reflected on tax notices as a farmstead exclusion for each approved farmstead is \$2,393.00.
5. Homestead/farmstead exclusion authorization – July 1 tax bills. The tax notice issued to the owner of each approved homestead within the School District shall reflect a homestead exclusion real estate assessed value reduction equal to the lesser of: (a) the County-established assessed value of the homestead, or (b) the paragraph 4 maximum real estate assessed value reduction of \$2,393.00. The tax notice issued to the owner of each approved farmstead within the School District shall reflect an additional farmstead exclusion real estate assessed value reduction equal to the lesser of: (a) the County established assessed value of the farmstead, or (b) the paragraph 4 maximum real estate assessed value reduction of \$2,393.00. For purposes of this Resolution, “approved homestead” and “approved farmstead” shall mean homesteads and farmsteads listed in the report referred to in paragraph 2 above and received by the school district from the County Assessment Office on or before May 1 pursuant to Act 1, 53 P.S. §6926.341(g)(3), based on homestead/farmstead applications filed with the County Assessment Office on or before March 1. This paragraph 5 will apply to tax notices issued based on the initial tax duplicate used in issuing initial real estate tax notices for the school year, which will be issued on or promptly after July 1, and will not apply to interim real estate tax bills.
6. Homestead/farmstead exclusion authorization – interim real estate tax bills. No homestead or farmstead exclusion will apply to any interim tax bill except an interim tax bill applicable to a property that includes an approved homestead or approved farmstead listed in the report received by the School District from the County Assessment Office on or before May 1, but not included in the tax assessment reflected in the July 1 tax bill for the property. In most cases, the assessment of approved homesteads and approved farmsteads will be reflected in July 1 tax bills. However, in any case when there is an approved homestead or an approved farmstead that is not included in the assessment reflected in the July 1 tax bill, and when an interim real estate tax notice is issued later based on an interim assessment including the approved homestead or approved farmstead, the interim tax notice shall reflect a homestead or farmstead exclusion real estate assessed value reduction calculated under paragraph 5, except that the paragraph 4 maximum real estate assessed value reduction will be prorated in the same manner as the real estate tax is pro-rated. Assuming the interim tax notice reflects taxation as of July 1, as will occur in most such cases, the full amount of the paragraph 4 maximum real estate assessed value reduction will apply. In the extraordinary case where the new interim tax assessment is effective after July 1, the paragraph 4 maximum real estate assessed value reduction will be pro-rated in the same manner as the real estate tax reflected in the interim tax bill is pro-rated.

2012-13 Budget - Final Adoption

- RESOLVED, That the East Penn Board of School Directors adopt the 2012-13 budget that was tentatively adopted on May 14, 2012, and revised; and,
- Be it further
- RESOLVED, That the East Penn Board of School Directors, Lehigh County, Commonwealth of PA, hereby authorize expenditures totaling \$124,996,104 as set forth therein; and,
- Be it further
- RESOLVED, That the East Penn Board of School Directors levy a tax of 46.75 mills per dollar of assessed valuation on real estate, and the following taxes be levied under Act 511:
- A one-half percent (.5%) earned income tax, and,
A one percent (1%) real estate transfer tax
- Be it further
- RESOLVED, That the Senior Citizen Real Estate Tax Rebate Program be continued for the 2012-13 year with the same eligibility income guidelines as the previous year's program; and,
- Be it further
- RESOLVED, That the East Penn Board of School Directors approve the establishment of a Committed Fund Balance as of June 30, 2012 in the amount of \$1,250,294 for the purpose of future anticipated rate increases by the Public School Employees Retirement System.

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

5. Delinquent Earned Income Tax Collection

Motion by Earnshaw, Seconded by Rhodes

RESOLVED, That the East Penn Board of School Directors authorizes Keystone Collections Group to continue the collection of delinquent earned income taxes for Lower Macungie Township residents for tax years 2011 and prior retroactive to January 1, 2012 with commission continued at the rate of 1.75%, plus our share of printing and postage; and,

Be it further

RESOLVED, That the East Penn Board of School Directors authorizes the Borough of Macungie to continue the collection of delinquent earned income taxes for Borough of Macungie residents for tax years 2011 and prior retroactive to January 1, 2012 with commission continued at the rate of 5.00%, plus our share of printing and postage.

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

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

1. District Update

Dr. Seidenberger reported on the following items:

- There will be a meeting on Instructional Rounds in August.
- At the first meeting in August, IT Director Michael Mohn will give the Board an update on where technology is in the district. He will also share the plans for the Technology Site visit in April.
- The administration will be reviewing the requests from parents for changes in school assignments. These are handled on an individual basis.

2. Personnel

Motion by Fuller, Seconded by Stolz

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

Resignations

-Zachary Fuller, Assistant Principal at Emmaus High School, effective July 16, 2012 (Exhibit 1)
 -Katja Wahrhaftig, German Teacher at Emmaus High School, effective June 30, 2012 (Exhibit 2)
 -Vicki Kulp, Instructional Assistant at Wescosville School, effective June 12, 2012 (Exhibit 3)
 -Matthew Henzler, Part-Time Custodian at Willow Lane School, effective June 19, 2012 (Exhibit 4)

General Leave Request – Reference: Board Policy 539, General Leave

Employee: April Snyder
 Grade 3 Teacher, Shoemaker School
 Effective: 8/21/12-1/22/13

Interim Coordinator of Secondary Curriculum

Name/Address: Laura Leiby
 208 Oak Street, Kaska 17959
 Education Level: B. S. Degree (1997)
 M. Ed. Degree (1999)
 Ed. D. Degree (2012)
 Undergraduate School: Kutztown University
 Graduate School: Kutztown University
 Immaculata University
 Certification: Instructional II-Physics, Mathematics
 Supervisory-Curriculum & Instruction
 Assignment: Vacancy created by retirement of Dr. L. Delvernois
 Effective: August 21, 2012
 Experience: 2007-Present: East Penn SD
 8/99-8/04: East Penn SD
 8/05-2007 Lehigh Career & Technical Institute
 Salary: \$74,411 , plus \$500 Stipend/Pay

Full-Time Substitute Teacher Appointments

Name/Address: Jennifer Hanssen
 4283 Elm Drive, Allentown 18103
 Education Level: B. S. Degree (2010)
 Undergraduate School: Kutztown University (2010)
 Certification: Instructional I, Elementary, K-6
 Assignment: Grade 3, Wescosville School
 Opening created by N. Swatsky leave
 Effective: August 21, 2012
 Experience: 11/2011-6/2012: East Penn SD
 Salary: \$45,508 (Year 2, Col. B)

Name/Address: Steven Neikam
 209 Lone Lane, Allentown 18104
 Education Level: B. A. Degree (1989)
 Undergraduate School: Moravian College
 Graduate School: Kutztown University (certification credits)
 Certification: Instructional II, Elementary
 Assignment: Grade 5 Teacher, Wescosville School
 Opening created by E. Petrella leave
 Effective: August 21, 2012
 Experience: 8/2011-6/2012: East Penn SD
 10/20/10-6/2011: East Penn SD
 12/2008-6/2009: East Penn SD
 Salary: \$45,831 (Year 3, Col. B)

Name/Address: Michael Mauro
 133 Jefferson Street, Emmaus
 Education Level: B. A. Degree (2000)
 Undergraduate School: Penn State University
 Graduate School: Muhlenberg College (certification credits)
 Certification: Instructional I, Elementary, K-6
 Assignment: Grade 3, Wescosville School
 Opening created by E. Martin leave
 Effective: August 21, 2012

Experience:	8/2011-6/2012: East Penn SD 8/2010-6/2011: East Penn SD
Salary:	\$45,508 (Year 2, Col. B)
Name/Address:	Krista Colville 5420 Hanover Drive, Wescosville
Education Level:	B. S. Degree (2010)
Undergraduate School:	Penn State University
Certification:	Instructional I, Elementary, K-6
Assignment:	Grade 2, Alburtis School Opening created by J. Tanner leave
Effective:	August 21, 2012
Experience:	9/2011-6/2012: East Penn SD 9/2010-6/2011: East Penn SD
Salary:	\$45,508 (Year 2, Col. B)
Name/Address:	Kristen Tomasello 1576 Kennington Lane, Macungie
Education Level:	B. A. Degree (1990)
Undergraduate School:	Gettysburg College
Graduate School:	Muhlenberg College (certification credits)
Certification:	Instructional I, Elementary, K-6
Assignment:	Grade 5, Shoemaker School Opening created by L. Knauss leave
Effective:	August 21, 2012
Experience:	8/2011-6/2012: East Penn SD 8/2010-6/2011: East Penn SD
Salary:	\$45,508, (Year 2, Col. B)
Name/Address:	Julia Kling 842 Welsh Road, Schwenksville 19473
Education Level:	B. S. Degree (2011)
Undergraduate School:	Kutztown University
Certification:	Instructional I, Elementary, K-6
Assignment:	Grade 4, Shoemaker School Opening created by K. Durigan leave
Effective:	August 21, 2012
Experience:	None
Salary:	\$45,185 (Year 1, Col. B)
Name/Address:	Kimberly Exaros 2007 Sunrise Drive, Allentown 18104
Education Level:	B. S. Degree (2008)
Undergraduate School:	Penn State University
Certification:	Instructional I, Elementary, K-6
Assignment:	Grade 1, Alburtis School Open created by K. Bergman leave
Effective:	August 21, 2012
Experience:	8/2011-6/2012: East Penn SD
Salary:	\$45,508 (Year 2, Col. B)
Name/Address:	Virginia Duncan 26 Lower Way Road, Easton 18045
Education Level:	B. S. Degree (1975) M. S. Degrees (2008 & 2011)
Undergraduate School:	Hampton University
Graduate School:	Gwynedd Mercy College
Certification:	Instructional I, Business-Computer-Info Tech, Special Education
Assignment:	Computer & Business Applications, LMMS Opening created by M. Aquila leave
Effective:	August 21, 2012
Experience:	2/2012-6/2012: East Penn SD 12/2006-6/2010: Easton Area SD
Salary:	\$45,508 (Year 2, Col. B)

Administrative Assistant Appointment

Name/Address:	Jessica Miller 1346 Spring Road
---------------	------------------------------------

Assignment: Andreas, 18211
Eyer MS-Administrative Assistant
Vacancy created by S. Drexinger retirement
Effective: July 9, 2012
Salary: \$25,100, 35 hrs./wk.

2012-2013 Annual Academic Appointments (Head Teachers, Grade Leaders, Department Chairs

See Exhibit 5

2012-13 Annual Substitute Rates

See Exhibit 6

Extended School Year Staff

Vicki Kulp, Teacher Lisa Shupp, Instructional Assistant

Summer Learning Academy Teacher

Heather Day Vicky Romagnoli

Educational Conferences – Exhibit 7

That the East Penn Board of School Directors approve the estimated expenses for the individuals who are attending the educational conferences listed on Exhibit 7.

EduLink Contract – Exhibit 8

RESOLVED, That the East Penn Board of School Directors authorize the Agreement, Option 2, with EduLink Systems Inc., 1111 E. Katella Avenue, Orange, CA to provide services as described in Exhibit 8, effective July 1, 2012-June 30, 2015 at a cost of \$8,000/year.

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

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

Dr. Laura Leiby, who was appointed as the Interim Coordinator of Secondary Curriculum, was introduced to the Board.

7. Legislative C. Ballard

Mr. Ballard reported on the legislators increasing Educational Tax Credits for private and parochial schools. He described it as lost tax money. The bill on reforming charter schools is being discussed. Taxpayers are paying over 365 million dollars more for education in those schools. The budget still has not been passed.

8. Business Operations

1. Bid Opening Report – EHS Natatorium HVAC Modifications and Repairs

The following bids were opened at 2:00 p.m. in Conference Room A of the East Penn School District Administrative Offices on June 7, 2012. Bidder Representative Present: Brian Biery of H. T. Lyons; Engineer Present: Dave Brown, Entech; Staff Present: D. Surdoval, R. Ritter.

EHS Natatorium HVAC Modifications and Repairs- H. T. Lyons, Inc., Allentown, PA

2. Bill List Approval

Motion by Earnshaw, Seconded by Bacher

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

Approval of District Insurance Policies

PACKAGE POLICY

RESOLVED, That the East Penn Board of School Directors accept the recommendation of the Insurance Advisory Council and award the contract for the package policy including EDP coverage, boiler coverage and automobile, to ACE USA (PSBA Insurance Trust Program) through USI Insurance Services at the quotation price of \$258,494.

Note: Last year this policy was awarded to ACE USA for a total

premium of \$248,388.

UMBRELLA COVERAGE

RESOLVED, That the East Penn Board of School Directors accept the Recommendation of the Insurance Advisory Council and award the contract for \$15 million umbrella coverage to Old Republic Insurance Company (PSBA Insurance Trust Program) at a quotation price of \$23,560 through USI Insurance Services.

Note: Last year this policy was awarded to Old Republic Insurance Company for a total premium of \$23,560.

ERRORS & OMISSIONS POLICY

RESOLVED, That the East Penn Board of School Directors accept the recommendation of the Insurance Advisory Council and award the contract for School Leaders Errors & Omissions, including an enhanced employment liability endorsement, to The Pennsylvania School Boards Insurance Trust and Old Republic Insurance Company at a quotation rate of \$42,765 through the Miers Insurance Agency.

Note: Last year this policy was awarded to the Pennsylvania School Boards Insurance Trust and Old Republic Insurance Company for a total premium of \$36,638.

WORKERS' COMPENSATION POLICY

RESOLVED, That the East Penn Board of School Directors accept the recommendation of the Insurance Advisory Council and award the contract for Workers' Compensation Insurance to PMA Insurance at the quotation price of \$395,494 through USI Insurance Services.

Note: Last year this policy was awarded to PMA Insurance for a total premium of \$332,116.

STUDENT/ACCIDENT INSURANCE

RESOLVED, That the East Penn Board of School Directors award the contract for Student/Accident Insurance to ACE American Insurance Company for the Interscholastic all-sports Package AAA, which includes junior and senior high school football, junior and senior high school interscholastic and intramural sports, gym classes, band, cheerleaders and majorettes, loss of use, and expanded sports/medicine, and school trip and activities rider and \$1,000,000 catastrophic accident medical benefit for the total annual premium of \$28,053 for primary excess over \$100.00 plan, as made available through Mid-Penn Insurance Associates, Inc.

And be it further

RESOLVED, That the East Penn Board of School Directors make available the voluntary enrollment primary excess over \$100 student insurance plan AA with a maximum benefit of \$1,000,000, which is offered to parents on a voluntary basis through ACE American Insurance Company for \$30 for school-time coverage and \$116 for 24 hour coverage, through Mid-Penn Insurance Associates, Inc.

Note: Last year this policy was awarded to ACE American Insurance Company at a total premium of \$20,459.

Mr. Policano asked about the increases in the insurance policies except for one. Mr. Glancy explained that there were many claims during the year so the rates were adjusted upward. He noted that school districts across the state noticed an increase in the number of claims.

2011-2012 Budget Transfers – Exhibit 9

RESOLVED, That the East Penn Board of School Directors authorize the 2011-2012 Budget Transfers as listed on Exhibit 9.

Bid Rejection – Communications, CATV, Sound and Camera Systems Preventive Maintenance Contract

RESOLVED, That the East Penn Board of School Directors rejects all bids received on May 30, 2012 for the Communications, CATV, Sound and Camera Systems Preventive Maintenance Contract.

Bid Awards

RESOLVED, That the East Penn Board of School Directors approve the following bid awards:

Lincoln Elementary School Window Replacement

RESOLVED, That the East Penn Board of School Directors authorize the award of the bid received on May 30, 2012 from MTD Construction for the replacement of the existing windows in the 1959 addition. Base bid amount \$157,000.00 plus Alternate #2 for \$2,500.00 for a total contract amount of \$159,500.00.

Fire Alarm System Preventive Maintenance Contract

RESOLVED, That the East Penn Board of School Directors authorize the award of the bid received on May 30, 2012 from Keystone Fire Protection Company for a three year preventive maintenance contract. Base bid amount of \$26,282.00 per year for three years for a total three year contract amount of \$78,846.00.

Elevator Preventive Maintenance Contract

RESOLVED, That the East Penn Board of School Directors authorize the award of the bid received on May 30, 2012 from Otis Elevator Company for a three year preventive maintenance contract. Base bid amount of \$22,707.36 per year for three years for a total three year contract amount of \$68,122.08.

Emmaus High School Natatorium HVAC Modifications and Repairs Project

RESOLVED, That the East Penn Board of School Directors authorize the award of the bid received on June 7, 2012 from H.T. Lyons, Inc. for the Natatorium HVAC modifications and repair project. Base bid amount of \$99,980.00 plus Alternate #3 for \$24,800.00 and Alternate #7 for \$28,300.00 for a total contract amount of \$153,080.00.

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

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

9. Announcements

Monday, June 25	7:00 p.m.-Executive Session (Real Estate; Personnel; Legal)
	7:30 p.m.-Board Meeting
Wednesday, July 4	Fourth of July – All district offices will be closed.
Monday, July 9	7:30 p.m.-Board Meeting, Board Room (Business Casual Dress)

10. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 10:15 p.m.

Cecilia R. Birdsell, Board Secretary

ORDER OF BUSINESS

1. Order of Business/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. followed by the Pledge of Allegiance.

Board Members Present: K. Bacher, C. Ballard, L. Donches, A. Earnshaw, F. Fuller M. Policano, S. Rhodes, J. Stolz
Board Member Absent: R. Heid
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
Jennifer Rodgers, Morning Call Reporter
Randy Kraft, WFMZ on line Reporter

2. Administering Oath of Office for Superintendent of Schools

Judge Douglas G. Reichley administered the Oath of Office for Superintendent of Schools to Dr. Thomas L. Seidenberger. There was a round of applause from the audience. Mr. Ballard thanked Judge Reichley.

3. Request to Address the Board

Michelle Bartolomei, 6645 Sauterne Drive, Macungie criticized the comments made by Mr. Ballard and Mr. Earnshaw regarding the safety arguments made by parents in relation to the Willow Lane busing situation.

Garrett Rhoads, 5595 Wedge Lane, Allentown expressed opposition to the administrative salaries, referring to the dire picture that was presented by the administration and board members during the budget process. He felt that modest raises for those earning less than \$45,000 per year would be appropriate. He correlated that figure with the starting salary of a beginning teacher. He said it would amount to less than \$10,000 to the taxpayers. He felt it was financially irresponsible to approve an additional \$77,000 to "line the pockets of school district bureaucrats." He said the argument is that the employees will leave for greener pastures and his response was "to let them go." He concluded that if the district did not have the \$60,000 to secure the necessary busing for Willow Lane students then how does the district magically have the \$77,000 needed for the unnecessary raises. In addition, he criticized the superintendent's salary of \$166,193.

4. Approval of Minutes

Motion by Bacher, Seconded by Donches
RESOLVED, That the East Penn Board of School Directors approve the minutes of the August 13, 2012 meeting.

Ms. Donches wanted to add to the minutes at the bottom of Page 4 dealing with the Willow Lane discussion that she was not able to interpret the map regarding the students crossing the street twice.

This resolution was unanimously adopted by voice vote.

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

1. District Update

Dr. Seidenberger reported that there had been a successful opening of school with a few glitches in transportation. The cones for the change in the traffic pattern for Willow Lane were not in place in the morning but they were in place in the afternoon. He thanked Dr. Mirabella, Dr. Moyer, and Mr. Glancy for their work and for the meeting with parents prior to the start of school.

Dr. Seidenberger indicated that the administration is watching enrollments at the Macungie School, Grades 4 and 5. If more students enroll then it may be necessary to add another class. Macungie Principal Mr. Best pointed out that many of the students come from rental properties and there may be a difference after the first of the month.

Ann Flynn from the National School Boards Association visited the district to discuss the plans for the technology site visit in April. The visitors will be staying at the Holiday Inn, Fogelsville and there will be a reception for them sponsored by NSBA from the registrations. It is proposed that sponsors be sought for a reception at the DaVinci Science Center. Other districts that are part of the site visitations are Miami/Dade County, Vancouver, and Arlington, Illinois.

The administration will be working on policy changes for web based advertising. Board members received copies of the 2012-13 district calendar. He thanked Mrs. Bloise for her efforts in finding advertisers for the hard copy of the calendar. He noted that there is now a PDF file for parents to print out their child's report card.

The PDE approved the District's application for our DILT Professional Development Program. The course is "District Instructional Leadership Team-Improving Teaching and Learning Through Instructional Rounds" and it meets the requirements of Act 45 of 2007 for continuing professional education for school and system leaders. The course was approved to provide 70 PIL hours. Dr. Seidenberger thanked Dr. Torma and Mrs. Campbell for their work. Administrators must take 180 hours to maintain their certification.

There are a few positions that have not been filled and the administration is still interviewing.

Dr. Seidenberger recognized EHS teacher Scott Didra for the award he received from Philadelphia College. Four EHS students wrote letters of recognition for him. There is the possibility that Mr. Didra will be working with the College for some distance learning design work.

2. Personnel

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

Resignations

- Janine Mathesz, Assistant Principal at Emmaus HS, effective August 20, 2012 (Exhibit 1)
- Jill Schrader, Instructional Assistant at Emmaus HS, effective August 15, 2012 (Exhibit 2)
- Debra Beitler, Administrative Assistant in the Business Office, effective December 31, 2012 (Exhibit 3)
- Debra DePue, Staff Assistant at Lincoln School, effective August 31, 2012 (Exhibit 4)
- Georgette Blyler, Administrative Assistant at Emmaus HS, effective August 28, 2012 (Exhibit 5)

Temporary Professional Employee Appointment

Name/Address:	Natalie Deacon 1392 Pleasant View Road, Coopersburg 18036
Education Level:	B. S. Degree (2010)
Undergraduate School:	East Stroudsburg University
Certification:	Instructional I, Health & Phys. Ed., Health, Safety Ed/Driver Ed
Assignment:	Health/Wellness Teacher, Emmaus HS Vacancy created by J. Bottiglieri retirement
Effective:	To be Determined
Experience:	8/20/10-Present: Southern Lehigh SD
Salary:	\$45,185 (Year 1, Col. B)

Appointment of Confidential Assistant, Payroll, Business Office

Employee:	Debra Beitler Administrative Assistant, Business Office
Effective:	January 1, 2012
Assignment:	Confidential Assistant, Payroll Vacancy created by L. Shankweiler retirement
Salary:	\$47,000, 35 hours/wk.

Administrative Assistant Appointment/Instructional Assistant Appointment

Employee:	Georgette Blyer Staff Assistant, Emmaus HS
Effective:	August 28, 2012
Assignment:	Administrative Assistant, Emmaus HS Vacancy created by B. Alcaro retirement
Salary:	\$25,100, 35 hrs./wk.
Employee:	Amanda Kender 8285 Hensingersville Road, Alburtis
Effective:	August 28, 2012
Assignment:	Macungie School Vacancy created by P. Kiser resignation
Salary:	\$13.38/hr., 29 hrs./wk.

Health Room Assistant Appointments

<u>Name/Address</u>	<u>Assignment</u>	<u>Salary</u>
Mary Ellen Hoffman 1135 Little Lehigh Drive South Emmaus	Willow Lane	\$18.77/hr., 29 hrs./wk.
Tiffany Chandler 6858 Sunflower Lane Macungie	Shoemaker School	\$18.77/hr., 29 hrs./wk.

2012-2012 Remedial Assistant Rates

First Year:	\$13.75/hr.	Substitute up to 20 days:	\$11.25/hr.
After First Year:	\$16.75/hr.	Substitute 21 days or more:	\$11.75/hr.

Appointment of Remedial Assistants

<u>Name/Address</u>	<u>Assignment</u>	<u>Salary</u>
Susan Traynor 5461 Reppert Lane Allentown 18106	Lincoln School Vacancy created by A. Peischl resignation	\$13.75/hr., 29 hrs./wk.
Kristen Yessen 306 Spyglass Hill Road Bath 18014	Jefferson School Vacancy created by I. Patnaude resignation	\$13.75/hr., 29 hrs./wk.
Barbara Poling 1473 Dayspring Drive	Alburtis School Vacancy created by P. LoBue	\$13.75/hr., 29 hrs./wk.
Sara Hemerly 9235 Claussville Road Fogelsville 18051	Lincoln School Vacancy created by H. Potemski	\$13.75/hr., 29 hrs./wk.

The maximum hours for the following Remedial Assistants be set to 29 hours/week:

Alburtis School:	Heather Karlovits	Michele Sovia
Jefferson School:	Christine Boty	Carol Ann Hillegass
	Linda Lopano	
Lincoln School:	Stephanie Fisher	Randi Haberbosch
	Patti Scott	
Macungie School:	Anne Mowad	Allison Lind
	Ray Ross	Susan Strong
Shoemaker School:	Rachel Berrigan	Marianne Frey
	Barb Maake	Nancy Mombourquette
Wescosville School:	Genny Baillie	Pam Cantone
	Katy Lysek	Shannon Seremula
Willow Lane School:	Jo-Anne Barrett	Sue Fretz
	Serena Roland	Jayanne Schwenk

Additions to the 2012-13 List of Per Diem Substitutes

See Exhibit 6

2012-13 Co-Curricular Advisors

See Exhibit 7

Fall 2012 Community Education Instructors

See Exhibit 8

Change in Assignments

Employee	From	To
Kimberly Exaros (FTS)	Grade 1, Alburtis	Grade 4, Shoemaker School
Krista Colville (FTS)	Alburtis	Kindergarten, Shoemaker, effective 11/11/12-6/30/13
Matthew Krempasky	LMMS, Social Studies	Eyer, Social Studies (Correction)
Melody Arndt	Instructional Assistant	Instructional Assistant
	Wescosville	Eyer MS
Tina Collura	Instructional Assistant	Instructional Assistant
	Wescosville	Eyer MS
Brenda Kovacs	Instructional Assistant	Instructional Assistant
	Wescosville	Emmaus HS

2012-13 New Teacher Induction Mentors

Kimberly Adams	Heather Arnold	Cheryl Borysowski
Rita Cortez	John Dietrick	Diane Flisser
Jennifer Glendenmeyer	Drew Hinkel	Ann Johnson
Tracy Maley	Regina Oster	

Resignation

-Christine McNeil, Administrative Assistant at Wescosville School, effective August 23, 2012

Appointment of Temporary Professional Employee

Name/Address:	Julia Kling 842 Welsh Road, Schwenksville 19473
Education Level:	B. S. Degree (2011)
Undergraduate School:	Kutztown University
Certification:	Instructional I, Elementary
Assignment:	Grade 1, Willow Lane School
	New Position
Effective:	August 28, 2012
Experience:	None
Salary:	\$45,185 (Year 1, Col. B)
Name/Address:	Karla Matamoros 629 North 30 Street, Allentown 18104
Education Level:	B. S. Degree (1996)
	M. of Social Work (1999)
Undergraduate School:	New York University
Graduate School:	New York University
Certification:	Educational Specialist I, Home and School Visitor
Assignment:	Home and School Visitor
	Vacancy created by S. Riffey resignation
Effective:	August 28, 2012
Experience:	3/2007-6/2012: Easton Area SD
	9/2001-6/2004: Union City (NJ) Schools
	9/99-6/2001: New York City Public Schools
Salary:	\$53,898 (Year 2, Col. M)

Appointment of Full-Time Substitute Teachers

Name/Address:	Peter Verile 215 Valley Park South, Bethlehem 18018
Education Level:	B. A. Degree (2006)
	M. S. Degree (2010)
Undergraduate School:	Moravian College
Graduate School:	Wilkes University
Certification:	Instructional II, Elementary
Assignment:	Grade 5, Lincoln School
	Opening created by L. Knauss leave.
Effective:	August 28, 2012
Experience:	6-2007-6-2012: Easton School District

Salary: \$45,185 (Year 1, Col. B)

Name/Address: Justin Phillips
203 Hunter Street, Easton 18045

Education Level: B. A. Degree
M. Ed. Degree

Undergraduate School: University of Pittsburgh

Graduate School: Cedar Crest College

Certification: Instructional I, Elementary

Assignment: Grade 1, Alburtis School
Opening created by K. Bergman leave.

Effective: August 28, 2012

Experience: 3/2011-6/2012: Phillipsburg (NJ) School District

Salary: \$45,185 (Year 1, Col. B)

Addition to the 2012-13 School Year Per Diem Substitute List

Jodi Schwartz, Instructional/Staff Assistant

Appointment of Staff Assistants

Name/Address	Assignment	Salary
Christina Kennedy 1037 Jefferson Avenue, Allentown	Jefferson School Vacancy created by D. Gaumer resignation	\$13.38/hr., 12.5 hrs./wk.
Jennifer Evans 5531 East Texas Road, East Texas 18046	Jefferson School Vacancy created by A. Eisenhard resignation	\$13.38/hr., 12.5 hrs./wk.

Request for General Leave – Board Policy 539, General Leave

Employee: Raymond Ross
Remedial Assistant, Macungie School

Effective: 9/5/12-11/4/12

Educational Conference

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

Conference Title: Learning Forward: Linking PA Common Core to Effective Teaching Practices, Harrisburg

Date: October 24, 2012

Attending: Laura Leiby, Interim Secondary Coordinator

Estimated Cost: \$218.82

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

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

Absent: Heid-----1

5.3 Approval of Act 93 Compensation/Non-Bargaining Unit Salaries - Exhibit 9

Motion by Earnshaw, Seconded by Fuller

RESOLVED, That the East Penn Board of School Directors approve the 2012-2013 Act 93 salaries; and, that the salaries and fringe benefits for the non-bargaining unit employees be approved, effective July 1, 2012.

Ms. Donches introduced the following motion:

Motion by Donches, Seconded by Stolz

RESOLVED, That the approval of the Act 93/Non-Bargaining Unit Salaries only be awarded to those people making equal to or less than \$45,000.

Mr. Earnshaw said it would be interesting to know why Ms. Donches would support this motion because local companies have been awarding increases and bonuses throughout the recession. He said these are professional employees and he did not

understand why this group of employees should be exceptions. Mr. Ballard pointed out that this year there are only partial increases on the remainder of the support staff contracts and the teachers' contract only has step increases and 1% at the top of the scale. Ms. Donches said that in the bond refinancing document stated that the trend for per capita income for the East Penn School District according to the 2010 census is \$34,297 and that is less than the proposal she was making for the \$45,000. Ms. Fuller pointed out that per capita is the amount that is spread over the entire population and includes non-working children and she did not think that it was appropriate to believe that the average income is over \$34,000. Mr. Earnshaw asked if the per capita figure was earned income or personal income (investments, royalties, etc.) noting that per capita also includes senior citizens but does not include social security and probably not pensions. The 2000 census indicated that the district had in the neighborhood of about 20% of the population as senior citizens. Mr. Ballard said there were demographic studies done for Act 1 and Act 51 and when those studies were done the median income was \$75,000. He felt the \$34,297 was being used incredulously. In addition, Mr. Ballard stated that salaries in the marketplace are not determined by what the incomes are in any given area. The education and the skill levels determine what are needed for any given job and pointed out the salaries for some of the warehouse managers on I-78 are as high or higher than the Superintendent is being paid and those positions do not require the education level or certifications needed for a Superintendent. He said using average income figures and playing on the sympathies of people is very disingenuous. The administrative employees have shown time and again their dedication to the system and they have shown admirable constraints in their requests for consideration. He said there has to be a fair wage paid or you will lose people. When the last superintendent search was conducted, there were not that many people who were getting into that role because why should they deal with these issues and public comment when they can get a job in another field and not have to put up with any of this. Mr. Ballard continued that he found it less than candid for people to come out and try to establish public employees' salaries on some basis other than evaluation but to limit salaries because they are public employees is something he felt was tremendously offensive. He further stated that the school district is a business and telling employees to quit or leave if you don't like the salaries is extremely taxing upon the principles of fairness and the market determines what people are paid. Mr. Bacher added that the increases are less than the Cost of Living or inflation rate for the last year. He did not believe that the salary increases are out of line. Ms. Donches said she felt the wages being paid were fair and competitive and she wished she would have time between the meetings for her thorough analysis of salaries for other districts. She said someone accepts a position at a certain salary that is acceptable to them and, as board members, they are to see from the taxpayers' perspective that they are cutting costs and maintaining costs. These are already reasonable salaries and, if the district is so strapped with the budget, this also affects pensions in the future. She asked what are the criteria for determining the salaries when they range from 7.9% to 1.4%. She said in business you may get the same salary for years and years and not just get an increase to get an increase. She would have loved to have a description of what constituted an increase such as extra schooling or something above the normal day. She said it would have been nice to have a comparison with other school districts. She concluded that these were nice, competitive salaries. Mr. Ballard said in his 15-16 years on the Board the district has not espoused an across-the-board pay increase. The district has instituted merit increases to allow variation in the raises based on the evaluation by the Superintendent. The evaluations are not subject to Right to Know or disclosure to the Board or public. The Superintendent is in charge of that function and it is the responsibility of the Board to evaluate the Superintendent. Ms. Donches asked when the Superintendent will be evaluated. Mr. Ballard said Mr. Earnshaw is in charge of the evaluation and it will be done some time in the fall. Mr. Policano indicated he would be abstaining from the vote. Ms. Donches said she had comments that the Superintendent's salary was too high. Mr. Bacher indicated that his company's CO has a considerably higher salary than the Superintendent and does not have the education level and only deals with a private board. He questioned the rationale that you heard someone say the salary was too high with no backup. Mr. Stolz indicated that he would be supporting the motion made by Ms. Donches. He said he will have much to say if the Board votes against this motion. He took issue with raising the salary for other administrators. He said he has voted against salary increases for the Superintendent since he was on the Board and he had that as part of his election information. He concluded that he is someone who stands by what they say they will do when they run for office. He criticized fiscal conservatives who raise taxes on a yearly basis. Ms. Fuller asked Mr. Ballard to restate the motion:

Motion by Donches, Seconded by Stolz

RESOLVED, That the approval of the Act 93/Non-Bargaining Unit Salaries only be awarded to those people making equal to or less than \$45,000.

This resolution was defeated by the following roll call vote:

Nay: Bacher, Ballard, Earnshaw, Fuller, Rhodes-----	5
Aye: Donches, Stolz-----	2
Abstention: Policano-----	1
Absent: Heid-----	1

Mr. Ballard restated the original motion:

Motion by Earnshaw, Seconded by Fuller

RESOLVED, That the East Penn Board of School Directors approve the 2012-2013 Act 93 salaries; and, that the salaries and fringe benefits for the non-bargaining unit employees be approved, effective July 1, 2012.

Mr. Stolz asked the amount for the salary increases. Dr. Seidenberger responded that the increase came to about \$74,000, less than 2%. This was in the budget. Mr. Stolz questioned the idea that money was budgeted for salary increases and not for Willow Lane busing. He also questioned why permission was needed to give salary raises and not for busing. Mr. Ballard explained that state law requires the Board to approve salaries. Mr. Stolz then proceeded to question the Superintendent about his authority to reinstate busing when a majority of the Board agreed with the recommendation to terminate the busing. Dr.

Seidenberger pointed out that as Superintendent of Schools, he is responsible for transportation costs. He does not come back to the Board every time an additional bus is needed as with special education students. He said the new Arts Academy Charter School required two bus runs for the 20 students attending from East Penn. The category is budgeted and, if a transfer is necessary, then it is done after October. Mr. Stolz claimed that at the June 25 meeting Dr. Seidenberger said that if it was the will of the Board then a safety plan would be developed. Mr. Stolz said it was stated that the impact was \$2.08 for every taxpayer for 325 students. Mr. Stolz said the \$74,000 could be used to hire a new teacher for the children and then questioned how the Superintendent in good conscience could recommend a salary increase for administrators with rising class sizes. Addressing Mr. Stolz, Dr. Seidenberger said he would appreciate if his politicking would stop. Dr. Seidenberger pointed out that administrators took a wage freeze last year and no one has worked harder than the administrative staff. He further stated that every employee in the school district is getting a salary increase and the district had to be fair on behalf of the people who work for the students. At the last Board Meeting, he informed the Board that an additional teacher was needed at Willow Lane and that is being done. Dr. Seidenberger said that his record speaks for itself. Last year two additional special education teachers had to be added. He concluded that he would not jeopardize any special education or regular education student. He pointed out to Mr. Stolz that earlier in the meeting he indicated that they were watching the Macungie School enrollments and may have to add a teacher at that school. He said if the district is getting in trouble with the budget he will simply freeze spending which was done last year and generated one million dollars. Mr. Stolz retorted that he had no problem voting for Dr. Seidenberger because he thought Dr. Seidenberger has done a good job. However, he did not expect to see a salary increase two weeks later. Mr. Stolz then accused the administration of hiding the salaries in the list of personnel items and, if it was not for Ms. Donches separating it out, there would be no public debate. He said he did not see any mention in the media that there would be a salary increase two weeks later. He said it showed a lack of respect. He then suggested the following motion:

Motion by Stolz, Seconded by Donches
RESOLVED, That the approval of the Act 93 Compensation/Non-Bargaining Unit Salaries be tabled.

This motion was defeated by the following roll call vote:

Aye: Donches, Policano, Stolz-----	3
Nay: Bacher, Ballard, Earnshaw, Fuller, Rhodes-----	5
Absent: Heid-----	1

Mr. Earnshaw pointed out that these salaries have always been in the personnel section of the agenda and it has not been a separate item. The Board Meeting Agenda, including the exhibits, was posted on the web site on August 24 at 10:26 a.m. so no one is hiding anything. There have been many discussions in Executive Session which is perfectly acceptable to discuss in these sessions, including Act 93. He further pointed out that Mr. Stolz was in all those sessions and did not raise the issue that this was outrageous. At this point, Solicitor Fisher cautioned Mr. Earnshaw about discussing Executive Session items. Mr. Earnshaw indicated that Mr. Stolz has brought up several issues together and made some interesting allegations about the motives behind this Board, adding that Mr. Stolz was the only one, to the best of his knowledge, who is interested in a political career. Mr. Earnshaw said the salaries are fair and reasonable and he called the question.

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

This resolution failed by the following roll call vote:

Aye: Bacher, Earnshaw, Fuller, Rhodes-----	4
Nay: Ballard, Donches, Policano, Stolz-----	4
Absent: Heid-----	1

Ms. Donches said because of discussions in Executive Session she was surprised to see this motion come to fruition. Mr. Bacher suggested that a salary study be performed to better focus on the various levels of employment. Mr. Ballard said he found it tremendously offensive to define motive when the person has zero facts behind it. He talked about "attacking the man and not the issue." Mr. Ballard suggested attacking the facts and not the people involved in the issue. He pointed out that there are no facts involved about what salaries should be. Referring to Mr. Bacher's suggestion, Mr. Ballard said that no amount of information will allay the facts being put forth, and, in fact, it may be found that the district is underpaying certain employees. He noted that there is a superintendent and HR people involved in recruiting employees so they know the job market and, in some cases, people have turned down an offer of employment and there are some people who were turned down for interviews because East Penn cannot match their salaries. He said a superintendent is hired to run the district and the Board does not get into the minutiae of individual employees. The Board sets the parameters and he has operated within those parameters and now some board members are trying to show that they did not object to those parameters and are now trying in public to make a display of disassociating themselves from those discussions and he found it contemptible. Ms. Donches said she did resist in Executive Session. Again, Solicitor Fisher instructed the Board to keep in Executive Session what was discussed there. Ms. Donches supported Mr. Bacher's suggestion for a salary survey and, if it shows the district is overpaying or underpaying certain individuals, then the Board can deal with it.

Again, Mr. Ballard restated the original motion:

Motion by Earnshaw, Seconded by Fuller

RESOLVED, That the East Penn Board of School Directors approve the 2012-2013 Act 93 salaries; and, that the salaries and fringe benefits for the non-bargaining unit employees be approved, effective July 1, 2012. (Exhibit 9)

This resolution was approved by the following roll call vote:

Aye: Bacher, Ballard, Earnshaw, Fuller, Rhodes-----5
Nay: Donches, Stolz-----2
Abstention: Policano-----1
Absent: Heid-----1

6. Legislative

C. Ballard

Mr. Ballard reported that the Legislature is going to take on school issues before the end of the session. The two issues involved charter school authorizations and charter and cyber school funding. Personally, he felt there should be more oversight on funding as well as all schools take the same test. He talked about the Arts Academy and the Medical Arts Charter Schools. He urged the board members to contact their local legislators on these issues. There is a Tax Reform Committee being formed and discussion about all the proposals is already being considered and they are discussing any alternatives. He indicated that most of the proposals do not come up with the 13 billion needed. Mr. Stolz said four Special Sessions have been scheduled two on November 15 and 16. He talked to a few Legislators and did not get a straight answer concerning property tax reform but the one consistent answer was that they plan to address the defined contribution vs. defined benefit pension fund.

7. Other Educational Entities:

-Carbon Lehigh Intermediate Unit

F. Fuller

Ms. Fuller reported that there was a presentation on the camps that run for the special needs students. This is largely paid for by the CLIU Foundation. They had a presentation on the IU getting into social networking and 21st century technology. They are empowering teachers to take videos of classes to help the public at large understand the programs and what they do.

-Lehigh Career & Technical Institute

R. Heid
F. Fuller
A. Earnshaw
S. Rhodes

Mr. Rhodes said the JOC said good bye to retiring recording secretary and Executive Assistant to the IU Executive Director Jane Vanim. LCTI is ready to accept new students and had their orientation. They will be working to make all students feel welcome whether they start before or after Labor Day. Mr. Earnshaw talked about the energy savings that the school hopes to realize by replacing the windowed ceiling and side windows in one of the corridors. They have saved over one million dollars in electricity costs over an approximate four year period.

8. Business Operations

1. Approval of Bill List

Motion by Earnshaw, Seconded by Stolz

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

Disbursement of Funds – Exhibit 10

RESOLVED, That the East Penn Board of School authorize the payment of funds from the 33-2010 Series A General Obligation Bonds for the items listed on Exhibit 10.

Parent/Guardian Transportation Contracts

RESOLVED, That the East Penn Board of School Directors approve the following transportation contracts:

Parent/Guardian: Dr. Laura Payea
5435 Princeton Road, Macungie
Effective: July 1-August 31, 2012
Reimbursement: 1.58 miles-Wescosville
329 S. 22nd Street, Allentown
.555/mile

Parent/Guardian: Robin & Jeffrey Urenko

Effective:	7204 Stack Road, Macungie
Reimbursement:	July 1, 2012-June 30, 2013
	2.5 miles to Eyer MS
	.555/mile

In answer to a question by Ms. Donches on the bill list, Mr. Glancy indicated the bill was a premium for the student accident insurance.

These resolutions were duly adopted by the following roll call vote:
 Aye: Bacher, Ballard, Donches, Earnshaw, Fuller, Policano, Rhodes, Stolz-----8
 Absent: Heid-----1

2. Rejection of Bids

Motion by Earnshaw, Seconded by Stolz
 RESOLVED, That the East Penn Board of School Directors reject the following bids:

- Storage Sheds
- District-Wide Asphalt Paving Work
- District-Wide Concrete Work

Ms. Donches wanted to know at what point would the Board see the plans for the storage sheds. She wanted to know if the Board approves the plan before it goes out to bid. She wanted to know why the bid was being rejected when she did not see the plan. Solicitor Fisher explained that the bid materials can be inspected but copies would not be made. Ms. Donches asked if the Board would see plans for a school before it went out for bid. Mr. Ballard said it depends on the size and scope of the project. A school building would fall under the PLANCON process but smaller projects that go out for general bid and under a certain amount are taken as part of the budget process. Mr. Ballard gave a few examples of the capital reserve plan projects. He said the sheds were bid out by the Maintenance Department, the information goes out to the contractors, and then at the time when final bids are received the Board will either accept or reject the bids. Dr. Seidenberger illustrated by using the extensive boiler work and roofing that was done a few years ago. The specifications are drawn up by an architect/engineer and if they are above the budgeted amount then the bids could be rejected. He cited the baseball fields at Wescosville as an example of a bid rejection. Ms. Donches asked if the sheds could be built by EHS students or LCTI students. Dr. Seidenberger said all the necessary approvals for the playhouse had to be obtained from Emmaus and Mr. Glancy said it must be part of the curriculum. The district would have to be careful to make sure it is within the state limits and contractual limits. The Board does not refurbish or build playgrounds. Right now Lehigh University architectural department is looking at a playground but it will have to be reviewed by the engineers. Mr. Earnshaw said the Board does not review detailed plans (engineering, architectural), engineers, architects, contractors, etc. are hired to do that work. The Board will have presentations about the projects. There have been times when there was a sketch plan and the administration has discussed the project and then they decide to go to bid and when the bids come in they can reject or accept bids. She asked if there were professional engineers on staff. Mr. Ballard said there is a firm that is used and the rates are determined through contract. Dr. Seidenberger indicated that every project is different and may require professional experience.

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

9. Announcements

Monday, August 27	7:00 p.m.-Executive Session (No Executive Session was held.)
	7:30 p.m.-Board Meeting
Monday, September 3	Labor Day – All Schools and Offices are closed.
Monday, September 10	7:30 p.m.-Board Meeting

Ms. Donches said she noticed that there was a resignation for an Assistant Principal at the high school. She made the following motion:

Motion by Donches, Seconded by Stolz
 RESOLVED, That the East Penn Board of School Directors not replace the assistant principal at Emmaus HS and that it be consolidated into the other four assistant principal positions.

Mr. Ballard pointed out that a recommendation of that seriousness should have been forwarded to the Board before the meeting so they had equal time to consider it. Mr. Ballard made a motion to table but it failed for the lack of a second. Ms. Fuller said that a high school of 2700 students needs every assistant principal. Dr. Seidenberger reminded the Board that he reduced the administrative staff by one assistant principal two years ago. Ms. Donches said that people on the street have said to her why do we have so many assistant principals and that the district is top heavy on administration. She feels that when someone vacates a position then you have to evaluate the position and if it can be consolidated. Mr. Ballard said this is classic micromanagement by a board member, noting that the Board hires a superintendent to run the district. He cited the PSBA in service training programs that emphasize that boards do not get into individual policy decisions. A decision of that magnitude should have been shared with board

members and it is unfair to spring multiple motions on fellow board members. Again, he concluded that it was micromanagement of the worst sort – trying to make personnel decisions at the Board level. He commented on the studies that have been conducted that show East Penn has a low administrative cost and to make a position that we have not cut enough based on no more than the district would save money and not thinking of the implications is disreputable. Dr. Seidenberger has said that whenever someone leaves a position the position is evaluated to see if it should be filled or reallocated to another area. He concluded that he has confidence in the Superintendent to make those decisions. Mr. Earnshaw further stated that to just make motions out of left field is inappropriate for a board member, unprofessional, and extremely discourteous to anyone sitting around the table. Mr. Stolz said he does not agree with the PSBA position on board members and that he and Ms. Donches are criticized for not making suggestions for cuts and now they are being criticized for suggesting a cut. He said looking at the economic times they have to make cuts that are painful. He said eliminating one assistant principal is workable. Mr. Policano indicated he would abstain on this motion since there is not enough information about the current work load. Addressing Ms. Donches, Mr. Bacher said the rationale “was someone asked me and I did not know what these people did” and you are proposing to eliminate a position. He felt something this serious should have been discussed with the administration so they could provide more background instead of proposing it the last five minutes of the meeting.

Motion by Donches, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors not replace the assistant principal at Emmaus HS and that it be consolidated into the other four assistant principal positions.

This resolution was defeated by the following roll call vote:

Nay: Bacher, Ballard, Earnshaw, Fuller, Rhodes-----	5
Aye: Donches, Stolz-----	2
Abstention: Policano-----	1
Absent: Heid-----	1

Mr. Stolz stated that there have been comments in the public domain that he takes his marching orders from Otto Slozer. Occasionally there have been statements that he is just a Republican hack. He said he takes his orders from no one but takes suggestions from anyone. He said his ideas are his own. He has been attending board meetings since he was 16. The reason he is on the Board and in politics is that he sees so much that is broken. He has seen it in the looks that certain members of the Board give to the people in the audience and the comments made by certain staff people that they are genuinely annoyed when people voice their consternation. He said he bases his vote on common sense and on an ideological conviction - less government, less taxes, and limited spending. He just wanted to make that statement because the last couple of meetings he has gotten emotional and is the one who is attacked for being against the children and public education when he tries to look out for the children and voice the views of the parents. He tries to be a representative of the public but stay true to his own convictions.

10. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 9:35 p.m.

Cecilia R. Birdsell, Board Secretary

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 7:40 p.m., 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:

Jennifer Marangos, Editor, Emmaus.Patch.com
Peter McConnell, Reporter, East Penn Press
Katrina Wehr, Reporter, Morning Call
Randy Kraft, Online Reporter, WFMZ.com

2. Requests to Address the Board

Paula Wittman and Jeff Lotte, 560 Broad Street, Emmaus expressed concern about two books on the Ninth and Tenth Grade EHS Summer Reading List. Ms. Wittman addressing the Board felt that the books were not age appropriate for the students and expressed dismay about the content, claiming it was pornography. Ms. Wittman cited selected excerpts from The Electric Kool-Aid Acid Test and Prep. She wanted answers by the next board meeting dealing with who has the responsibility for these books; who approved the list; and is someone going to review the list and remove "pornographic" material like this. Mr. Lotte distributed copies of the selected excerpts to board members and audience members.

3. Approval of Minutes

Motion by Bacher, Seconded by Donches
RESOLVED, That the East Penn Board of School Directors approve the minutes for the August 27, 2012 meeting.

This resolution was unanimously adopted by voice vote.

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

1. District Update

In response to the citizen input, Dr. Seidenberger reported that there is a process for parents to follow if they feel there are objectionable materials being used. He indicated that he could show them how to access the information after the board meeting. (The couple left before the end of the meeting.)

Dr. Seidenberger reviewed the following items:

-Enrollment: Elementary - +51; Middle - +30; High School – 39; Overall Increase of 42 students

- PSBA recently released their annual report on staffing levels. The results for 2010-2011 are as follows:

Pupil Range	Pupils per Faculty	Pupils per Management
4,340 or More	13.7	187.6
EP	15.15	217
All Districts	13.2	157.4
Aid Ratio	Pupils per Faculty	Pupils per Management
.4168 or less	12.9	155.2
EP*	15.15	217
All Districts	13.2	157.4
Community Type	Pupils per Faculty	Pupils per Management
Suburban	13.4	165.5
EP	15.15	217
All Districts	13.2	157.4

Dr. Seidenberger felt this information illustrated that the district is not over staffed.

-Scott Didra was awarded the Philadelphia University Educator Centennial Award on August 16. He was nominated by four students from Emmaus HS who were incoming freshmen.

-Ross Cooper, Grade 4 Teacher at Willow Lane, received the Jacobs Educator Award from Indiana University.

-Kelly Weaver, teacher at Lower Macungie MS, was selected to be on billboards recognizing that she is a prominent graduate of Reading HS.

-Dr. Denise Torma, who is a graduate of Moravian College, was featured as a prominent graduate in the Morning Call.

Dr. Seidenberger cited a Morning Call article where Bethlehem Superintendent Joe Roy explained the EITC grants from a superintendent's perspective.

Dr. Seidenberger indicated that Mr. Jeremy Fogel and Mr. John Kingsley will be attending the September 24 Board Meeting to discuss the TIF Program. Any additional information regarding this presentation will be forwarded to the Board.

2. Personnel

Motion by Fuller, Seconded by Rhodes

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

Resignations

-Carolyn Shook, Food Services Department at Lincoln School, effective August 22, 2012
(Exhibit 1)

Requests for General Leaves, Board Policy 539, General Leave

Employee: Randi Haberbosch
Remedial Assistant
Effective: 9/5/12-9/5/13

Employee: Eleanor Fosburg
Instructional Assistant, Jefferson School
Effective: 10/1/12-10/1/13

Appointment of Instructional/Staff Assistants

<u>Name/Address</u>	<u>Assignment</u>	<u>Salary</u>
Leslie Keim 140 Hamilton Avenue Bethlehem 18017	Emmaus HS Instructional Assistant Vacancy created by L. Keim resign.	\$13.38/hr., 29 hrs./wk.
Nancy Lahovski 685 Pine Street Emmaus	Emmaus HS Staff Assistant Vacancy created by C. White resign. & subsequent transfers	\$13.38/hr., 20 hrs./wk.
Akila Shankar 7069 Tuscany Drive Macungie	Willow Lane Staff Assistant Vacancy created by R. Sottolano resign.	\$13.38/hr., 28.5 hrs./wk.
Denise Fruhwirth 169 Pine Street Emmaus	Emmaus HS Staff Assistant Vacancy created by L. Fainor resign.	\$13.38/hr., 29 hrs./wk.
June Rodriguez-Ashmar 2246 Chablis Drive Macungie	Willow Lane Instructional Assistant Vacancy created by V. McCowan resign.	\$13.38/hr., 21.5 hrs./wk.

Effective: September 11, 2012

Food Services Department Appointments

Louise Fegley 299 Hunterforge Road Macungie 18062	PTFSA/Eyer MS	\$13.61/hr., 4.5 hrs./day
Phyllis Schwartz 6063 Timberknoll Drive Macungie	PTFSA/LMMS	\$13.61/hr., 3.75 hrs./day

Effective: September 11, 2012

Co-Curricular Advisors

See Exhibit 2

Emmaus HS Evening Security - \$14.50/hr.

Cheryl LaBar	Michele Yesenofski	Olimpia Pellegrino
Lisa Kammerer	Gail Wetherhold	Laura Groh

Additions to the 2012-13 List of Per Diem Substitutes

See Exhibit 3

Change of Assignment-Food Services Department

Employee	From	To
Linda Boyle Willow Lane assignment is unchanged.	Alburtis, 1 hr.	Wescosville, 1 hr.
Patricia Deysher	Eyer MS, 4.5 hrs.	Eyer MS, 3 hrs.

2012-13 Salary Correction

Mark Warden	\$77,780	\$72,871
-------------	----------	----------

Educational Conferences – Exhibit 4

That the East Penn Board of School Directors approve the estimated expenses for the individuals who are attending educational conferences as listed on Exhibit 4.

Resignation

-Laura Leiby, Interim Coordinator of Secondary Curriculum, effective September 12, 2012
(Exhibit 1A)

Appointment of Assistant Principal, Emmaus HS

Name/Address:	Laura Witman 4569 Bellmans Church Road, Mohrsville 19541
Education Level:	B. S. Degree (1996) M. Ed. Degree (2004)
Undergraduate School:	Kutztown University
Graduate School:	Alvernia University
Certification:	Administrative I, Principal, K-12 Instructional II, English
Effective	To be Determined
Experience:	10/11-Present: Twin Valley SD 8/9-10/11: Twin Valley SD (Gifted Specialist) 8/2006-8/2009: Hamburg Area SD 1/2006-8/2006: Twin Valley SD (Teacher) 8/97-6/2000: Tulpehocken SD
Salary:	\$83,000 (Act 93 Agreement Benefits)

2012-2013 Technology Department Salaries-Effective July 1, 2012

Deb Diefenderfer, Tech Assistant	\$31,726
----------------------------------	----------

Josh Williams, Tech Specialist \$30,555

Remedial Assistant Appointment/Staff Assistant Appointment

Name/Address	Assignment	Salary
Serena Rowland 7067 Corning Road, Zionsville	Remedial Assistant Willow Lane (ABG Grant-New Position)	\$12.75/hr., 29 hrs./wk.
Donna Waterman 321 North Third Street, Emmaus	Staff Assistant Emmaus HS Vacancy created by D. Johnson	\$13.38hr., 23 hrs./wk.

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

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

Ms. Witman was introduced as the new Assistant Principal at Emmaus High School.

5. Business Operations

1. Bill List Approval

Motion by Earnshaw, Seconded by Heid

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

Ms. Donches questioned the following checks and asked for an explanation. Business Manager Debra Surdoval responded to the questions.

-Buzz Burger Inc. (\$15,675) – Wood Carpeting (Mulch) for seven elementary playgrounds as required by state and federal safety regulations. It was bid through the Cooperative Purchasing Bid through Bucks County IU.

-Plastics Center (\$2,356.44) – Supplies for Lower Macungie MS. Mrs. Surdoval suggested that Ms. Donches submit her questions before the board meeting since there are a number of items covered on the bill list. (Secretary's Note: This bill was for 18 sheets of 4 x 8 acrylic cut to 2 x 4 for LMMS Tech. Ed. Classes.)

-VWR Receivable Funding (\$1299.20) – Sgt. Welch science supplies for Emmaus HS.

President Ballard reiterated Mrs. Surdoval's suggestion that Ms. Donches call in her questions so the staff can be prepared with the details.

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

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

2. Parent/Guardian Transportation Contract

Motion by Fuller, Seconded by Stolz

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

Parent/Guardian: Lisa Hummel
149 Robin Hill Road, Lenhartsville, PA
Effective: August 27, 2012-June 10, 2013
Reimbursement: \$.555/mile-38.8 miles/day

Disbursement of Funds – Exhibit 5

RESOLVED, That the East Penn Board of School Directors authorize the disbursement of funds from the Capital Reserve Fund and 33-2010 Series A GOB as listed on Exhibit 5.

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

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

6. Announcements

Ms. Donches distributed a handout of how she felt documents should be prepared and proposed the following motion:

Motion by Donches, Seconded by Stolz

RESOLVED, That all documents prepared for the East Penn Board of School Directors include identifying information, including but not limited to the date created, the office in which it was created, the page numbers, and reference for supportive data.

President Ballard ruled that it was an improper motion citing the fact that it was substantial, citing her own past statements about transparency and that the public should have an opportunity to comment on it and they have not had any notice. This motion should be placed on the agenda under Unfinished Business. He said she should submit the resolution to Miss Birdsell so it could be on the next agenda.

Mr. Stolz proposed the following motion:

Motion by Stolz, Seconded by Donches

RESOLVED, That the Superintendent's Update to the Board be placed on the web site.

President Ballard ruled it was an improper motion. It will be on the next agenda for discussion. Mr. Ballard pointed out that some of the information is pre-decisional. Mr. Stolz said if something had to be redacted he did not see any problem with that.

Ms. Donches then suggested that the full Budget Code and the PA Chart of Accounts be included on the check summary. Mr. Ballard asked how it was different from the previous motion. Ms. Donches said the previous motion was to identify each page of every document in case it gets separated. She felt it was traceable accountability. The check summary goes with the checks. He told her to submit the suggestion to Miss Birdsell.

Mr. Stolz then discussed the two books that were criticized under citizen input. Dr. Seidenberger indicated that staff members from the English Department meet, look at books from a variety of sources such as books that have won awards, and then they make recommendations. He pointed out that five years ago there was a challenge on one of the books. He said the parents have to go through the complaint process. These are optional books, not required books. Mr. Stolz commented on the content of the books and suggested that a motion be put on the next agenda to remove both of the books from the reading list. Mr. Ballard and Dr. Seidenberger both pointed out to Mr. Stolz that there is a process already in place. Mr. Stolz said he understood there was a process but, as a board member, he felt it was his moral duty that something like this should not be on the optional reading list for 13 to 15 year olds. Mr. Ballard said that motion could be put on the next agenda but cautioned that it was going down the route of banning books. In answer to a question from Ms. Donches, Mr. Ballard said that the Board is responsible for approving the curriculum but that does not mean every item. Whenever there are curriculum revisions in subjects, they are brought before the Board such as mathematics, etc. it depends on the cycle. Ms. Fuller said that the book is optional reading and there are paragraphs about the content of the book. Parents do get a heads up and she felt precautions had been taken regarding mature reading. She felt there was a very sophisticated student body and the mechanism is in place to review the books. It is no more alarming than what students encounter in their lives. Mr. Earnshaw explained that the curriculum does not specifically list the curriculum or which books to read.

Monday, September 10	7:00 p.m.-Executive Session (Personnel; Negotiations) 7:30 p.m.-Board Meeting
----------------------	--

Monday, September 24	7:30 p.m.-Board Meeting
----------------------	-------------------------

7. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 8:10 p.m.

Cecilia R. Birdsell, Board Secretary

ORDER OF BUSINESS

1. Call to Order; Pledge of Allegiance

President Charles H. Ballard called the regular meeting of the 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:

Patrick Lester, Reporter, Morning Call
Jennifer Marangos, Editor, Emmaus.Patch.com
Mariella Savidge and Jenae Holtzhafer, Lower Macungie.Patch.com
Precious Petty, Reporter, Express Times
Randy Kraft, Reporter, WFMZ.online
Peter McConnell, Reporter, East Penn Press

2. TIF (Tax Increment Financing Act) – Hamilton Crossings

Mr. Tim Harrison, Hamilton Crossing Project; Mr. Jeremy Fogel, Goldenberg Group; and Mr. John Kingsley, Vice President of Economic Development Finance, Lehigh Valley Economic Development Corp. presented an overview of the TIF financing for the Hamilton Crossing Project that was discussed with the Board at the August 13, 2012 meeting. Mr. Kingsley serves as the staff member of the Lehigh County Industrial Development Authority and is the manager of the proposed Tax Increment Financing process. Attached is the power point presentation that was provided for the Board and audience members (attached to the minutes of this meeting). By law, they are required to make this presentation to the Board. A detailed project overview was presented at the August 13, 2012 Board Meeting. They were not asking for approval of the TIF this evening but were requesting that a representative to serve on the required TIF Committee be selected. Mr. Kingsley did review how the TIF works, the chronology for the process, how TIF is guaranteed, why it is needed for this project, and the project schedule. Mr. Fogel pointed out some sample projects by the Goldenberg Group that include the Metroplex, Plymouth Meeting; Exeter Commons, Exeter Township; Tilden Ridge, Tilden Township; and Park West Town Center in Philadelphia. The Hamilton Crossing project is a 63-acre retail project and 10 acre regional storm water detention facility. Hamilton Crossings will be anchored by Target and the first Costco Wholesale Club in the Lehigh Valley. The design and construction will be closely associated with the Promenade Shops at Saucon Valley. Mr. Fogel noted that there are extraordinary infrastructure costs and environmental remediation costs in order to develop the site and move forward. Currently, the district receives \$7,000 in taxes and the property is owned by the Dioceses of Allentown. The sizing of the TIF is anticipated to include only the shortfall after all other sources are finalized. They have made applications for grants and other financing alternatives to help with the project. The cost for this project is estimated to be over \$115 million dollars. It is anticipated that approximately 400 construction jobs will be created and over 1,000 permanent jobs. The estimated date of completion and store openings is Fall 2014; however, there still several steps that must be in place before construction can begin in June 2013. There is no liability on the part of taxpayers, Lehigh County, LM Township, or the school district. At President Ballard's request, Mr. Kingsley will be putting the request for representative(s) from East Penn in writing later this week. Once the TIF Committee members have been identified, they will begin preparing a development plan.

Ms. Fuller said the taxes are imposed and collected as usual by the taxing bodies then the money goes to the Economic Development Authority to pay the bonds. In answer to a question from Mr. Bacher about the timing of the bonds, it was noted that the TIF Committee will be helping with the schedule but, assuming that bonds were issued in 2013, there will be other financings considered like interest capitalization and debt service capitalization that will actually pay the debt service while the project is being developed. To clarify a question asked by Mr. Stolz, Mr. Fogel said without the TIF Program they would not be able to fund the project. Mr. Stolz asked about prevailing and minimum wage. He then commented on government meddling in the Free Market. Mr. Earnshaw called for a point of order, noting that the Board had not had the requests to address the Board so we should not be debating the merits or demerits of the proposal. He felt it was only appropriate to have questions addressed. Mr. Ballard asked Mr. Stolz to hold his comments until there is the actual discussion of appointing representatives. Ms. Heid asked how many members are on the exploratory committee. Mr. Kingsley responded that there are usually 1 or 2, noting that Lower Macungie Township appointed one of the Commissioners and the Township Manager. Ms. Donches asked if the committee meetings were open to the public. Mr. Fogel said the committee will set the meetings and they are not public. They will come back to the Board with a recommendation and that will be a public meeting.

President Ballard thanked them, adding he would be looking forward to receiving their letter.

3. Requests to Address the Board

Giuseppe Martellucci, 5202 Bow Lane, Emmaus complained about the “crap” being taught in school, school taxes, and criticized the representatives from the TIF group. Mr. Ballard suggested Mr. Martellucci look into the Senior Citizen Rebate Program. Mr. Martellucci responded that he wanted respect and would not accept something he did not work for and asked why taxes keep going up. Mr. Ballard indicated that the meeting was not interactive. Mr. Stolz called for a point of order, indicating that it was Mr. Ballard who started the interaction and Mr. Martellucci was responding.

Terry Richwine, 1463 Country Club Road, Wescosville encouraged the Board to vote against the book banning motion. He said the books were not pornography because pornography is meant to sexually arouse someone, neither the books or the passages cited do that. He believed the entire issue was a manufactured crisis orchestrated by a group dedicated to tearing down the East Penn School District and giving it a black eye. The issue has been portrayed in the most sensational and inflammatory manner possible. The use of the word “pornography” grabbed headlines. These actions are not about protecting students. If it was, those responsible went about it the wrong way. Thanks to the publicity there are now 2 books that teenagers know they should not read and by publicizing the pages on which the alleged pornography appears it has made it easier to find the passages without having to read the books. If those calling for the removal of the books truly believe they are pornographic, then why do you think it is okay to leave them in the library? Perhaps they do not want to be called book burners.

On another topic, Mr. Richwine encouraged the Board to vote against the motion for additional information for district documents. As a former board member, Mr. Richwine said these nuisance motions are designed to harass district personnel with trivial minutiae. He found no value or practical use for anyone. He quoted John Wooden, “Don’t mistake activity for achievement. Just because you appear to be doing something does not mean you are accomplishing anything.” While supporters of these motions can strut and preen about all of the transparency they are providing, in reality it adds nothing to the public discourse. He urged them to devote their time and effort to enabling the delivery of a thorough and efficient education, not toward destroying the district for political reasons. His three children benefited from an excellent East Penn education. It is his hope that the current generation of students will also benefit from such an educational opportunity.

Megan Slifka, 1870 Brookhaven Drive, West, Allentown indicated that she had two daughters in the district, that she loved the district, and her children have received a good education. Mrs. Slifka, using the following Shared Values of the East Penn School District as stated in the Strategic Plan, responded as follows:

1. We believe education is an ever-changing lifelong process and people need to view themselves as life-long learners.
2. We believe students have a shared responsibility for their own learning.
3. We believe students of today will live in a different future and we must prepare them to confront new challenges. *(Does reading like this prepare them? If so, why not provide students with the facts of what constitutes felony sexual assault, what is the age of consent and why, and, most importantly why not give students refusal skills to lead them to self-sufficiency and a strong resolve to remain abstinent.)*
4. We believe the East Penn School District must continue to provide an excellent program that addresses the educational needs of all students in a safe and supportive environment. *(How safe is it to suggest casual summer reading materials that promote felony sexual assault, sex with a minor. Why not help students realize the social, psychological and physical well being they will achieve by abstaining from premature or inappropriate sexual activity. She did not see any of that in the educational program.)*
5. We believe a commitment to continuous improvement is essential to achieve the mission of the East Penn School District. *(If this is the case, then hold the suggested reading list to the same continuous improvement that you ask everything else to be held to. She cited the regulations for the rides at Dorney Park. Why do we not improve the district policy by warning parents of books containing pornographic material and tell them that they are in the library. Tell us that they are going to be suggested that our kids are going to read them over the summer. Warn them of the repercussions of group sex, oral sex and underage sex. You don’t have to ban books, just warn the parents.)*

Eric Adams, 1611 Woodfield Drive, Bethlehem said he wanted to refute the most common arguments for keeping the books. First, these books are only suggested and are not required reading and that is followed by if you don’t like these books then don’t read them. Well, how about, if you don’t like these books, then don’t pay your property taxes. Well, we all know that property taxes are not optional and that is why the issue is on the agenda as part of the social contract as spelled out clearly in Board Policy 109. The central issue is the professional judgment of the educators and the internal process used to approve the final list. The district hires professional educators to review thousands of books and we depend on them to pick the most valuable educational materials for our children. Obviously, a district is capable of suggesting much better books than The Kool-Aid Acid Test. The second big issue is censorship. What is the common notion is that absolutely no book should ever be removed from a public school curriculum for any reason. There are no limits and this interesting argument is only a diversion and what is overlooked is that every piece of material in a public school curriculum is carefully scrutinized for the purpose of excluding objectionable, sub-standard content. The public school curriculum is arguably the most censored body of information imaginable. All sorts of materials have been removed from public schools including the bible and, until now, pornography. Just this year the Southern Lehigh SD removed the book Nickel and Dimed. The general public is probably unaware that resource materials are routinely removed by public school districts in a process known as weeding. Mr. Adams said that, as school board member, they may not cite an opposition to censorship as a reason to vote against these books. Although this responsibility is delegated to the superintendent, the responsibility of the curriculum rests solely in the Board, not the students, not the parents, not the teachers, not the special interest groups, so this issue is black and white and you are in either for or against the use of Prep or The Kool-Aid Acid Test in the curriculum.

Neil Wren, 2304 Aberdeen Way, Macungie and a student at Emmaus HS, said that when he first heard about the issue he was concerned about the fact proper procedures had not been taken and the precedent that would set. He was also concerned about the intellectual freedom and integrity of the students. He had not read either book and he did not believe that many others in the debate had read them either. He said he has read his share of mature novels and he believes it is every student's right to read what they wish. He places his trust in the teachers of the East Penn School District and Emmaus High School. He has read The Good Earth and The Jungle and they have contained mature content. He has also read books by authors (John Irving, The World According to Garp) who are thought provoking. He said the students at Emmaus HS want to be treated as young adults. The relatively contemporary novels were added to make reading more appealing for students who are bombarded with flashy movies and mega sound bites. He said very few students can find literary merit in Dickens and classical literature. He said contemporary books could be the way to get a child to read. The students do not want to be sheltered and it is counterproductive to attempt to cover up things that are problems in our society now. We should not be worried about books but look towards the problems with violence and drugs and substance abuse. Parents should educate during this delicate time of growing up. He said from his discussions with students they are fairly united that they do not want these books to be removed. It is unnecessary and a waste of time. He and fellow student Isaiah have an online petition and they have acquired 125 signatures from students and former students and adults in the community. He said the intellectual freedom of students should be respected. Parents should tell their students what they can and cannot read and it should not be left to a small minority of people to establish what students can and cannot do.

Isaiah Zukowski, 840 Chestnut Street, Emmaus and a student at Emmaus HS, said he wanted to talk about the book issue from the students' perspective. All novels on the summer reading list are recommended from third party literary organizations and English teacher at Emmaus HS many of whom he had the privilege of learning under. Mr. Zukowski added that the amount of trust he has for them is impossible to quantify. He said it is a thankless job because many students do not like reading and a lot of parents and people in the community are quick to blame them. He said some people need a reality check because the "pornographic" material cited really pales to what is available and regularly accessed on the internet. Just because they are reading books from the summer reading list people think they have an illusion of control over their child's innocence. It is really a futile effort. The world has become more explicit and the grotesque violence on TV, in music, and condoned in the movies is far more offensive to him than literature concerning sex. I think this double standard of what is appropriate and the ignorance on the part of the students contributes greatly to the number of kids who experiment with these dangerous actions even at Emmaus High. In the grand scheme of things, books are the least problem and, most importantly, it is the right of a few people to voice their opinion under the supposition that they are representing everyone's interests. Yes, you have the right to dictate what your own child reads but the books are marked optional on the list and that is why there are summaries and disclaimers on the page. His own parents are against the idea of censorship and would be comfortable with him reading any books on the list. He benefited from the liberal environment provided by his parents. He gained from reading authors such as John Irving, Dave Eggers, Toni Morrison, etc. – all authors whose works would be subject to the intense scrutiny would have some sort of outrage. Because he was allowed to read what he wanted, he read a lot more and became more self-aware to the problems in the world. The whole process is a slippery slope. He read a lot of mature novels and he knows he benefited from reading all of them. His parents are proud of him and they are the only source of guidance he needs in his life and not any other parent no matter how justified they feel to make decisions for him.

Nicole Bassett, 1221 Acorn Circle, Macungie indicated that her daughter was a freshman at Emmaus High School and she had read Prep. Mrs. Bassett explained to her daughter that there may be passages in the book that she may be uncomfortable with involving sexual situations but the context of these passages was extremely important. She made it clear she was open and available to discuss with her anything she came across that she was bothered or confused by and she left it at that. Mrs. Bassett said that was her role as a parent. To be there and guide them with situations that may concern them. Her children will be exposed to the real world that includes sex, drugs, violence, and all sorts of things that she would rather not have them deal with. She would rather have her read about the conflicting emotions of a teen girl negotiating her first sexual relationships and have the opportunity to process her thoughts on this situation within the safe confines of a book. Mrs. Bassett said it is not the role of the school district to dictate to her child what is appropriate. The school provides a list of suggested titles with a notation that some books may contain mature material. The responsibility lies with the parent to investigate those titles if she has concern about what her child chooses. Art and literature is a reflection of society, good and bad. In order to understand society, all art, including that which is uncomfortable, must be questioned and appreciated. Mrs. Bassett said she commended East Penn for identifying books of merit and offering them for the suggested reading list. These books challenge students to think about themselves in the context of the wider world. By offering these suggestions, East Penn is developing critical thinkers capable of analyzing and appreciating all types of literature. Mrs. Bassett took issue with the depiction of books like Prep as porn. Porn implies the intent to tantalize and excite. She could not imagine anyone reading the entire book and seeing it as anything close to tantalizing. Prep is a cautionary tale, a coming of age novel, in which the main character struggles and faces the consequences as she moves through a challenging period of time. The sexual relationships are realistic and painful for the main character and cannot be described as exciting. More often, she is humiliated and questioning her decision. To label a book like this as porn, based solely on selected excerpts, is irresponsible and she demands more from her elected officials. Banning books by any other name is still banning books.

Garrett Rhoads, 5595 Wedge Lane, Allentown read aloud a selected passage from Page 315 of Prep (book is on the optional summer reading list). He was not asking the Board to ban any book from any library. He said he believes in the First Amendment, free speech, and the free will of citizens to choose what they read, watch, and listen to. He was asking that the district quit promoting sexually explicit material to 13 and 14 year olds. He said much has been said as to the book, Prep, being optional, suggested, or recommended. He said the book is on a limited list for graduating eighth graders who are entering ninth grade to choose from. He drew the conclusion that the book is on a limited list and is therefore required. Based on a family

member's personal experience, he felt this blatant sexuality and the depiction of women in the book offensive and morally reprehensible. The passages should be offensive to any self-respecting woman who values her own self-worth in society. Mr. Rhoads claimed that it promotes a message of subservience to men and marginalizes the role of femininity in our society. He added that in our community women should be valued and not marginalized. This book is inappropriate and teaches girls that they need to submit to a male dominated society in order to get along. He concluded that he has spent his lifetime as a father to an 11 year old girl teaching her she could become anything that she wants to if she is willing to work hard enough. The message of the book that she will encounter in 3 years will undermine everything for which he has worked. He asked that the book be replaced with something more inspirational for young ladies to pattern themselves after and present positive opportunities for women. He distributed copies of excerpts from the book.

Jeff Lotte, 560 Broad Street, Emmaus said that at the last Board Meeting they had only wanted their three questions answered. He said he was not interested in banning books and felt this was being blown out of proportion. The questions were: who has the responsibility for these books; who approved the list; and is someone going to review the list and remove "pornographic" material like this.

Janice Bowman, 629 E. Hamilton Street, Allentown indicated that she was not a resident and did not have a student in any school district. She was not here to ban books but she was here to discuss the responsibility of public schools for her taxpayer money. She talked about sex abuse in schools, sexting, crime in school, perps at bus stops, and she read excerpts from a book entitled, A Million Little Pieces. She concluded that she was not here to ban books, but hoped elected officials would fix the problems.

Kevin Bartholomew, 4127 Ford Drive, Emmaus said he did not think the books at issue were appropriate for a school reading list at any age. He said no one is asking to ban books but take them off the list. He said parents who want their kids to read this stuff can have them read it at home. He did not want it introduced to his kids.

4. Approval of Minutes

Motion by Donches, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors approve the minutes for the September 10, 2012 meeting.

This resolution was unanimously adopted by voice vote.

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

1. District Update

Dr. Seidenberger announced that Mr. Thomas Gentzel, Executive Director of PSBA, was appointed Executive Director for the National School Boards Association in Washington. Dr. Seidenberger noted that he will be greatly missed at PSBA. Today, Dr. Torma and Dr. Seidenberger met with representatives from PDE regarding the PIL work that has been done in the district. Since all administrators are required to take 180 PILS hours over 5 years to maintain their certification having an on-campus program will be cost effective. Last summer a consultant was approved for approximately \$34,000 and with 21 administrators taking 70 hours of on-campus PILS training, this could save the district an estimated \$38,000 for tuition costs. Through the ePower Program of PPL the district has received a check for \$9,180. He thanked Mr. Glancy and Mr. Ritter for their efforts. The district has saved approximately \$77,000 in not filling vacancies immediately. Dr. Mirabella, Dr. Moyer, Mr. Glancy, a parent, a state policeman and a teacher from Willow Lane spent two days looking at the walking routes for Willow Lane. The district received high marks and a written report will be forthcoming. The planned Willow Lane parent meeting has been moved from October to November after the report has been completed. Dr. Seidenberger reported that there is a new housing development going up along Gehman Road in Macungie. The only space where there would be classroom availability is at Alburtis School. The district will be watching this development carefully.

2. Personnel

Motion by Donches, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors approve the personnel items as listed below:

Resignations

- Ashley Zulli, Instructional Assistant at Macungie School, effective September 24, 2012 (Exhibit 1)
- Roseann Sottolano, Staff Assistant at Willow Lane, effective July 10, 2012 (Exhibit 2)

Appointment of Full Time Substitute Teacher

Name/Address:	Amber Burian 469 Krumsville Road, Kutztown 19530
Education Level:	B. S. Degree (2008)
Undergraduate Schools:	Shippensburg University

Certification:	Kutztown University
Assignment:	Instructional I, Biology, Earth and Space Science
	Biology Teacher, Emmaus HS
	Opening created by K. Svencer leave
Effective:	September 25, 2012
Experience:	8/2012-9/2012: East Penn SD (per diem substitute)
	8/2011-2/2012: Wilson Area SD (per diem substitute)
	2/2012-5/2012: Wilson Area SD (FTS)
	9/10-6/11: Wilson Area SD (FTS)
	12/2009-2/2010: Fleetwood SD (per diem substitute)
	9/2009-12/2009: Fleetwood SD (FTS)
Salary:	\$45,185 (Year 1, Col. B, prorated)

Requests for General Leave of Absence – Board Policy 539, General Leave

<u>Employee</u>	<u>Effective</u>
Jane Kressley Instructional Assistant, Willow Lane School	11/26/12-11/25/13
Jane Sullivan Instructional Assistant, Eyer MS	9/13/12-6/30/13
Kim Bosak Staff Assistant, Eyer MS	10/1/12-4/1/13

Leaves as per Collective Bargaining Agreement

<u>Employee</u>	<u>Effective</u>
Laura Oswald Special Education Teacher, Wescosville School	January 23, 2013 (extension)
Lauren Krause Grade 1 Teacher, Shoemaker School	10/25/12-12/4/12
Kristina Svencer Science Teacher, Emmaus HS	January 23, 2013 (extension)
Nicole Swatsky Grade 2 Teacher, Wescosville School	10/2/12-6/30/13

Appointment of Instructional/Staff Assistants

Name/Address:	Vicki Kulp 3036 South Sixth Avenue, Whitehall
Assignment:	Wescosville School, Instructional Assistant
Effective:	9/25/12
Salary:	\$13.38/hr., 29 hrs./wk.
Name/Address:	Michele Schupp 7156 Tuscany Drive, Macungie 18062
Assignment:	Emmaus HS, Staff Assistant
Effective:	9/25/12
Salary:	\$13.38/hr., 29 hrs./wk.

Additions to the 2012-13 List of Per Diem Substitutes

See Exhibit 3

Co-Curricular Appointments

See Exhibit 4

Change in Employment Status

Employee	From	To
Doug Spadt	Special Education, Lower Macungie MS	Special Education, Eyer MS
Ellen Navitsky	Mathematics, LMMS	Mathematics, Eyer MS
Angela Aleszczyk	PTFSA – addition of 1 hr. for the Alburtis Breakfast	

Independent Contractor Agreement – Exhibit 5

That Dr. Daniel Cane be appointed as an Independent Contractor to provide services as outlined in Exhibit 5.

Educational Conferences – Exhibit 6

That the East Penn Board of School Directors approve the estimated expenses for the individuals attending the educational conferences listed on Exhibit 6.

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

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

6. Other Educational Entities

-Carbon Lehigh Intermediate Unit F. Fuller

Ms. Fuller announced that Jack Hauser and Phoebe Sechrist had been nominated by parents and received the Annie Sullivan Award for their work with special needs children. The Joint Coordinating Committee (Carbon Lehigh Intermediate Unit, LCTI and LCCC) is working together to develop resources for social media issues that will be shared with the sponsoring school districts.

-Lehigh Career & Technical Institute R. Heid
A. Earnshaw
F. Fuller
S. Rhodes, III

Ms. Heid reported that the Joint Operating Committee will be meeting on Wednesday, September 26.

7. Legislative C. Ballard

There are attempts to get a legislative session together. Governor Corbett is trying to bring up his charter school re-authorization bill. It is not clear if any of these sessions will gain traction. Mr. Ballard said board members should continue to talk to their legislators. Mr. Ballard reported that he had some email exchanges with Rep. Justin Simmons who is dealing with the committee for property tax reductions. Property taxes are also paid by businesses and there is no mechanism being discussed for businesses. The individual taxpayers will pick up the part of the revenue paid to public schools that is currently being paid by the businesses. Mr. Bacher asked if Mr. Simmons was receptive and Mr. Simmons responded that he understood the issue. In response to Ms. Donches, he said it is not part of the charter school reauthorization bill. They are trying to allow for more institutions to offer charters. Dr. Seidenberger reported that Pat Browne came to the district and he is optimistic about the special education bill being passed.

8. Business Operations

1. 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 addendum, and that the Treasurer be authorized to issue checks and vouchers in the amounts indicated.

Prior to the meeting, Ms. Donches had raised questions about the following list of bills:

11651	Allentown Appliance Replacement of ranges in the Family & Consumer Science Area – LMMS	\$4,598
16706	Tessin Bossard – EHS	\$1,000

Dr. Michael Fowlin's program, "You Don't Know Me until You Know Me," on the issues of race, discrimination, violence prevention and personal identity.

	Funds from the proceeds in vending machines.	
16726	Heineman	\$6,400
	Trainer for Title I workshop on New Interventions for Remedial Assistants.	
16732	HTTS	\$505.62
	2 temporary maintenance men to fill in for 4 maintenance employees on long term leaves.	
16744	Lehigh Valley Public Telecommunications	\$13,760.25
	Consortium Membership for Discovery Education; Participation in the Scholastic Scrimmage Program; Raising Readers and Building Readers Literacy Programs; Tech Savvy Internet Safety Workshops; PBS Kids Go! Writers Contest; PBS39 Online Resources for Educators (Based on ADM and then \$1.75/student)	
16819	USI Insurance Services (Workers Compensation – Installment Payment)	\$77,666.72

Ms. Donches asked if there was a commission. Mr. Glancy said it is included in the premium and he would get back to her with the amount.

Treasurer's Report

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 payment of funds from the 33-2010 Series A GOB as listed on Exhibit 7.

Facility Rentals

RESOLVED, That the following Group V organizations be granted permission for the following facility rentals:

Organization	Facility & Dates	Rental Fees
Patricia Bostick Dance Center 5925 Tilghman Street, Allentown	LMMS, Auditorium & Locker Rooms 5/23, 31, 2013; 6/1, 2013	\$18.00/hr., Locker Rooms \$120.00/hr., Rehearsal Fee \$125.00/hr., Recital Fee \$41.49/hr., Custodial Fee \$41.49/hr., Stage Mang. Fee \$15.00/hr., Security Fee
Prepare Test Preparation & Tutoring 2250 W. Union Blvd., Allentown	EHS, Classrooms 8/27; 8/29; 9/5, 12; 19; 10/3	\$18.00/hr., Classroom

Parent/Guardian Transportation Contract

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

Parent/Guardian: Lisa Kern
84 Commanche Drive, Auburn, PA
Effective: August 27, 2012-June 10, 2013
Reimbursement: \$.555/mile-16.6 miles/day

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

9. Unfinished Business

1. Document Preparation (as suggested by L. Donches at the 9/10/12 Board Meeting)

Motion by Donches, Seconded by Stolz

RESOLVED, That all documents prepared for the East Penn School Board include identifying information, including, but not limited to, date created, office in which created, and page number of total number of pages. If data is provided, include specific source of data with URL, if appropriate.

Dr. Seidenberger indicated that reports such as the Charter School Report did have a date, index, and his Superintendent's Report always has a date. In conclusion, he did not see a need for this motion. He was concerned because his job is administration and the board members' job is policy. He saw this as someone crossing the line and trying to get into the administration area. Ms. Donches said this came to mind after she was organizing her papers from the budget presentations. She felt it would be helpful when versions are separated and the email documents do not always have a date or the office that created the document. She said a footer at the bottom of the page would be helpful. She said it is always traceable back to the office in the event there are questions. She said she did not mean to cross into Dr. Seidenberger's area. Mr. Bacher said he did review the budget information and he found a date on each revision of the budget along with page numbers. He did not see a problem. He was happy with the current documentation. Mr. Earnshaw said it was incredibly broad scoped. He provided various scenarios that would create the need for additional employees. He did not support the motion. Ms. Fuller reminded the board members that budget binders are distributed and it is easy to keep the information in the binder. Ms. Donches suggested a variety of date formats (military date format-year, date, and month). She again referred to budget documents and subsequent versions. Mr. Ballard asked her to clarify whether she was just wanting the date. Ms. Donches responded that she also wanted the creator and the office in which it was created. Solicitor Fisher said that this was the same motion. Ms. Heid asked if the Superintendent could provide this information without a motion and he agreed a motion was not necessary. Ms. Donches said she would eliminate the second sentence dealing with URL.

Motion by Donches, Seconded by Stolz

RESOLVED, That all documents prepared for the East Penn School Board include identifying information, including, but not limited to, date created, office in which created, and page number of total number of pages.

This motion was defeated by the following roll call vote:

Nay: Bacher, Ballard, Earnshaw, Fuller, Heid, Policano, Rhodes-----7

Aye: Donches, Stolz-----2

2. Bill List (as suggested by L. Donches at the 9/10/12 Board Meeting)

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.

Dr. Seidenberger said that his administrative team looked at other schools districts' information, including Seven Generations Charter School. He explained that East Penn's bill list was remarkably the same as the other districts', including Seven Gen. East Penn is not doing any less or any more than the other districts. We do not need to drill down the bill list to the specificity of Ms. Donches. East Penn's local auditor, Mr. Gorman, was consulted and the auditors deal with major functions to rectify the books. The Annual Financial Report (AFR) also does not record the information to the level Ms. Donches is requesting. The state does not ask for that level of detail. His recommendation is that there is no need for that kind of extensive information. He also pointed out that it would require adding a half-time person to help in the Business Office. He did not see the cost value since the state and local auditors did not need that information. It does not impact education at all. This is not a record that exists and according to the Open Records law, it is not necessary to create a record that does not exist. Ms. Donches continued supporting her request that she needed more information and she was just overseeing how taxpayers' money is spent and who the district does business with. She liked the samples from Seven Gen and was told that they give less information than what is on our bill list. She felt if the code was listed that it would be clear as to what the item is for. Mr. Earnshaw said earlier in the meeting she read the purpose behind each of the questioned checks. The accounting code would not have given the level of detail that she wanted. He told her she would still have to ask the questions because there would be no code with that level of detail. The current bill list shows the description and may have more descriptions because multiple purchases for one company is put in one check. He said he did not see the value at all. Mr. Policano asked how we know the account is being exceeded. Dr. Seidenberger said that is when a budget transfer is done which is only done when a major account is exceeded. The district cannot make budget transfer until October and after the audit. Dr. Seidenberger used the Tuition Reimbursement account as an example. Mr. Ballard pointed out that every check is listed. He said when he had questions he asked the Board Secretary to check on an item. He said so far the arguments that have been brought up are singularly unpersuasive. Ms. Donches said she would ask more questions about what she is curious about if she did not know it would take up a lot of time in the office. Ms. Donches said she would be content with the basic information and Mr. Bacher pointed out the information she said she would be satisfied with is exactly how the information was listed.

This motion was defeated by the following roll call vote:

Nay: Bacher, Ballard, Earnshaw, Fuller, Heid, Policano, Rhodes-----7

Aye: Donches, Stolz-----2

Mr. Earnshaw asked for a recess before discussing the next item. Mr. Ballard said he had something that he wanted to read concerning the following motion. As the President of the Board under Roberts Rules of Order, Mr. Ballard said he was dismissing Mr. Stolz' motion as improper until the requirements of Board Policy 109 have been met. Until the Board has received the committee report on challenged material, as required by Board Policy 109, the motion is null and void and will not be discussed. Attached is the statement. Mr. Stolz appealed the decision of the Chair and it was seconded by Ms. Donches.

Motion by Stolz, Seconded by Donches

RESOLVED, That the decision of the Chair be appealed.

Under this privileged motion, the Chairman is required to speak first and last before the motion is voted upon. Mr. Ballard said there is a very serious Constitution issue. The Supreme Court has ruled that School Boards have no right to censor materials unless they use a process that is unbiased and reviews all the educational benefits and objections to this under the same criteria. We have already received letters from one national organization, supported by the signatures of seven other national groups, plus one in the packet tonight that indicates some of those same concerns. The Board needs to follow the policy and trying to overthrow that on an instantaneous motion would be grounds for considering that you have not produced a process that is facially neutral and that you have not reviewed the material necessary to make that decision. Mr. Ballard said he is in a position to stop the district from being involved in unnecessary law suits. If someone wants to negate the policy, then be aware that is the slope you are going down. Mr. Earnshaw asked for the Solicitor's opinion.

At the request of the Solicitor, Mr. Ballard called for a five minute recess. The meeting was recessed at 9:55 p.m. and reconvened at 10:00 p.m.

Solicitor Marc Fisher said the motion is debatable. He said what is being debated is whether the motion should be entertained this evening. The School District has Board Policy 109 and included in the policy is that the "responsibility for the selection of instructional materials to be used in the district is delegated by the Board to the professionally trained personnel employed by the district." Solicitor Fisher noted that the process allows for a committee to be established that includes the Assistant Superintendent for Curriculum and Instruction who shall chair the committee. The membership of the committee shall include the appropriate supervisor(s) and/or teacher(s); librarian(s); a building administrator; a Board member; and two (2) members from the general public. After The committee shall study the materials in question in relation to the selection criteria and the nature of the inquiry. Professional staff members involved in the initial selection and use of the materials may be interviewed. The committee shall issue a written response to the inquiry and shall make a specific recommendation to the Board who can accept or reject the recommendation. Mr. Fisher said it has been confirmed that there is a citizen complaint form that has been filed this evening. In answer to a question by Mr. Stolz, Mr. Fisher indicated that there is Board Policy and, if you agree to follow the policy, you would not entertain the motion tonight. There was a question about whether the Board can waive policy and Solicitor Fisher said he would interpret that the Board can always waive policy which is different from Mr. Ballard's opinion. It is up to the Board as a whole. Mr. Stolz said the Chair stated that the Board may be open to legal action. Mr. Fisher said it is the Chair's opinion that if you do not follow policy then you could be subject to a possible law suit, noting that anyone can file a law suit but will it be successful is another issue. He could not give an opinion either way on whether a law suit would be successful. Mr. Stolz asked if the Board could be open to a law suit on the corruption of the morals of a minor given the content in the book. Mr. Fisher said it is not his place to render a legal opinion at this point as to whether the Board could be open to a charge of the corruption of the morals of a minor based on the warnings. Mr. Stolz said he could not fathom that not including this on the suggested summer reading list is censorship. He did not feel it was censorship but he did not feel a government body should be recommending explicit sexual content to minors, 14, 15, or 16. Mr. Ballard pointed out the motion is about following policy. Mr. Ballard and Mr. Stolz debated whether this was about censorship. Mr. Bacher asked how long the formal review will take. Dr. Seidenberger said at least a week or two. Mr. Bacher asked if a report would be forthcoming in two weeks. Mr. Bacher said it seems like this issue is not done yet and it will be coming back to the Board. He said he did not see a pressing need to discuss it now and to not follow Board Policy. Mr. Policano asked who decides the makeup of the committee. Dr. Seidenberger said since it is a high school book there will be high school staff but the administration will need to discuss this tomorrow. Ms. Donches asked how members of the public are selected. Dr. Seidenberger said he was not part of the decision in the past but there will need to be people who are willing to read the book. Mr. Rhodes said the Board needs to follow the policy, adding it seems reasonable. He said without the policy then the Board is in an uncomfortable position. He will vote to stay with the policy. Mr. Earnshaw corrected one statement by Mr. Ballard that no student is required to read any book; however, ninth grade honor students are required to read Great Expectations by Charles Dickens. The titles in question are not required. There is policy and it gives the Board an opportunity to receive a well-rounded opinion. Mr. Earnshaw said he had not read the books but he was willing to have the committee give its recommendation. Mr. Ballard said the quotes he gave were about a School Board that removed a book from a reading list and the case went to the Supreme Court.

This motion was defeated by the following roll call vote:

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

Aye: Stolz-----1

EHS Reading List – The Electric Kool-Aid Acid Test & Prep

(as suggested by J. Stolz at the 9/10/12 Meeting)

Motion by _____, Seconded by _____
RESOLVED, That The Electric Kool-Aid Acid Test & Prep be removed from the Emmaus HS Optional Reading List.

4. Superintendent's Update to the Board (as suggested by J. Stolz at the 9/10/12 Meeting)

Motion by Stolz, Seconded by Donches
RESOLVED, That the Superintendent's Update to the Board be included on the web site.

Dr. Seidenberger said he sits on the Boards of several organizations – Middle Schools; DaVinci Center – and he receives correspondence from the Executive Directors. He teaches a class in leadership at Lehigh. The Superintendent should have a special relationship with the Board. There is certain pre-decisional information that the Board may need to help in a decision. He said many times he will repeat what has been in an update at a Board Meeting. He believes that there should be a special communication relationship. If he wants to communicate with the public, he will find a way to do that. Mr. Stolz said there is information that could be redacted and he claimed that anything that is not confidential could be shared with the public. Ms. Donches said she would like to see parts of the Superintendent's Report made available to the public. She said there are things in the report that she would like to see repeated. Mr. Ballard said that any corporation has certain information that is predecisional. The Superintendent's Report has mixed in it confidential and pre-decisional information. If there is something missing in the Superintendent's Report to the public, Mr. Ballard said he is not aware of it and will not support the motion. Mr. Earnshaw said one of the challenges is that the superintendent can speak to the Board in educational jargon and as a board member you should understand it. If the Superintendent provides information to the public, it takes more time and effort to be sure the words are not misinterpreted. This would discourage the Superintendent from providing that information and he would not put any barrier between the Board and the Superintendent. Mr. Stolz asked the Board not to vote on this motion based on how they feel about him but on the merits of the motion. Mr. Policano felt that if a board member would see something in the report that would be of interest to the public then he thought they could contact the Superintendent. Dr. Seidenberger responded that he is always open to that suggestion. Mr. Ballard said it is very difficult to maintain communication between a CEO and the Board when you have to prepare one set of messages for the Board and one for the public. He named several scenarios dealing with employee rights, legal information, etc. He said it goes against practical human organizations. He said the Board is as transparent as it can be and this Board is far more transparent than most. This Board goes to great lengths to be transparent. He said the motion has a significant down side.

This motion was defeated by the following roll call vote:

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

10. Announcements

Monday, September 24 7:00 p.m.-Executive Session (Personnel, Negotiations, Confidential Matter)
 7:30 p.m. -Board Meeting

Wednesday, September 26 All schools and offices are closed.

Monday, October 8 7:30 p.m.-Board Meeting

Mr. Stolz wanted to make a motion and Mr. Ballard suggested that he submit the motion to the Board Secretary for inclusion on the next agenda. Mr. Ballard and Mr. Stolz had an exchange about making information available to the public and casting aspersions on the Board.

Mr. Stolz made a motion to direct the administration to prepare a report on web casting the Board Meetings. Mr. Ballard said the motion was improper and would be on the next agenda.

Ms. Donches wanted to know when the revenue expenditure budget and the General Fund Budget will be available. Dr. Seidenberger said that when the auditors' report is received, then it will be available.

11. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 10:35 p.m.

Cecilia R. Birdsell, Board Secretary

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 charter 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

ORDER OF BUSINESS

1. Call to Order; Pledge of Allegiance

President Charles 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, 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, Online Reporter, WFMZ

2. Student Recognition:

Dr. Thomas Seidenberger and President Charles Ballard awarded Certificates of Excellence to the following semifinalists in the 2013 National Merit Scholarship Competition:

Daniel J. Brnjdar
Terence J. Cawley
Thomas Y. Fang
Ryan A. Jaeger
Connor E. Maake
Neeraj K. Tatikola

Students and their families were recognized at a reception sponsored by the East Penn Education Association prior to the Board Meeting. Last year the 11 semifinalists moved on to finalist status. Dr. Seidenberger said the students indicated that they would be pursuing their studies in science and math. They received a round of applause from the audience. Mr. Ballard mentioned NASA's Mars rover was the work of 170 engineers, 140 of them had graduated from public school systems. He congratulated the students and wished them good luck with their future plans.

3. Requests to Address the Board

John Donches, 559 Minor Street, Emmaus reported that CEPTA had sponsored a program on Board Policy 109 at their recent meeting. He was happy to see that President Ballard had attended the meeting. The meeting is available for viewing on the EPCAT website (epcat.us).

Pat Luftman, 1002 North Street, Emmaus, complained about the behavior of students on Bus 37 going to Lower Macungie Middle School. She indicated that she had discussed the situation with administrators over the years and some incidents have had police meeting the bus at certain stops while in other cases the bus returned to LMMS. Last year two students were banned from the bus for the year. The most recent incident had a First Student representative speak to the students and the bus driver indicated to the students that if they had a problem, they should contact him. Ms. Luftman said she did not want the bus driver to act as a referee nor did she want her children reporting on students. She suggested that an either an East Penn administrator or First Student employee or even the parents of the students misbehaving be permanently assigned to the bus.

4. Approval of Minutes

Motion by Fuller, Seconded by Stolz
RESOLVED, That the East Penn Board of School Directors approve the minutes from the October 8, 2012 meeting.

This resolution was unanimously adopted by voice vote.

5. EHS Student Government Association Report- Will Geroni and Pooja Shevi for Adam Kita

Will Geroni and Pooja Shevi reported on the activities that took place during Homecoming Week. The students took part in a Pink Out, a parade, bonfire, Pep Rally, and Homecoming Dance. All the activities were very successful. The Emmaus HS Marching Band will be participating in the Macungie Halloween Parade on Saturday, October 27, and a Band Competition in Phillipsburg, NJ on October 24. There has been a smooth transition with Band Director Ryan Harrington since he assisted former Band Director Bruce Denmead. LCTI Student of the Month is Kaitlin Bennicoff, who is majoring in Culinary Arts, did well in a Culinary Arts Competition in Kansas City. The Drama Department will be presenting Macbeth on November 8, 9, and 10. They reported on the progress of the Soccer Team, Field Hockey Team, Football Team, and Golf Team.

6. Report of the Superintendent of Schools

1. District Update

Dr. Seidenberger reported that Scott Shearer from PFM will be attending the November 12 Board Meeting. Last year the Board approved the Seven Generations Charter School Charter with stipulations. Dr. Seidenberger was happy to inform the Board that he received a report from Susan Pfiel indicating that the school has complied with three items. He also noted that Susan Pfiel was leaving Seven Generations and that the Assistant Director Elena Steidinger will be filling in. Dr. Seidenberger has talked to the Seven Gen Board President Mike Gibson and they are hoping to continue the positive relationship. The first Instructional Rounds visit for 2012-13 is scheduled for Wednesday, October 24, at Eyer MS. There will be two representatives from PDE serving as observers. The next visitation is scheduled for Jefferson School on November 9. Plans for the NSBA Technology Visit are moving ahead. An invitation was extended to LCTI for a visit from a team. Dr. Seidenberger is working on scheduling a meeting with the local Borough and Township managers. Topics would include budgets, sharing resources where possible, future developments, etc.

Dr. Seidenberger noted the Athletic Summary enclosed in the Board packets. The 2011-12 Annual Report will be online and limited copies are available. He pointed out that there are 3,020 residents who are Golden Age card holders and over 1,000 of them attend the Annual Thanksgiving Luncheon. Referring to the book challenges, the 2007 challenge was not for The Electric Kool-Aid Acid Test but was instead for the David Eggers' novel, A Heartbreaking Work of Staggering Genius. The administration is in Step 1 of Board Policy 109. If the challenge is not resolved at Step 1, it will go on to a committee that has not been formed as yet. He will report on the status at a future meeting.

2. Personnel

Motion by Donches, Seconded by Stolz

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

Declined Position

Jenna Ottinger, 1574 Pinewind Drive, Alburtis has declined the Health Room Assistant position for which she was hired at the October 8, 2012 meeting of the East Penn Board of School Directors.

Retirement/Resignations

- Roy Seaman, Maintenance Department, retirement effective 12/31/12 (Exhibit 1)
- Dennis Fritz, Head Custodian at Lincoln School, retirement effective 1/25/13 (Exhibit 2)
- Carol Beightol, Art Teacher, retirement effective 12/31/12 (Exhibit 3)
- Leslie Keim, Instructional Assistant, effective 10/19/12 (Exhibit 4)
- Nancy Lahovski, Staff Assistant, effective 10/26/12 (Exhibit 5)
- Dimitria Barebo, Staff Assistant, effective 10/26/12 (Exhibit 6)

Request for General Leave of Absence – Board Policy 539, General Leave

Employee: Amy Hitch, Confidential Assistant, Personnel Department
Effective: 10/18/12-10/18/13

Employee: Maria Molchan, Staff Assistant, Emmaus HS
Effective: 11/13/12-1/31/2013

Appointment of Administrative Assistant

Name/Address: Lora Schoenly
2891 Sequoia Drive, Macungie
Effective: October 23, 2012
Assignment: Administrative Assistant, Wescosville School
Vacancy created by C. McNeill's termination
Salary: \$25,100 (35 hrs./wk.)

Appointment of Health Room Assistant & Staff Assistant

Name/Address: Gretchen Stone
2194 Rovaldi Avenue, Bethlehem 18015
Assignment: Health Room Assistant, Lincoln School
Vacancy created by M. Miller resignation
Effective: To be determined

Salary: \$18.79/hr., 29 hrs./wk.

Name/Address: Sharon Collins
4721 Horse Shoe Trail, Macungie

Assignment: Staff Assistant, Emmaus HS
Vacancy created by resignation of G. Blyer

Effective: October 23, 2012

Salary: \$13.38/hr., 29 hrs./wk.

Food Service Department Appointment

Name/Address: Christina Thompson
6543 Kings Highway South, Zionsville 18092

Assignment: Part-Time Food Service Assistant, Eyer MS
Vacancy created by L. Schuma resignation & subsequent transfers

Effective: October 23, 2012

Salary: \$13.61/hr., 22.5 hrs./wk.

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>
Beitler, Rebecca	Speech, Shoemaker School
Bielli, Lindsay	Grade 3, Macungie School
Boulrice, Alice	Grade 6, LMMS
Campbell, Caroline	Music, Lincoln/Jefferson Schools
Cleff, Nancy	Grade 3, Shoemaker School
Comp, Michele	Art, Willow Lane
Geiger, Erin	Family/Consumer Science, Eyer MS
Hanlon, Jason	Grade 5, Wescosville School
Kline, Jamie	Technology Education, LMMS
Landis, Ashley	Social Studies, LMMS
Martin, Chandra	Grade K, Willow Lane
Messner, Abigail	Grade 4, Willow Lane
Musselman, Kelly	Science, Emmaus HS
Nolan, Sean	Grade 4, Alburtis School
Pum, Brian	Social Studies, Emmaus HS
Robilotto, Susan	English, Emmaus HS
Heather Schrack	Special Education, Jefferson
Shreck, Rebekah	Grade 2, Shoemaker
Simpkins, Christina	English, Emmaus HS
Snyder, Tiffany	Latin, Emmaus HS
Stenroos, Victoria	School Nurse, LMMS
Stuchko, Christopher	Special Education, Emmaus HS
Super, Lindsay	Music, Shoemaker
Susens, Kristen	Science, Emmaus HS
Wenner, Jonathan	Social Studies, Emmaus HS
Williams, Julie	English, Emmaus HS

Additions to the 2012-2013 List of Per Diem Substitutes

Austin Medernach, Social Studies	Diane DiRado, Remedial Assistant
Benjamin Watson, Music	
Sarah Kester, Special Education, Elementary	
Margaret Sharp, Elementary	
Dana Haffner, Instructional/Staff Assistant	
Nadia Marrero, Food Service Department	
Rachel Palumbo, Elementary/Early Childhood	
Rebecca Lewis, Elementary	

Co-Curricular Advisors

See Exhibit 7

Educational Conferences-Exhibit 8

That the East Penn Board of School Directors approve the estimated expenses for the individuals attending the educational conferences listed on Exhibit 8.

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

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

7. Legislative

C. Ballard

Mr. Ballard reported that the legislators were unable to pass much of anything when they came back from their recess. The charter school legislation was not acted on and because of the number of communications against the bill, none of the people were interested in bringing it up for a vote at this time. PSBA staff were called into the Governor's office and chastised for the late outpouring against the bill. They were also threatened with consequences in the budget because of their opposition. There may be some interesting dynamics in the next proposal from the Governor.

8. Other Educational Entities

-Carbon Lehigh Intermediate Unit

F. Fuller

Ms. Fuller reported that American Education Week is November 11-17. In addition to regular business, the IT staff was recognized for creating a state-wide web site for the PAIU organization. There are 29 intermediate units across the state. It has been very well received by other intermediate units and the state organization. She noted that IUs provide services that individual districts might not be able to provide for their own special education students.

-Lehigh Career & Technical Institute

R. Heid
A. Earnshaw
S. Rhodes
F. Fuller

Ms. Heid reported on the September 26 Joint Operating Committee Meeting. The group met in the law enforcement and security systems program area. The Safety Advisory Council was renewed. There was an in service for staff by a special agent with the PA Attorney General's Office on Bullying and Drug and Alcohol Abuse.

9. Business Operations

1. Bill List Approval

Motion by Stolz, Seconded by Earnshaw

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.

Treasurer's Report

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

2012-13 Salary Roster

RESOLVED, That the East Penn Board of School Directors include the 2012-2013 Salary Roster in the permanent minutes of this meeting.

Disbursement of Funds – Exhibit 9

RESOLVED, That the East Penn Board of School Directors authorize the expenditure of funds from the 33-2010 Series A GOB as listed on Exhibit 9.

Facility Rentals

RESOLVED, That the East Penn Board of School Directors grant permission to the following organizations to use district facilities. These are Group V organizations and will be charged the following rental fees:

Coral's Academy of Dance
1107 S. Tenth Street, Emmaus

Date(s): December 8, 2012
June 5 & 8, 2013
Activity: Rehearsals & Recitals
Facility: Auditorium, Eyer MS
Fees: \$120/hr., Rehearsal Fee
\$125/hr., Recital Fee
\$41.49/hr., Custodial Fee
\$16.00/hr., Security Fee
\$41.49/hr., Equipment/Technicians

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

2. Approval of Investments

Motion by Earnshaw, Seconded by Rhodes
RESOLVED, That the East Penn Board of School Directors approve the following investment of funds:

Investment Vehicle:	PLGIT CD-Program
Date Purchased:	8/3/12
Date of Maturity:	6/28/13
Term:	329
Rate:	0.42%
Amount:	\$992,000.00

In answer to questions raised by Ms. Donches, Business Manager Debra Surdoval explained how the district determines when investments are made. She looks for the highest interest rate for a particular time and then the approval of the investment by the Board takes place at a subsequent Board meeting.

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

7. Agreement with Borough of Emmaus – Firearms Range – Exhibit 10

Motion by Stolz, Seconded by Fuller
RESOLVED, That the East Penn Board of School Directors approve the Agreement with the Borough of Emmaus for the use of the Borough of Emmaus Police Department Firearms Range located in Community Park, Emmaus for the limited purpose of use by the Emmaus HS Rifle Team between the dates of November 12, 2012 and February 18, 2013 for the sum of \$1,000.00 and in accordance with the terms stated in Exhibit 10.

Note: This contract has been reviewed by the solicitor.

Mr. Earnshaw pointed out a conflict with Paragraphs 7 and 11. Solicitor Fisher said the conflict was brought to the attention of the Borough Solicitor.

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

10. Announcements

At the recent PASA-PSBA Leadership Conference, Ms. Fuller said she was impressed with the presentation by Downingtown School District and the STEM School that they are running. She thanked the Board for allowing her to attend.

Monday, October 22	7:00 p.m.-Executive Session (Real Estate, Personnel) 7:30 p.m.-Board Meeting
--------------------	---

Monday, November 12	7:30 p.m.-Board Meeting
---------------------	-------------------------

11. Adjourn

There being no further business to come before the Board, the meeting was adjourned, by motion, at 8:10 p.m.

Cecilia R. Birdsell, Board Secretar

ORDER OF BUSINESS

1. Call to Order; Pledge of Allegiance

President Charles 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, J. Stolz

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

Board Secretary: Cecilia R. Birdsell

Treasurer: Lynn Glancy

Superintendent of Schools: Dr. Thomas L. Seidenberger

Press Present: Jennifer Marangos, Editor, Emmaus.patch.com
Katrina Wehr, Morning Call reporter
Andrew Cass, East Penn Press Reporter

2. Requests to Address the Board

Pat Luftman, 1002 N. Sixth Street, Emmaus, PA thanked the Board for keeping parents informed of what was going on with Hurricane Sandy. She complained about the misbehavior on Bus 37 for Lower Macungie MS. She cited an example of an ethnic slur, as well sexually provocative conversations and racial slurs. She talked about a situation with daughter where she was asked to identify a student who was making some of these remarks. She did not want her daughter to be put in this position again and when she talked to the principal she was told that the bus driver did this without the direction of the administration at LMMS. The principal indicated she would talk to First Student. Ms. Luftman said she had not heard back from anyone since her last appearance three weeks ago.

3. Bond Refunding Scott Shearer, Managing Director, Public Financial Management

Managing Director Scott Shearer distributed and reviewed the attached Refunding Analysis for two bond issues. These refunding opportunities involved the Series of 2007 and Series of 2008 bond issues. The current fixed interest rates are lower than the outstanding rates on these bonds. The size of the issue is less than 10 million dollars and will qualify for bank qualified interest rates as well as a five year call. It is estimated that the current rates would produce approximately \$251,000 in savings. The proposed settlement date would be January 2, 2012. Mr. Shearer reviewed the summary of outstanding indebtedness, the structure of the series, and the composition of the issue. He further noted that over a ten year period the district has saved a little over 11 million dollars with bond refundings. Mr. Earnshaw asked about the five year call. Mr. Shearer responded that the five year call will give flexibility and the five year call is viewed as the standard in Pennsylvania. In answer to questions raised by Mr. Bacher, Mr. Shearer responded that the 10 million dollar limit allows for bank qualification. It is per issue per calendar year. The arbitrage yield by definition only includes bond insurance for the transaction. He explained the strategy used for determining the call date. Ms. Donches asked about the bond rating and what would impact the bond rating. Mr. Shearer explained that East Penn is in a very good situation and has a Moody's Aa2 bond rating which is in the top tier. Moody's does put in their report what will make a rating go up or down. A rating would go up if there is a substantial improvement of financial reserves and significant growth in the tax base. A rating would go down if there is an inability to maintain satisfactory financial flexibility and if there is a declining tax base. Both rating agencies (Standards & Poor's, Moody) look at four criteria: 1. Economic Strength; 2. Financial Strength in the Balance Sheets; 3. Strong management and policies in place; and 4. Debt Profile. Mr. Shearer anticipates coming back for the December 10 Board meeting but, may not be back until January.

Motion by Earnshaw, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors authorize the refunding of this School District's General Obligation Bonds, Series of 2007 and Series of 2008 in accordance with the financial report presented at this meeting by Public Financial Management (PFM), by issuing new refunding bonds, and authorizing PFM and Rhoads & Sinon LLP, as bond counsel, to prepare a resolution and other documents required to conduct a competitive sale of the refunding bonds at such time as the net savings equal at least \$250,000.

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

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

4. iTunesU Presentation

Information Technology Director Michael Mohn demonstrated the launch of the new iTunesU app for the district. The Emmaus High School newspaper, "The Stinger" is on this site. This application can literally be downloaded around the world. Mr. Mohn said the students are very excited about this new application and feel it will help make their reporting skills more professional since many more people will be able to view their writing skills. Some of the other applications include the Internet Safety Course, Edulink Call Out System, and products of students' work.

5. Approval of Minutes

Motion by Rhodes, Seconded by Fuller

RESOLVED, That the East Penn Board of School Directors approve the minutes for the October 22, 2012 meeting.

Ms. Donches wanted to add language to Page 5, regarding the Agreement with the Borough of Emmaus for the Firearms Range. The addition cited that in Paragraph 4, Line 2, it should read "without" instead of with.

This resolution was unanimously approved by voice vote.

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

1. District Update

Dr. Seidenberger reported on the following staff accomplishments:

-Michele Comp, Art Teacher at Willow Lane School, awarded the 2012 Outstanding Innovative Classroom Practice Art Education Award from Kutztown University. The project submitted integrated art with the sciences. She was one of the original members of the STEM initiative.

-Kelly Weaver, teacher at LMMS, announced that LMMS was given a national award for best video in the Fourth Annual Competition from the Association of Middle School Education. Three students were responsible for their video on Breast Cancer Awareness.

-Claudia Risi and Jessica Babbit along with 43 students and staff members traveled to Staten Island to provide help at one of the distribution centers for victims of Hurricane Sandy.

It appears that February 15 and March 28 will be the makeup days. Districts cannot expect any help from the Department of Education on waiving the days the districts were closed due to Hurricane Sandy. Dr. Seidenberger will recommend the change in calendar at the December 10 Board Meeting. He noted that June 11, 12, and 13 will be the makeup days as stated on the school calendar.

There will be timely vignettes on the web site where EHS students will interview administrators and staff members on the various district initiatives. They will be filming the vignettes on Instructional Rounds, Daily Five, RtII, STEM, and the Autism Program. Administrators and teachers who will be interviewed are Dr. Denise Torma, Kristen Campbell, Susan Noack, Jackie Vogel and Dr. Tricia Gutman.

Dr. Seidenberger had distributed a report from PASBO-PASA on the cost cutting by districts for the second year. He also distributed information on the Act 1 Adjusted Index for Lehigh County and Carbon County School Districts. The adjusted index for East Penn for 2013-14 School Year is 1.7%. Mr. Bacher asked about the allegation that the index was not in keeping with the law. Dr. Seidenberger said there is some consternation state wide. No one has heard from the Department of Education. Mr. Bacher asked if there would be any legal action. Mr. Ballard said no one has filed a law suit yet.

The Middle States Team visit for Emmaus High School is scheduled from December 3-6, 2012. The team members will meet with available board members on Wednesday, December 5, at 7:00 a.m.

The Annual Thanksgiving Dinner for Golden Age Card holders is scheduled for Thursday, November 15, at Emmaus HS, Lower Macungie MS, and Eyer MS.

The 2013-14 budget process is starting. Business Manager Debra Surdoval will be presenting the Five Year Forecast on December 10. Referring to enrollment, Dr. Seidenberger indicated that the district has seen an increase of 53 students from this time last year. The enrollment of gifted students has increased and he may have to add an additional gifted teacher for next year.

2. Personnel

Motion by Fuller, Seconded by Stolz

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

Retirements/Resignations

-Barbara Litts, Elementary Gifted Teacher, retirement effective 12/31/12 (Exhibit 1)

-Susan Case, Librarian, Emmaus HS, retirement effective 1/22/12 (Exhibit 2)

-Thomas Gable, Head Custodian, Emmaus HS, retirement effective 12/31/12 (Exhibit 3)

-Lora Schoenly, Staff Assistant, Wescosville School, resignation effective 10/22/12 (Exhibit 4)

-Angie Aleszczyk, Part-Time Food Service Assistant at Alburtis, 1 hr. breakfast position only, effective 10/26/12 (Exhibit 5)

Dr. Seidenberger mentioned that Susan Case, Librarian, at Emmaus HS will not be replaced for the rest of the school year.

Requests for General Leaves of Absence –Board Policy 539, General Leave

Employee	Assignment	Effective
Brenda Koch	Staff Assistant, Eyer MS	10/29/12-10/28/13
Dorothy Grois	Staff Assistant, Emmaus HS	12/2/12-12/14/12
Catherine Courrier	Instructional Assistant, LMMS	10/16/12-10/15/13
Sharon Squire	Instructional Assistant, Jefferson	11/19/12-11/18/13

Leave as per Collective Bargaining Agreement

Lauren Krause	Grade 1, Shoemaker School	12/4/12-1/23/13 (Extension)
Marybeth Long	Special Education, Macungie	12/17/12-2/4/13

Appointment of Full-Time Substitute Teacher

Name/Address: Jennifer Cudzil
5128 Foxcroft Drive, Schnecksville 18078
Education Level: B. S. Degree (2008)
Undergraduate School: Bloomsburg University
Certification: Instructional I, Elementary, Special Education
Assignment: Autistic Support, Wescosville School
Opening created by L. Oswald leave
Effective: November 13, 2012
Experience: 8/2009-6/2012: Easton Area SD
Salary: \$45,185 (Year 1, Col. B)

Name/Address: Tabatha Murante
741 Woodside Avenue, Mertztown 19539
Education Level: B. S. Degree (2010)
Undergraduate School: Cedar Crest College
Certification: Instructional I, Elementary, Early Childhood
Assignment: Grade 1, Macungie School
Opening created by K. Bruckner leave
Effective: November 13, 2012
Experience: 8/2012-Present: East Penn SD
Salary: \$45,185 (Year 1, Col. B)

Appointment of Confidential Assistant

Name/Address: Melissa Mineweaser
6568 Carmel Drive, Macungie
Assignment: Confidential Assistant, Payroll
Vacancy created by L. Shankweiler retirement, subsequent transfers
Effective: November 15, 2012
Salary: \$34,000, 35 hrs./wk.

Appointment of Instructional Assistant/Health Room Assistant

Employee	Assignment	Effective
Amy Brown 144 N. Second Street Emmaus	Instructional Assistant, Macungie Vacancy created by A. Zulli resignation	11/13/12
Brittany Vanderhoef 319 N. Franklin Street Fleetwood 19522	Instructional Assistant, Eyer MS (New position – one-on-one)	12/17/2012

Darla Stoeckmann
5455 Norberth Blvd.
Northampton 18067

Health Room Assistant, Willow Lane 11/13/12
Vacancy created by A. Nebel resignation

Co-Curricular Advisors

See Exhibit 6

Additions to the 2012-13 List of Per Diem Substitutes

Ann Popule	Instructional/Staff
Peter Downes	French/Spanish
Tracy Hammond	Elementary

Change in Employment Status

Employee	From	To
Warren Buss	District Groundskeeper	Head Custodian, LMMS
Joe Siekonik	2 nd Shift Custodian, LMMS	District Groundskeeper
Scott Schoenly	2 nd Shift Custodian, Jefferson	2 nd Shift Custodian, LMMS
William Buchman	2 nd Shift Custodian, Eyer MS	2 nd Shift Custodian, Jefferson
Dawn Kohler	12.5 hrs./wk. Wescosville	16 hrs./wk. Wescosville

Educational Conferences – Exhibit 7

That the East Penn Board of School Directors approve the expenses for the individuals attending the educational conferences listed on Exhibit 7.

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

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

7. Business Operations

1. Approval of Bill List

Motion by Donches, Seconded by Stolz

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

Disbursement of Funds – Exhibit 8

RESOLVED, That the East Penn Board of School Directors authorize the disbursement of funds from the 33-2010 Series A GOB as listed on Exhibit 8.

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

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

2. Approval of Investment

Motion by Earnshaw, Seconded by Donches

RESOLVED, That the East Penn Board of School Directors approve the following investment of funds:

Investment Vehicle:	PLGIT CD-Program
Date Purchased:	10/26/12
Date of Maturity:	4/24/13
Term:	180 days
Rate:	0.33%
Amount:	\$496,000.00

At the last meeting, Ms. Donches questioned the practice of approving the investment after it had already been made. In answer to her question about where the funds are taken from, Business Manager Debra Surdoval explained that the funds are coming from a cash account in the General Fund. She explained further that the Fund Balance is just part of the district's cash investments. Ms. Donches asked her how often she checks interest rates. Mrs. Surdoval responded that many times the financial institutions contact her with investment opportunities. Ms. Donches commented on offering the Board the opportunity to have a provisional vote for approval for funds that are to be invested rather than doing it after the fact. Mr. Bacher pointed that tax

money is generally front loaded and expenses are paid as they come in so technically funds could be invested until they are needed. If the Board would decide that the money should not be invested, the money could be withdrawn with an interest penalty. Mrs. Surdoval further noted that rates change all the time and in many cases the investment must be made by noon of the day that she is called. Mr. Earnshaw commented on expecting the Board to be involved in the decision making process of investments and trying to either do the job or micromanage the staff. He noted that no one knows where interest rates are going to go and by investing these funds the district receives additional income from the interest. Mr. Ballard said these investments are an example of having employees proactively managing the funds of the district. They invest the funds and report back to the Board. He said that in no way would he have the Board involved in deciding the day-to-day investment of cash and second-guessing the employees who are employed full time and are experts in financial matters. There is a Business Office staff whose job is to maximize the return on investments and our cash expenditures. He said having the idea that the Board should be doing the day-to-day investment decisions is ridiculous. Mr. Stolz said he was sure this investment was safe and sound but he liked the idea of a provisional approval. He questioned whether this investment was already "in the pipeline" since it occurred four days after the last board meeting. Mrs. Surdoval retorted that she was called the morning after the Board Meeting and the decision had to be made by noon. Mr. Stolz talked about casting a present vote which was a term not familiar to either the Board President or Solicitor. Solicitor Fisher told him that he could cast an abstention. Ms. Donches said she looked forward to the day when she can ask a question to better understand her fiduciary responsibilities and not be criticized or have it looked as a conspiracy. Mr. Policano felt that Ms. Donches was just asking for information. Mr. Earnshaw said she asked questions and then suggested the Board should be involved in approving these investments before the district makes an investment. He noted that the Board does not have the flexibility to make these decisions in the time given. He reiterated that a majority of the district's revenue comes in during the first third of the year. The personnel then has flexibility to invest those funds until the cash is needed. The personnel is in a position to know how much will be needed over a three to six month period. For a board member to insinuate that they should be involved in the decision is micro managing the district's effectiveness. Mr. Earnshaw further pointed out that the Board does approve the designation of depositories before the end of the school year. In essence, the Board has given provisional approval to invest with those agencies. Ms. Donches concluded that she was providing oversight and not micromanaging.

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

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

8. Announcements

Ms. Fuller complimented LMMS for an excellent Veterans' Day Program. She also commented on the public turn out. Mr. Ballard complimented the actors in Macbeth who gave a very professional performance of a very difficult play. Ms. Donches said she attended both events and complimented the participants.

Ms. Donches raised questions on a recent article in the PSBA edition of The School Leaders News. She noted that only one connection for an audio conference will be allowed under the Value Pass and any additional connections will cost \$99.00/connection. Mr. Ballard explained that some of their web casts are done on a limited basis and, generally, the district can arrange for one connection in the district if there are multiple requests to view a presentation. Ms. Donches commented that two checks from the August 13 and August 27 check summary were missing. Dr. Seidenberger said the administration would look into it. Ms. Donches wanted to know the percent that insurance agents get for being on the Insurance Advisory Council. Mr. Glancy indicated the information had been forwarded to her but the commission was around 4%. She asked about the Indian Creek Storage Rentals. Mr. Glancy indicated that this is storage for additional furniture for the buildings and items that are being stored for a future auction. In response to her question about the sheds that had been bid, Mr. Glancy said there would be a discussion about that in the next few months when facilities are discussed. Ms. Donches brought up that the Act 1 Index information that was distributed did not have a date or where the document originated which was a complaint she had a few weeks ago.

Monday, November 12	7:00 p.m.-Executive Session (Litigation; Negotiations)
	7:30 p.m.-Board Room
Thursday, November 15	Golden Age Card Thanksgiving Lunch-Eyer MS; LMMS;
	Emmaus HS
November 15, 16, 17	7:30 p.m. - LMMS Fall Comedy – "Heroes in my Head"
Monday, December 3	7:30 p.m.-Reorganization Meeting
Monday, December 10	7:30 p.m.-Board Meeting

9. 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

EAST PENN SCHOOL DISTRICT
BOARD OF SCHOOL DIRECTORS
ORGANIZATION MEETING

DECEMBER 3, 2012
7:30 P.M.

Board Room
800 Pine Street, Emmaus, PA

1. Call to Order; Pledge of Allegiance

Board Secretary Cecilia R. Birdsell called the Organization 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. She announced that Mr. Earnshaw is coming to the meeting via Skype from Tokyo.

Board Members Present: K. Bacher, C. Ballard, L. Donches, A. Earnshaw (via Skype), F. Fuller, R. Heid, M. Policano,
S. Rhodes, III, J. Stolz
Solicitor: Bob Magee, Esq., Worth, Magee, & Fisher
Board Secretary: Cecilia R. Birdsell
Treasurer: Lynn Glancy

Press Present: Peggy Himinitz, Emmaus.Patch.com Reporter

2. Requests to Address the Board

Susan Coenen, 6220 Wheatland Drive, Macungie commented on the proposal to make Willow Lane School a walking school. She spoke about the meeting with parents that was held on November 27. She had a concern about arrival/dismissal times and made several suggestions on how the district administration should work with parents, teachers, Board members, Township officials, bus company representatives and other agencies that are involved in the decision. She felt the district was trying to make the decision too quickly and should slow down. She felt there should be more public input and better advertising. She received an Edulink call two weeks before the meeting and did not receive any further updates either on the district's or the school's web site.

3. Election of President Pro Tempore

Miss Birdsell called for nominations for President Pro Tempore.

Motion by Fuller, Seconded by Bacher
RESOLVED, That the East Penn Board of School Directors appoint Samuel Rhodes, III as President Pro Tempore.

This resolution was unanimously adopted by voice vote.

4. Election of Board President

Mr. Rhodes called for nominations for President. The following nominations for President were introduced:

Motion by Fuller, Seconded by Bacher
RESOLVED, That Alan Earnshaw be nominated for President

Motion by Stolz, Seconded by Heid
RESOLVED, That Charles Ballard be nominated for President.

A motion made by Mr. Policano to nominate Ms. Lynn Donches as President failed for the lack of a second.

The resolution to nominate Alan Earnshaw as President failed by the following ballot* vote:

Aye: Bacher, Earnshaw, Fuller, Rhodes-----4
Abstain: Donches, Heid, Policano, Stolz-----4

Mr. Ballard voted for himself. Mr. Earnshaw voted by text message.

The resolution to nominate Charles Ballard as President was adopted by the following ballot* vote:

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

Mr. Earnshaw voted by text message.

Mr. Ballard was elected President.

5. Election of Board Vice President

Mr. Ballard called for nominations for Vice President.

Motion by Fuller, Seconded by Rhoads

RESOLVED, That Mr. Alan Earnshaw be nominated as Vice President.

Motion by Policano, Seconded by Stolz

RESOLVED, That Ms. Lynn Donches be nominated as Vice President.

The resolution to nominate Alan Earnshaw as Vice President was adopted by the following ballot* vote:

Aye: Bacher, Ballard, Earnshaw, Fuller, Rhodes-----5

Abstain: Donches, Heid-----2

Mr. Policano and Mr. Stolz filed ballots for Ms. Donches. Mr. Earnshaw voted by text message.

*Ballots are attached to the permanent minutes of this meeting.

6. Setting Time & Place of Board Meetings

Motion by Donches, Seconded by Fuller

RESOLVED, That the East Penn Board of School Directors shall meet in regular session in the Board Room located at 800 Pine Street, Emmaus, PA at 7:30 p.m. on the second and fourth Monday of each month in 2013, unless advertised otherwise:

January 14 & 28

February 11 & 25

March 11 & 25

April 8 & 22

May 13

June 10 & 24

July 8

August 12 & 26

September 9 & 23

October 14 & 28

November 11

December 3 (Tuesday, due to Thanksgiving Holiday)

December 9

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

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

7. Designation of Newspapers of General Circulation for Advertising Purposes

Motion by Rhodes, Seconded by Donches

RESOLVED, That the East Penn Board of School Directors designate the following newspapers for advertising purposes during the 2013 calendar year:

Morning Call (Daily, General Circulation)

Express Times (Daily, General Circulation)

East Penn Press (Weekly, Secondary Circulation)

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

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

8. Announcements

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

Ms. Heid indicated that she would have work conflicts in the fall and another board member may be interested in taking her place on the LCTI Joint Operating Committee. Mr. Ballard said interested board members should contact either him or Ms. Heid.

9. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 7:55 p.m.

Cecilia R. Birdsell

Cecilia R. Birdsell, Board Secretary

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 7:40 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, and 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, Reporter, East Penn Press
Katrina Wehr, Morning Call Reporter

2. Requests to Address the Board

The following parents addressed the Board concerning the Willow Lane Busing:

David Kee, 2299 Bordeaux Drive, Macungie spoke about the proposal to terminate Willow Lane busing for students within the 1.5 mile limit. He cited safety and weather conditions for students walking, as well as traffic problems with parents dropping off and picking up students.

Edward Cronin, 2415 Chablis Drive, Macungie indicated he had attended the November 27 meeting for parents concerning the Walkability Study. He was concerned about traffic safety.

Minal Nemani, 6420 Sunflower Lane, Macungie expressed concerns about busing and the 1.5 mile distance and how much time will be spent walking that distance. She is 1.3 miles from Willow Lane and it took her 1 1/2 hours to walk back and forth to the school in good weather. She said most parents will not allow their students to walk because of intersections that must be crossed. She felt it was unsafe and dangerous. She said there are ways to work with the budget, citing the 12 copies of the agenda that were made available for the public. She noted the information was on line.

Jason Campbell, 6546 Rutherford Drive, Macungie said he lived in Graymoor that is 1.3 miles from the Willow Lane. He expressed concerns about removing busing from the budget and the safety concerns. He wanted the busing to be reinstated and commented that if Willow Lane was designed to be a walking school there should have been more measures taken when it was built. He felt it was unreasonable for students walk out of the developed lot alone to the school. He did not think the issue had been fully addressed.

Richard McGinnis, 2627 Fieldview Drive, Macungie said he had three students who moved from private school to the East Penn School District because of its excellent reputation. He said it addresses a lot of the needs that even private school could not address. He commented on the \$60,000 for busing vs. \$120 million dollars in the budget. He expressed concern about safety and felt the 1.5 mile distance was too far for an elementary student to walk. He said there is no signage or cross walks in the area of the schools. He will be driving his children. He wanted the district to reconsider Willow Lane as a walking school.

Dr. Paul Knappenberger, 2347 Chablis Drive, Macungie said he moved to the area because of the schools. He said it is a great school district but there are concerns about the decision regarding Willow Lane busing. He is not comfortable with his daughter walking to school adding that a majority of students are being driven to school. He expressed concern about the traffic around the school and that the building was not designed properly as a walking school. He asked that the decision on busing be reconsidered.

Eric Gopen, 2661 Fieldview Drive, Macungie expressed his feelings about safety, noting that he is a volunteer with the Lower Macungie Fire Department, indicating that cars do not respect the emergency vehicles. He said the responsible thing to do is to have the safety measures in place and then remove the busing when you see they work. He said people are using Brookside Farms as a short cut. He criticized the Board for not "walking the walk" and that the decision is being made on money and not on safety. He concluded that their children should not be a line item in the budget.

Timothy Weiner, 6873 Radcliffe Court, Macungie said what has been shared is flawed and incomplete. He said the study did not encompass the whole area, only those houses within the 1.5 area. He added that a traffic study had not been done and that the studies on file were outdated. He said parents are willing to work together with the school district.

Jill Ahne, 6221 Wheatland Drive, Macungie expressed her concern about the termination of busing citing traffic concerns and the group pressure of students walking.

Susan Coenen, 6220 Wheatland Drive, Macungie said the district is moving too quickly to make Willow Lane a walking school. She did not want the district to sacrifice careful and safe planning for the bottom line. She did not feel the that engineer used the most up to date information and cited two examples of more updated information that was completed in 2009 and had future projections up to 2018.

John Jansen, 2637 Chardonnay Drive, Macungie spoke about Willow Lane being a walking school and the safety issues and suggested that there should be a survey of parents, commenting that no parents were involved.

Dr. Lee LaRussa, 1982 Winthrop Way, Macungie and a pediatric trauma doctor, expressed his concerns about safety. He suggested that the walking distance be reduced to $\frac{3}{4}$ miles rather than 1.5 miles. He spoke about research suggesting that students who lived $\frac{1}{2}$ to $\frac{3}{4}$ miles from school as being the ideal for walking. He also mentioned that parents want to partner with the district on this issue.

Mr. Matthew Mull, 6676 Rutherford Drive, Macungie said he realized that the district is in a balancing act but safety is an issue. He talked about the group dynamics with at least three students or more walking to school. He talked about parents who drive their children to the bus stop and some who drive them to school. He expressed his concern about traffic problems that exist.

Todd Salomon, 6654 Trafalgar Drive, Macungie said he did not think the proposal to cut busing has been sufficiently thought out. He commented on snow removal along the paths and felt that the cost saving analysis did not address the problems.

Mark Bartolomei, 6645 Sauterne Drive, Macungie said that since the parent meeting he has only heard about more issues. He felt there was a lack of parental and community involvement and, considering all the issues, he wondered how much would actually be saved. He also did not feel that the meeting was communicated well.

Nancy Salomon, 6654 Trafalgar Drive, Macungie said the plan was flawed. She said a survey of the families had not been conducted. She spoke about the traffic on Sauerkraut Lane and the high speeds that people are traveling. She talked about the traffic through neighborhoods. She said a state trooper at the meeting indicated that he did not feel it was safe to walk. She indicated that the residents would like to work with the district. She proposed that a citizens committee be established that would include representatives from the developments involved.

Jon Berger, 6912 Sunflower Lane, Macungie said the November 27 meeting did not go well and more questions were raised. He felt that a traffic study should be conducted, the cost of changes for implementation be analyzed, as well as considering arrival and dismissal times. He felt that there was a lack of community involvement and recommended a committee for open dialogue.

3. Teacher Presentation: Crystal Husser, Learning Support, Macungie School

"East Penn Cares Award" Highest Fundraising Team for Macungie School's participation in the Lehigh Valley Autism Walk

Ms. Husser and student representatives presented a plaque to Dr. Seidenberger and Mr. Ballard to be displayed in the Board Room. Members of the Board received a tee shirt from the walk. The group raised \$13,340.43 as a result of the Lehigh Valley Autism Walk.

4. Bond Refinancing – Scott Shearer, Managing Director, Public Financial Management
Jens Damgaard, Esq., Rhoads & Sinon

1. Resolution – Exhibit 1

Mr. Scott Shearer reviewed the bid results and debt service schedule for the bond sale that was held today. The successful bidder was Robert Baird. Mr. Shearer commented on the structure of the Series of 2007 and Series of 2008. The school district's share of savings is \$372,076.93; the state's share is \$42,097. The yield of the issue is 0.72. Again, East Penn received a Aa2 rating from Moody's investment firm. In answer to a question from Mr. Bacher, Mr. Shearer indicated that the five year period was a limiting factor. Mr. Ballard pointed out pages 10-11 in the bond sale document that commended the district for its "satisfactory financial position given its history of conservative fiscal management practices. A copy of the Bond Sale document is attached to the minutes of this meeting.

Motion by Bacher, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors approved the attached resolution as stated in Exhibit 1.

Attorney Jens Damgaard reviewed the attached resolution.

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

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

Mr. Ballard thanked Mr. Shearer of PFM and Attorney Damgaard for their work on behalf of the district.

5. Approval of Minutes

Motion by Fuller, Seconded by Rhodes

RESOLVED, That the East Penn Board of School Directors approve the minutes for the November 12, 2012 meeting and the December 3, 2012 meeting.

This resolution was unanimously adopted by voice vote.

6. Report of the Superintendent of Schools

1. District Update

Dr. Seidenberger reported that the student enrollment has continued to grow in November. East Penn added an additional twenty (20) students in the last month. Today, we received four students in special education classes and an additional teacher may have to be hired.

The Rodale Foundation will be making the last payment on the promised donation of \$400,000 to help pay for the all-weather track at the EHS Stadium. Dr. Seidenberger said that the district greatly appreciated the funds and the spirit of cooperation we received from the Foundation and a special thank you to Mr. Bud Coates for his involvement in this wonderful business community/school district partnership.

It has been determined that East Penn will accept the Silver LEED Award designation for Willow Lane. We did not meet the design requirements to reach this Gold level. Reaching the Gold level would not have increased the LEED reimbursement figure.

Special Education evaluators from PDE were in the district last week. Dr. Seidenberger said that East Penn did quite well in the audit. He complimented Dr. Linda Pekarik and the special education teachers who maintain students' IEPs and parents who gave willingly of their time.

Board members received a copy of the NSBA brochure for their Education Technology Site Visits. East Penn is listed as one of the sites for April 28-30. This brochure will go out to educators across the United States. Dr. Seidenberger is working with representatives of the DaVinci Center for the reception. He emphasized that the reception will be alcohol free. Mrs. Bloise and Dr. Seidenberger are meeting with local vendors for financial assistance with the visit.

Dr. Seidenberger said the administration will be discussing the thoughts that were expressed by parents this evening regarding the Willow Lane busing. He will be continuing conversations with Mr. Fosselman in Lower Macungie Township. Mr. Glancy reviewed the attached Transportation Study Outline. Mr. Rhodes asked if this study was being prepared in house. Dr. Seidenberger responded affirmatively. The administration will also be looking at the number of students who are transported for which we do not receive reimbursement. The transportation company purchased VersaTran last year and this will help with the study. Dr. Seidenberger is anticipating visiting the First Student Corporate Offices as part of a personal trip to Cincinnati. He will be discussing the bus contract. Ms. Donches asked if it would be possible to cost out an estimate within the ¾ mile distance. Dr. Seidenberger said they could take a look at that scenario. Ms. Heid commented on parents dropping off and picking up students and buses going to the high school that are half filled. Dr. Seidenberger indicated that there is a high number of parents who transport their own children. In conversations with Township Manager Bruce Fosselman, Dr. Seidenberger indicated that there is \$85,000 in the LMT budget for signage. Willow Lane needs to have similar signage as other Lower Macungie Township schools. Mr. Earnshaw cautioned that it is not the district's responsibility to put up traffic signs but rather the Township's responsibility. Ms. Heid asked if private school students still ride the public school bus and then transfer to another bus at a central location. Mr. Glancy and Dr. Seidenberger indicated that there is still a little of that happening with LCTI. They will be running potential runs for combining some of the private and charter schools. Mr. Ballard pointed out that the state does not reimburse for students bused within the 1.5 mile distance. If we provide busing, then we have to provide busing for all students who would be riding the bus. We cannot ask parents to sign off on busing. He said he had been approached by a lobbyist who suggested a single bus stop for a development.

Dr. Seidenberger said that he and the Business Office staff have spent a great deal of time working on the 2013-14 budget and announced that he would not be seeking exceptions. Mr. Ballard asked Mrs. Surdoval to check the board meetings in the event a special meeting would be needed. The maximum budget will be within the index and the goal is to maintain all the programs. Mr. Stolz asked that busing for Willow Lane be reconsidered in light of the savings tonight on the bond refinancing. Dr. Seidenberger will be pursuing legislation with Senator Pat Browne for increasing special education funding.

2. Personnel

Motion by Fuller, Seconded by Bacher

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

Retirement/Resignations

-N. Phil Gehman, Utility Custodian, effective January 31, 2013 (Exhibit 2)
 -Cathleen O'Connor, School Nurse, effective March 15, 2013 (Exhibit 3)
 -Joan Guth, Emmaus HS Night Foreman, effective December 31, 2012 (Exhibit 4)
 -Susan Dorney, Food Service Coordinator, effective January 7, 2013 (Exhibit 5)
 -Deborah Miller, Instructional Assistant at Eyer MS, effective December 21, 2012 (Exhibit 6)
 -Barbara Kendall, Instructional Assistant at Macungie School, effective November 28, 2012 (Exhibit 7)
 -Linda Hoosier, Staff Assistant at Macungie School, effective November 27, 2012 (Exhibit 8)

Income Protection Leave

Employee: Nicole Wukitch
 Gifted Education
 Wescosville/Macungie Schools
 Effective: December 11, 2012

Leaves as Per Collective Bargaining Agreement

<u>Employee</u>	<u>Assignment</u>	<u>Effective</u>
Melissa Saylor	Grade 1, Macungie School	Extension 4/5/13
Rebecca Olver	Kindergarten, Shoemaker School	1/2/13-6/30/13
Adriane Ulicny	Special Education, Shoemaker School	1/2/13-4/5/13
Amy Kaunitz	Social Studies, Eyer MS	1/8/13-2/20/13
Allison Shimon	Spanish, LMMS	12/17/12-4/5/13

General Leave of Absence – Board Policy 539

Heather Karlovits	Remedial Assistant Alburtis School	11/28/12-11/27/13
-------------------	---------------------------------------	-------------------

Appointment of Staff/Instructional Assistants

<u>Name/Address</u>	<u>Assignment</u>	<u>Salary</u>
Abby Jung 506 Keystone Avenue Emmaus	Staff Assistant, Emmaus HS Vacancy created by N. Lahovski resign.	\$13.38/hr., 20 hrs./wk.
Beata Ogradnik 1852 South Second Street Allentown 18103	Instruct. Assistant, Lincoln School New Position	\$13.38/hr., 29 hrs./wk.
Diane DiRado 722 Seventh Avenue Bethlehem 18018	Instruct. Assistant, Eyer MS Vacancy created by D. Miller, resignation	\$13.38/hr., 29 hrs./wk.

Additions to the 2012-2013 List of Per Diem Substitutes

See Exhibit 9

Co-Curricular Appointments

See Exhibit 10

Educational Conferences – Exhibit 11

That the East Penn Board of School Directors approve the estimated expenses for the individuals attending the educational conferences listed on Exhibit 11.

Retirement

-Jan Landgraf, English Teacher at Emmaus HS, effective December 7, 2012 (Exhibit 8A)

Appointment of Staff Assistant

Name/Address: Corin Dries
 2447 River Rock Drive, Macungie

Assignment: Emmaus HS
Vacancy created by resignation of D. Barebo
Effective: December 11, 2012
Salary: \$13.38/hr., 29 hrs./wk.

Change in Assignment

Employee	From	To
Heather West	Elementary Art, Lincoln/Jefferson School	Macungie/Alburtis School
Effective:	January 2, 2013	
Alexis Erdosy	FTS Art, Emmaus HS	FTS Art, Lincoln/Jefferson
Effective:	January 2, 2013	

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

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

3. Amendment to 2012-13 School Calendar

Motion by Stolz, Seconded by Bacher

RESOLVED, That the East Penn Board of School Directors approve the following amendment to the 2012-13 School Calendar:

February 14 – Full School Day

February 15 – 11:00 a.m. Dismissal for the Middle and High Schools

March 28 – Full School Day

In response to Ms. Donches, Dr. Seidenberger said the students and staff will work together on their schedules. Mr. Earnshaw indicated that it is the students' responsibility to complete their work.

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

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

4. 2013-14 Emmaus HS Program of Studies Changes – Exhibit 12

Motion by Earnshaw, Seconded by Rhodes

RESOLVED, That the East Penn Board of School Directors approve the 2013-14 Emmaus HS Program of Studies Changes as indicated on Exhibit 12.

Emmaus High School Principal Dave Piperato highlighted the changes that were made to clarify and simplify some of the course descriptions while others were changed because of the Keystone Exams and state testing requirements. He noted that this week is Computer Science Education Week. A copy of the Program of Studies Changes is attached to the minutes of this meeting. Mr. Ballard suggested that the courses required as a result of the Keystone Exams which are required for graduation be emphasized in the Program of Studies. Assistant Principal Andrea Edmonds pointed out that in the actual Program of Studies there is a section in the beginning that points out the Keystone Exams but they could still make revisions to emphasize it further. Following the presentation, Ms. Donches asked if there were any budget implications. Mr. Piperato responded that they work with the current staff and courses are reviewed after student sign up period. There are no budgetary implications.

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

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

5. Emmaus High School Comprehensive Plan-Exhibit 13

Motion by Earnshaw, Donches, Seconded by

RESOLVED, That the East Penn Board of School Directors formally approve the school improvement plan for Emmaus High School and that the plan be submitted to the Secretary of Education and PDE to grant formal approval.

Note: This plan has been reviewed and approved by a Quality Review Team and the Executive Director of the Carbon Lehigh Intermediate Unit.

Emmaus High School is required to complete this plan because the school did not meet AYP in the following areas:

Concern #1:

A graduation rate of 67.44% in our Latino/Hispanic subgroup in 11-12

Concern #2:

A graduation rate of 82.05% in our Economically Disadvantaged subgroup in 11-12

Concern #3:

Failure to meet our performance target of 78% in Mathematics with only 65.6% of all students scoring Proficient or Advanced in 11-12.

Concern #4:

Failure to meet our performance target of 81% in our Economically Disadvantaged subgroup in Reading with only 64.8% of that subgroup scoring Proficient or Advanced in 11-12.

This is a requirement of No Child Left Behind. Mr. Piperato said they will be analyzing the data and study how this can be improved as the targets keep moving up. Ms. Donches asked if there would be budgetary implications, citing the purchase of a program called Study Island. Dr. Seidenberger responded that this program has been used extensively with the elementary level and has been effective. It will be purchased from this year's budget. Mr. Stolz expressed his dismay with NCLB and how it categorizes the student groups. Mr. Earnshaw said that some of the expectations are unrealistic and unachievable in the area of special education. Mr. Earnshaw and Mr. Ballard talked about the need for legislative relief.

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

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

6. Update on Book Challenge – Mr. David Piperato, Principal, Emmaus HS

Mr. Piperato reported the results of the challenge to two books in the high school. The following decisions constitute the resolution of this challenge:

- The book Electric Kool-Aid Acid Test will be cycled off all of the summer reading lists for the 2013 spring season.
- The book Prep will be moved to the 12th grade reading list and placed in the AP reading BOOK BAG, an alternative reading list for this group of AP seniors.
- The EHS principal will communicate to parents via electronic means, a warning that some books contain adult themes and sexual content.
- The lists themselves will have a printed warning included in the list, so that all parents and students are alerted to the content of the lists.
- Books will be rotated through the cycle of suggested reading materials each season.

Mr. Stolz presented a motion to accept the recommendation that was seconded by Ms. Donches. Mr. Earnshaw called for a point of order noting that according to the policy there was no need for the Board to take action and it would be a violation of policy and the guidelines. Mr. Ballard, in consultation with Solicitor Fisher, indicated that the only reason the Board would vote on this issue is if the controversy was not resolved and he ruled the motion improper. In response to a question from Ms. Fuller, Dr. Seidenberger confirmed that both books will remain in the library. Ms. Donches wanted to know if the couple who spoke at the Board Meeting would be contacted. It was pointed out that the Ms. Wittman did not submit a formal complaint but he would write to her since she addressed the Board. Mr. Bacher indicated that the information has been handled as proscribed by the policy.

7. American Red Cross Provider Agreement – Exhibit 14

Motion by Donches, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors approve the American Red Cross Provider Agreement to permit the American Red Cross certified instructors to teach Red Cross training courses specified in Exhibit 14.

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

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

7. Legislative C. Ballard

Mr. Ballard reported that the Keystone Exams have not been approved by the federal government even though they are being taken by students. Also, the AYP calculation for charter schools was rejected by the federal government. Mr. Bacher asked if there are any recommendations on special education funding. Mr. Ballard said there is nothing being done at this time. Mr. Stolz asked if anything changed after the election. Mr. Ballard responded that not much had changed as a result of the election.

8. Other Educational Entities

-Carbon Lehigh Intermediate Unit F. Fuller

The Board took a preliminary look at the 2013-14 Operating Budget for the IU. There is a 1% increase (\$411) for East Penn. They are trying to contain costs and are working with superintendents and business managers.

-Lehigh Career & Technical School
R. Heid
A. Earnshaw
F. Fuller
S. Rhodes, III

Ms. Heid reported on LCTI's Performance Measures & Goals format that will allow administrators to indicate what areas they want to concentrate on, along with a timeline. Ms. Heid also noted the improvements on the LCTI web site. Ms. Fuller announced that Secretary of Education Tomalis will be visiting LCTI in January.

9. Business Operations

1. Approval of Bill List

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 and vouchers in the amounts indicated.

Ms. Donches said she was too busy to call in and questioned the check for \$7500 for Premiere Agendas and \$356.40 for Deer Park Water. The Premier Agendas check is for the 3,000 student planners at the high school; Deer Park Water is bottled water for classrooms throughout the district.

Budget Transfers

RESOLVED, That the East Penn Board of School Directors approve the budget transfers listed on Exhibit 16.

Disbursement of Funds – Exhibit 17

RESOLVED, That the East the East Penn Board of School Directors authorize the disbursement of funds from the 33-2010 Series A GOB as stated on Exhibit 17.

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

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

2. Approval of East Penn School District 403(b) Amended Plan – Exhibit 15

Motion by Earnshaw, Seconded by Rhodes

RESOLVED, That the East Penn Board of School Directors approve the East Penn School District 403(b) Amended Plan as attached in Exhibit 15.

Mr. Glancy reported that the changes are required by the IRS. Ms. Donches questioned the January 1, 2012 date and Solicitor Fisher responded that the date was correct.

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

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

3. PLANCON PART K- PROJECT REFINANCING – Exhibit 18

Informational-This document and appended materials are to be entered into the minutes of this Board meeting.

Mr. Earnshaw complimented the Emmaus High School Band for their excellent concert on Friday night.

Ms. Donches expressed her disappointment that the board members had not being notified of the November 27 Willow Lane Walkability Study Meeting as well as the lack of communication to the parents. She indicated that she would have attended to hear all sides. She said obviously there are still questions. Ms. Donches would like to hear a report about how the walking is going this year. She was encouraged by Dr. Seidenberger's proposal for the study. She thanked Mr. James (Assistant Business Manager Jim Frank) for his response about the two voided checks. She wanted to know the procedure for voiding checks, etc. Ms. Donches asked how board members can introduce items on the agenda. Mr. Ballard had responded to her on Friday and she proceeded to

read the email, noting that the email was sent to all board members. She asked if this was a violation of the Sunshine Law. Mr. Ballard said it was not a violation of the Sunshine Law nor should there be an attempt to make it one. She said she just wanted to understand the policy on how to get something on the agenda. Mr. Ballard and Ms. Donches debated the issue of how to get items on the agenda and public notification on the issue. She asked how far in advance a motion had to be submitted. Mr. Ballard said the motion could be submitted on Wednesday evening; Mr. Earnshaw felt that was too late because the agenda is prepared on Wednesday morning. Dr. Seidenberger said the Central Office staff meets on Tuesday afternoon to discuss the agenda. Mr. Ballard consistently explained that substantive motions should be on the agenda in advance. Ms. Donches said that motions could be presented and then postponed to another meeting. Mr. Fisher pointed out that action presupposes a motion being tabled. They continued the discussion when Mr. Bacher said, as a board member, he would appreciate seeing a motion in advance. Ms. Donches asked if research articles could be shared and was told that they could. Mr. Earnshaw said when a board member has a question it should be submitted to the Board Secretary rather than individual employees. In the progression of the back and forth discourse, Mr. Stolz said Ms. Donches had been accused of priming the debate. Mr. Ballard said he had observed that prior to a board meeting, certain people had been encouraged to attend the meeting on a particular issue.

10. Announcements

Monday, December 10	-7:00 p.m.-Executive Session (Real Estate, Personnel, Litigation, Confidential, Negotiations)
December 24-January 1	-7:30 p.m.-Board Meeting
Monday, January 14	All schools and offices closed
	-7:30 p.m.-Board Meeting

11. Adjourn

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

Cecilia R. Birdsell
Board Secretary

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, 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: Peter McConnell, East Pen Press Reporter
Katrina Wehr, Morning Call Reporter
Precious Petty, Express Times Reporter
Randy Kraft, WFMZ On Line Reporter
Mariella Savidge, Lower Macungie.Patch.com

2. Requests to Address the Board

Anthony Garcia, 1989 Pembroke Drive, Macungie said he had attended four meetings to get a resolution on the Willow Lane busing. He said there had been accidents at the intersection and that the Board consider the students' safety.

Jonathan Berger, 6912 Sunflower Lane, Macungie claimed that since he had been to the December meeting there had been three accidents at Sauerkraut Lane and Willow. He too spoke about taking the students' safety into consideration. He suggested a committee involving the PTO and parents and the Township and everyone involved in the school.

Matthew Mull, 6676 Rutherford Drive, Macungie said this is the third meeting he has attended. He talked about his personal experience with running along the walkway noting that he has had two cars short stop at the intersections. He noted one driver had a cell phone while the other did not.

Minal Nemani, 6920 Sunflower Lane, Macungie said she felt that 1.5 miles was too much for kids to walk. She had observed that parents currently walk their children to the bus stop. She urged that the Board keep the safety of children in mind and the fact that parents will be rushing to get students to school as another consideration impacting safety.

Dr. Lee LaRussa, 1982 Winthrop Way, Macungie indicated that he had attended the Lower Macungie Public Safety Committee meeting. They have as many concerns about the plan and some said they did not understand how the Walkability Study reached its conclusions and some felt that Sauerkraut Lane was unsafe. He said the 1.5 mile radius for walking with increase the amount of car traffic. He felt that .75 miles for walking is more realistic. He said it would be useful to have parents included in the process. He felt the Board protocol was frustrating for parents and the community.

Susan Coenen, 6220 Wheatland Drive, Macungie thanked Dr. Seidenberger for his communication and responsiveness concerning the bomb threat at the high school and assuring parents that students would be safe and cared for following the Newtown, CT tragedy. She was very encouraged by the signs and progress that have been made over the past few weeks. She talked about the bus student counting. She commented on a series of questions that she felt should be asked. She talked about the survey and the communication to parents. She said she would have liked to have had the opportunity to give a parents' perspective before the survey went public. She questioned the validity of the survey if parents fill out more than one.

Tammi Ritter, 2608 Fieldview Drive, Macungie talked about the Walkability Study and the follow through. She said the study did not address traffic concerns and in the superintendent's report it was mentioned that Sauerkraut Lane was not considered a hazardous route. She did not know of any road in the district where students are being asked to walk where cars pass at high speeds. She talked about drivers using Brookside Farms as a shortcut. She asked the Board to consider the funding and the traffic concerns before their children are asked to walk.

Patrick Armstrong, 6527 Rutherford Drive, Macungie expressed his concern about the safety of students with the termination of busing. He commented on the TIF Committee and his interpretation of giving tax dollars to a developer when busing is being cut for students. He also expressed his dismay with the 1:30 p.m. Dismissal on Wednesdays for elementary students and the impact on the instructional day. He said none of the neighboring districts have this concept. He said removing that half day is within the control of the Board.

Melissa Huffer, 1885 Greshire Drive, Macungie expressed her concerns about the busing issue with Willow Lane. She complained about the amount of time (39 miles a week) it will take to go back and forth to the school. She said she lives 1.3 miles from the school. She cannot afford that amount of time in her busy schedule as a working Mom with three children. She is not interested in carpooling or in the Walking School Bus. She felt the buses provide safety and peace of mind. She talked about

stranger danger. She said the Board decision may force her to quit a job that she loves. She invited board members to walk with her and her three children from her home to Willow Lane School.

Todd Salomon, 6654 Trafalgar Drive, Macungie asked if the Willow Lane School was planned for walking and why was the Board not up in arms over the lack of signage (school zone, etc.). He talked about the hazards of people backing out of their driveways and not seeing small children. He felt that saving funds compromised children's safety.

3. Approval of Minutes

Motion by Bacher, Seconded by Donches

RESOLVED, That the East Penn Board of School Directors approve the minutes of the December 10, 2012 meeting.

Ms. Donches said that Bud in Bud Coates is spelled with two ds.

This resolution was unanimously adopted by voice vote.

4. Five Year Budget Outlook – Debra Surdoval, Business Manager

Mrs. Debra Surdoval, Business Manager, reviewed the attached Budget Outlook that included the timeline, the history of increases vs. Act 1 Index, state sources, charter school tuition costs, as well as a capsule look at the 2013-14 budget. (This information is available on the East Penn web site and is attached to the minutes of this meeting.) Looking at the 2013-14 budget, Mrs. Surdoval indicated that the state/federal funding is unknown and the Governor will be presenting his budget in February. There are county-wide reassessments and court appeals and starting in 2012 Berkheimer was appointed the new EIT collector. The employee contracts have saved money by employees taking a pay freeze two years ago. The retirement rate is going up because it is actuarial set and they artificially lowered the rate when investments were doing well. She noted that employees also contribute to the retirement fund as well as employers. The factors that determine the positive position include refinancing and low interest on variable debt, \$1,037,890 more was received in Earned Income Tax, the rental sinking fund revenue from the state exceeded the budget in 11/12 by \$994,270 due to \$1,250,294 in unbudgeted funds received for Plancon J one-time final project reimbursements. The charter school tuition costs have also been reduced. She noted that enrollment is starting to increase, especially special education students, few retirements are expected this year, and the transportation will probably go down. Mrs. Surdoval emphasized that this is a constantly moving worksheet. It is only a snapshot at where the district is at this point in time. Since the ending fund balance was significantly higher than budgeted last year, the district is able to stay within the 1.7% index for 2013-14. The administration will continue to examine line items and revenues and make adjustments that will be reflected in the March 25 budget draft presentation.

Mr. Bacher asked about the equalized millage and the status of transportation for Willow Lane students. Mrs. Surdoval said that \$60,000 was removed from the budget. Dr. Seidenberger said at this point the administration has met with every department head and made some assumptions. He said they are concerned about the increasing enrollment and the budget that will be presented in March will have changes. He said they are looking at transportation overall, including students at Seven Generations and St. Ann's. They will be looking at all aspects of transportation and will also be looking at different approaches to the high school busing. Dr. Seidenberger has received information from neighboring districts and will make some recommendations.

5. Not to Exceed Index Resolution

Motion by Earnshaw, Seconded by Stolz

WHEREAS, the Board of School Directors of the East Penn School District has determined that there will be no increase in the rate of any tax for the support of its public schools for the 2013-2014 fiscal year by more than the Index established by the Department of Education (Department) for the district;

WHEREAS, the Index for the District is 1.7%;

WHEREAS, the Board of Directors of the East Penn School District does hereby certify that the District will comply with the procedures as forth in Section 687 of the Public School Code as it relates to the annual budget for the adoption of its proposed and final budgets;

WHEREAS, the Board of School Directors certifies that increasing any tax at a rate less than or equal to the established index will be sufficient to balance its final budget;

WHEREAS, the Board of School Directors certify that the District will submit information on a proposed increase in the rate of a tax levied for the support of the public schools to the Department on a uniform form prepared by the Department no later than five (5) days after the adoption of this resolution;

WHEREAS, the Board of School Directors certify that a copy of this resolution adopted pursuant to Section 311 of the Taxpayer Relief Act of Special Session No. 1 of 2005 will be sent to the Department no later than five (5) days after the adoption of this resolution;

WHEREAS, the Board of School Directors recognize that the District shall not be eligible to seek referendum exceptions under Section 333 (f) of the Taxpayer Relief Act; and,

WHEREAS, the Board of School Directors recognize that the Department shall compare the proposed percentage increase in the rate of the tax with the index; within ten (10) days of the receipt of the information as required, the Department shall inform the District whether the proposed tax rate increase is less than or equal to the index.

NOW, THEREFORE, BE IT RESOLVED, by the Board of School Directors of the East Penn School District, as follows:

The Board of School Directors adopts this RESOLUTION on the 14th day of January, 2013 indicating that it will not raise the rate of any tax for the support of its public schools for the 2013-2014 fiscal year by more than the index established by the Department of Education for the East Penn School District.

DULY ADOPTED, by the East Penn Board of School Directors this 14th day of January, 2013.

Dr. Seidenberger said the administration has been prudent in the district's spending and it was thought that the exceptions would not be needed. Mr. Bacher asked if approving this would limit flexibility. Dr. Seidenberger indicated that while the district does not know what the Governor is going to do the administration is going to be fiscally prudent. The goal is to maintain all programs. He felt that the district will be able to do everything that is currently in place. However, he did indicate that he is concerned about enrollment increases. Mr. Policano suggested changing all the "shall" averments to "will." Mr. Ballard indicated that this resolution is usually a format acceptable to PDE. Mrs. Surdoval indicated that it is the resolution that was also approved by the Solicitor. Following further discussion, the resolution remained as stated. By adopting this resolution, it is locked into law by Act 1. Mr. Rhodes asked what exceptions the district would have been qualified to request. Mrs. Surdoval responded that she had estimated about \$750,000 in retirement contributions. Mr. Ballard concluded that the budget would be discussed in March.

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

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

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

1. District Update

Dr. Thomas Mirabella, Director of Student Services, reported that as of today the school district is well below the national average for flu cases. Information has been posted on the web site and they are monitoring absences on a daily basis. As an aside, Lehigh County has the largest number of flu cases in Pennsylvania. Ms. Fuller asked if there were many staff members absent. Dr. Mirabella responded that there were probably 4 cases across the district. She congratulated the district for the flu inoculation program that was made available to staff and board members. In conclusion, Dr. Seidenberger said if a parent suspects their child has the flu then they should keep them home.

Dr. Seidenberger distributed a press release from the Carbon Lehigh County Superintendents lobbying for equitable funding for special education. Also included was a scatter gram on the difference in special education identification from 2008 to present by level of intensity. He complimented Morning Call reporter Steve Esack on a recent article in the Morning Call regarding this issue.

A revised list of severe weather bus stops is posted on the web site. The list has been reduced because more neighborhood roads have been dedicated. An Edulink call will go out to parents as well as a hard copy.

Dr. Seidenberger thanked the Rodale Family Foundation for the final check for the all-weather track.

He notified the Board that a response was made to Ms. Wittman regarding the book challenge.

Dr. Seidenberger reported that every municipality had received a letter indicating that we would be interested in being involved in a joint bidding process for such things as asphalt and concrete. Lower Macungie Township may be interested in pursuing this process.

Referring to the closing of the high school because of a bomb threat, Dr. Seidenberger thanked the following individuals for their services during the search period: Emmaus Police Chief Dave Faust, Sgt. Carl Geschwindt, Officer Vicki Schaeffer; East Penn custodial staff Tom Gable, Dan Marsteller, Harry Brown, and Jeff Ketner; East Penn administrators Dr. Tom Mirabella, Mark Warden, Bob Ritter, Dave Piperato, Sally Hanzlik, Mark Warden, Laura Witman, Todd Breiner, and Matt Gale. There were over 30 volunteers from local fire departments and police departments. The administration is still working with the police department to apprehend the student.

Dr. Seidenberger announced that Lehigh University was sponsoring a presentation on "Transforming STEM: From Global Agenda to Classroom Success." It will be held in the Zoellner Arts Center, on Tuesday, February 5, from 6-8 p.m. He said it would be an interesting evening. Board members should contact the Superintendent's Office if they are interested in attending.

Dr. Seidenberger addressed the Willow Lane busing issue. He said the administration took notes on what was discussed on December 10. Referring to Edulink phone calls to parents, Dr. Seidenberger wanted parents to understand that the district can check on the time and date the call was answered. They can also tell if duplicates to the survey are being submitted. They also shared all the issues with Mr. Fosselman at Lower Macungie Township. Dr. Seidenberger explained that a lot of the issues brought up, especially signage, are not under the auspices of the district. He said a Parent Advisory Committee will be formed that includes parents from the affected subdivisions and they will address the issues that were raised. Dr. Mirabella, Mr. Glancy, and Dr. Moyer will be ex officio members. There will be a public drawing if there are multiple parents from a particular subdivision. The administration met with Lower Macungie Township officials and their engineers plus members of the Fire Department and a state trooper. Traffic alterations, designs of bus turnarounds, and shifting the driveway on the Mill Creek side were well received by Township engineers. They will be meeting again in three or four weeks. A joint statement will be made by the district and Lower Macungie Township at some point and when they speak, it will be one voice. Parents will hear the same information from the Board that they hear from the Township. There may be another cross walk being added in an area that will have a crossing guard as well. He said people have to understand about cost. He said some of the support team will be on staff and trained. Technically, crossing guards are the responsibility of the Township but we will be working cooperatively. We will be absorbing costs like the gate to keep parents from taking short cuts. We will pay for relining the parking spaces. As part of the Transportation Study, the district will present all the costs associated with the busing. Dr. Seidenberger said that the administration will continue to listen. Representatives of the school district have worked on this with the Township for many more months than parents and board members may be aware of and will refine the plans. Eventually, the Board of School Directors and Township Commissioners will have to make decisions. He said he understood it was a difficult process for parents. One of the things that comes up is that the school was not designed as a walking school. When he came to the district he asked why there was not a traffic light and was told that there was not enough traffic to warrant one. He highlighted the Act 34 Hearing booklet pages 5 and 9 indicate that this building was designed to be a walking school for students. He also had a map of the school published in the Fall of 2008 showing walking paths and that was a requirement in the design. Dr. Seidenberger wrote to parents in July 2010 with the building not being completed and parents were notified that there would be a one year waiver. He admitted that he did not pursue the issue with the Township. This is not about budget but about fairness and the treatment of students who walk in Emmaus to Jefferson and Lincoln and Alburtis. The administration will be looking at every bus route and will come back with recommendations. This will involve private and charter schools. He cited a resolution from the October 25, 2010 where the board members had unanimously adopted a resolution to partner with Lower Macungie Township for a Safe Route School Project. It is no secret to the Township that this has been three years in the making. He said there was a plan but the Walkability Study helped to reinforce what the district was considering three or four years ago. The survey is due January 22 and a full copy of the results will be provided. Dr. Moyer will form a committee and work through the process. He said the meeting on Friday with the Township was positive and they are tweaking some of the items that were discussed last summer. Dr. Seidenberger reminded the Board that he had talked about a Transportation Study last March and there were subsequent articles. He said they would be not only looking at students in the 1.5 mile radius but also the students who live within .75 miles as suggested by one parent. They will also be providing a cost figure for busing all students that fit the criteria. In conclusion, they will continue to work through the process. Ms. Donches said she is looking forward to the study and to the Lower Macungie response. Ms. Donches asked if there is any reason why the school has to be a walking school. He cautioned that there are students walking in other areas such as Emmaus and Alburtis. She asked if there was an environmental reason for walking. Dr. Seidenberger indicated that Willow Lane has been given Silver Status as part of the LEED program. He is not aware of the design being part of that process. The walking paths were part of the design. At the same time Willow Lane was being built, there was a major renovation at Eyer and there was no requirement for paths at Eyer. Students who live in Shephard Hills and go to Willow Lane are being bused. As part of the report, there will be a definition of what is considered a hazardous route. Mr. Stolz interjected that he is every bit as concerned about students who walk in other areas of the district. Mr. Ballard said the state has determined the miles a student can walk and the district is reimbursed for special education students. There is no reimbursement for students who live less than 1.5 miles from a school no matter what the condition of the road. Mr. Ballard also cited the grant that was worked on with Lower Macungie Township and a subsequent article in the Morning Call. The PLANCON documents and the documents submitted to Lower Macungie Township show the walking paths.

2. Personnel

Motion by Earnshaw, Seconded by Rhodes

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

Temporary Professional Employee Appointments

Name/Address:	Alexis Erdosy 3767 Murphy Road, Walnutport 18088
Education Level:	B. S. Degree (2012)
Undergraduate School:	Kutztown University
Certification:	Instructional I-Art
Assignment:	Art Teacher, Lincoln/Jefferson School Vacancy created by C. Beightol retirement
Effective:	January 23, 2013
Experience:	8/2012-Present: East Penn SD
Salary:	\$45,185 (Year 1, Col. B)

Name/Address: Justin Phillips
203 Hunter Street, Easton 18045
Education Level: B. A. Degree (2006)
M. Ed. Degree (2011)
Undergraduate School: University of Pittsburgh
Graduate School: Cedar Crest College
Certification: Instructional I, Elementary
Assignment: Gifted Education, Wescosville/Shoemaker Schools
Vacancy created by B. Litts retirement
Effective: January 29, 2013
Experience: 8/2012-Present: East Penn SD
Salary: \$53,575 (Year 1, Col. M)

Requests for General Leave – Reference Board Policy 539

Employee: Denise Miller
Instructional Assistant, Emmaus HS
Effective: 1/11/13-1/10/14
Employee: Mary Beth Riter
PT Food Service Assistant, Lincoln School
Effective: 1/7/13-1/6/14
Employee: Tina Collura
Instructional Assistant, Eyer MS
Effective: 1/22/13-1/21/14

Leaves as per Collective Bargaining Agreement

<u>Employee</u>	<u>Effective</u>
Kristen Bruckner Grade 1 Teacher, Macungie School	Extension to 6/30/13
Marybeth Long Special Education Teacher, Macungie School	Extension to 4/5/13
Laura Oswald Special Education Teacher, Wescosville School	Extension to 6/30/13
Denise Teles-Carl Mathematics Teacher, Emmaus HS	1/31/13-4/5/13
Kristina Svencer Science Teacher, Emmaus HS	Extension to 4/5/13
Jennifer Dzedzy Special Education Teacher, LMMS	2/14/13 to 4/5/13
Alexis Schultz Family/Consumer Science, Emmaus HS	2/13/13 to 4/5/13

Appointment of Health Room Assistant; Staff Assistants; Instructional Assistants

<u>Name/Address</u>	<u>Assignment</u>	<u>Salary</u>
Debbra Petke 7183 Tuscany Drive, Macungie	Health Room Assistant Floater (new position)	\$18.77/hr., 29 hrs./wk.
Shelley Christman-Scharer 40 N. Third Street, Emmaus	Instructional Assistant New student Wescosville	\$13.38/hr., 17 hrs./wk.
Lisa Donmoyer 4553 Brighton Road, Macungie	Staff Assistant Wescosville Vacancy created by L. Schoenly resign.	\$13.38/hr., 12.5 hrs./wk.
Nicole Polanki	Instructional Assistant	\$13.38/hr., 29 hrs./wk.

2689 Balliet Street
Coplay 18037

Macungie School
Vacancy created by B. Kendall resign.

Part-Time Food Service Assistant Appointment

Name/Address: Tiffany Reed
522 North Street, Emmaus
Assignment: Lincoln School (Vacancy created by C. Shute resign.)

Co-Curricular Appointments – See Exhibit 1

Change in Employment Status

Employee	From	To
Anne Wexler Instructional Assist., Macungie	25 hrs./wk.	29 hrs./wk.
Joanne Freeman Staff Assistant, Emmaus HS	12.5 hrs./wk.	29 hrs./wk.
Diane Stubits	6.75 hrs./day FTFSA, EHS	7.5 hrs./day FTFSA Leader, EHS

Additions to the 2012-13 List of Per Diem Substitutes

Tonya Capizzi, Instructional/Staff Assistant
Amber Neitz, Instructional/Staff Assistant
Kelly Riccio, Music
Julie Zappili, Elementary
Leonard Burkhart, Health/Physical Education, Social Studies
Peter McCabe, English, Social Studies, ML Math, ML Science
Haya Howells, Health Room Assistant
Barbara Kendall, Elementary

Spring 2013 Community Education Instructors

See Exhibit 2

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.

Resignation

-Michele Comp, Art Teacher at Willow Lane School, effective January 10, 2013 (Exhibit 8A)

Appointment of Full Time Substitute Teacher

Name/Address: Andrea Greenlee
95 Old Bower Road
Mertztown 19539
Education Level: B. F. A Degree (2006)
Undergraduate School: Cornish College of the Arts (Seattle, WA)
Graduate School: Kutztown University (Certification Credits)
Certification: Instructional I, Art
Assignment: Art Teacher, Emmaus HS
Opening created by V. Coleman leave
Effective: January 15, 2013
Experience: None
Salary: \$45,185 (Year 1, Col. B)

Income Protection Leave

Employee: Dolores Evans
German Teacher, Eyer/LMMS

Effective: January 24, 2013

This resolution was adopted by the following roll call vote:

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

2. Acceptance of Rodale Family Foundation Contribution

Motion by Stolz, Seconded by Fuller

RESOLVED, That the East Penn Board of School Directors accept the \$100,000 contribution from the Robert & Ardath Rodale Family Foundation for the Emmaus High School Track in accordance with Board Policy 702, Gifts, Grants, and Funds and authorize the transfer of the \$100,000 from the General Fund to the Capital Reserve Fund.

Ms. Donches abstained from the vote because she is an employee of Rodale. A copy of her Conflict of Interest Memorandum is attached to the permanent minutes of this meeting.

This resolution was adopted by the following roll call vote:

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

Abstention: Donches-----1

3. Acceptance of Gifts, Grants, Funds (Board Policy 702)

Motion by Earnshaw, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors accept the contributions, as listed, and in accordance with Board Policy 702:

\$1,000 to the American Computer Science League Club at Emmaus High School from Ms. Lisa Overholts.

\$1,400 Donation of 2 Base Station Radios by the Exelon Corporation.

This resolution was adopted by the following roll call vote:

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

4. Service Agreement for Occupational Therapy Services (Exhibit 4)

Motion by Donches, Seconded by Rhodes

RESOLVED, That the East Penn Board of School Directors approve the Service Agreement with Therapy Bridges, 5940 Hamilton Boulevard, Allentown as outlined in Exhibit 4.

This resolution was adopted by the following roll call vote:

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

7. Tax Increment Financing Committee (TIF) Resolution submitted by Ms. Lynn Donches

Motion by Donches, Seconded by Rhodes

Whereas, a Tax Increment Financing (TIF) Committee has been formed in Lehigh County comprised of representatives from the East Penn School District, Lower Macungie Township and Lehigh County Commissioners, and

Whereas, the Tax Increment Financing (TIF) Committee will consider using taxes from the East Penn School District to support the Hamilton Crossings retail mall infrastructure developments, and

Whereas, the taxes from the East Penn School District are public money, and

Whereas, taxpayers have every right to hear any discussions about the use of their monies paid to the school district, and,

Whereas, taxpayers are concerned about the distribution of their taxes,

Be it resolved, that the East Penn School Board directs the representatives of the East Penn School Board who are serving as the representatives to the Tax Incentive Financing (TIF) Committee to favor that any and all meetings of the Tax Increment Financing (TIF) Committee be held as public meetings, and to meet all criteria of the Pennsylvania Sunshine Act.

Ms. Donches explained that she felt since the TIF Committee of the Whole is made up of public officials from East Penn, Lower Macungie Township, and Lehigh County and will be using taxes from those entities the meeting should be open to the public. At the September 24 East Penn meeting, Mr. Fogle said the meetings would not be open to the public. She had a conversation with

John Kingsley from the Lehigh Valley Economic Development Corp. and he said that it is up to the TIF Committee to make the decision on the meeting structure. Dr. Seidenberger and Dr. Ken Bacher are East Penn's representatives to the TIF Committee. Solicitor Marc Fisher explained that this is a new concept for the area. He noted that Lehigh Valley Development Authority meets with representatives of these three entities. It is not a committee of those three municipal bodies. The actual work is done outside of the physical committee. There are subgroups that do the work (financial information) and it is done by an independent agency. The actual work will not occur at the meetings. He reminded the Board that in Paragraph 2 they are using tax increment financing which is somewhat different than using taxes. It is the taxes this project will generate as a result of its development. It is a technicality but one that should be remembered. As to whether or not the meetings should be public, the request from Lehigh County was conditioned on the fact that these be public meetings and Attorney Lushis indicated that could not be done. There was a court challenge five or six years ago to have a TIF Committee have public meetings. The Commonwealth Court ruled that there is absolutely no requirement that these meetings be held in the public. The court noted that there will be public meetings associated with this project. In addition, there will be a requirement once the work has been done completed that there be public hearings in Lower Macungie Township, East Penn, and Lehigh County. It was recognized by the court that there will be multiple public meetings as required by law. There was a commitment by Lehigh Valley Development Authority to have minutes that would be shared. Mr. Fisher said there is some question as to whether the Lehigh Valley Development Authority will bring to those parties meeting whether or not it will be public. Mr. Lushis has already indicated that it is not going to be public nor has it been public for the years. Mr. Fisher did not feel it was an issue to come before this Board tonight. There may also be reasons whether the meeting should or should not be public that we do not know about. Ms. Donches said the meetings do not have to be public but they could be public. She debated that if the representatives were approached by their public bodies suggesting that the meetings be public that would have some impact on their thinking. Mr. Fisher countered that if there is a public meeting then the public has the right to speak. Any suggestion that this be a public meeting to listen cannot happen. Ms. Donches continued to press the point that the person running the meeting could limit the amount of public input. Again, Mr. Fisher pointed out that even if the three municipal groups wanted a public meeting, it is the Lehigh Valley Development Authority's meeting. Mr. Stolz introduced the following motion:

Motion by Stolz, Seconded by Donches

RESOLVED, That the East Penn Board of School Directors direct its representatives to the TIF Committee of the Whole to support making all committee meetings of the whole open to the public.

Mr. Ballard asked how the representatives (Drs. Seidenberger and Bacher) felt about this motion. Dr. Seidenberger indicated that he had never been involved in this process. He pointed out that Mr. Fisher noted there was a court case on this matter. Dr. Bacher said he has given this process a lot of thought and it is a tremendously important agreement. He felt it was important even if the meetings are not public that they share as much information as they can as the process is going on and solicit input from citizens concerned about this issue. He would appreciate receiving input from citizens regarding the impact on the district and the future. He would like the flexibility to listen to the arguments and to make a decision based on the arguments. He did not feel the resolution would be the right way to achieve public input. He would like to find out what legal constraints would be put on the committee and come up with a proposal. He concluded that he did not know how to change the resolution and he believes that part of this process is to have buy in from the public and have them in the loop. Mr. Ballard pointed out that this resolution would be an attempt to tie the hands of the district representatives into certain positions. There are going to be plenty of opportunities for public meetings. The TIF Committee meets with developers and Lehigh Valley Development Authority to formulate a plan and that tentative plan is submitted to the three different bodies and they have public hearings and they have to agree before the plan can be approved. Mr. Ballard further explained the definition of a public meeting and that there must be public input. He pointed out that currently the district collects approximately \$7500/year in taxes. With the TIF, there are estimate that the district may collect approximately a half million to a million dollars. The question is what percentage of the incremental taxes will be used to finance the infrastructure improvements for a certain period of time. It is not a question of lost taxes but foregoing a certain amount of the taxes for a specific period. Mr. Ballard stated that resolutions of this type may compromise our representatives in their ability to maintain confidentiality. He also cited the Solicitor's court case on this issue so Mr. Ballard concluded he could not support this resolution. Mr. Earnshaw said public meetings go beyond public comment, citing advertising, minutes, etc. He said it was also important to remember that the district does not have the final say. The proposal is brought to the district by the TIF Committee. It is up to the district if it wants to agree and to what percentage of taxes we would forego to pay for the infrastructure improvements. It is not that we are collaborating over this issue. The Board will get the opportunity to review the proposal and there will be a public meeting and discussion. He was willing to give maximum flexibility to the representatives. Ms. Donches said the resolution is a formal way of having Dr. Seidenberger and Dr. Bacher request that the TIF Committee meetings be made public. She continued that people do want to be involved and hear information first hand and they care about what happens. She said this will be a big issue for the area. Ms. Donches read from the TIF legislation regarding public hearings and continued to debate having the TIF Committee meetings public. Ms. Heid said these decisions were not easy and commented on her pros and cons list. She listened to Mr. Bacher and was thinking that this may not be something to discuss now but maybe later. She found it offensive that they don't trust Dr. Seidenberger and Mr. Bacher to come back with the information. Mr. Stolz said he understood the point of view but they are asking for a tax break for a temporary period of time and he questioned why they get special rights not afforded citizens. He suggested changing "direct" to "encourage." Mr. Earnshaw clarified that this is not a tax break for developers. He said part of the taxes would go for bonds for the infrastructure improvements. Mr. Rhodes thanked Ms. Donches for submitting this motion so he had time to think about it. Solicitor Marc Fisher corrected some points that were mentioned in the discussion. He noted that it will be the Lehigh Valley Industrial Development Authority that will make the recommendation. In addition, the Lehigh Valley Industrial Development Authority will prepare a project plan which has to contain nine specific things. There is technically one public hearing. The public hearing is required and is held by Lower Macungie Township and it has to be advertised as under the Sunshine Act. There has to be notice 30 days in advance of the hearing. Each

entity has to vote on the plan at a public meeting. He also pointed out that one of the consultants who attended the Lehigh County Commissioners noted that in his 20 years of experience none of them had ever been public.

This resolution was defeated by the following roll call vote:

Nay: Bacher, Ballard, Earnshaw, Fuller, Heid, Rhodes-----6

Aye: Donches, Policano, Stolz-----3

8. Policy – Board Policy 609 (Exhibit 5) Request for Change submitted by Ms. Lynn Donches

Motion by Donches, Seconded by Stolz

RESOLVED, That the administration prepare a draft revision of Policy 609 for Board review and approval.

Ms. Donches felt that her change would follow the actual investment. She talked about investments made in August not being approved until October. Her proposed change is under the guidelines, as follows: The Board requires that the Treasurer report all transactions to the Board **at the Board Meeting immediately following the date of the transaction.** Mr. Bacher asked what the delay was. Mrs. Surdoval explained that she thought there would be other investments. She pointed out that if an investment is made the day of a Board meeting they may not be able to get the information on the agenda. Mr. Bacher asked what the intended benefit is if the policy is changed before the administration invests resources. Ms. Donches said she was making the suggestion because of the lag time before it was brought before the Board. Mr. Earnshaw said the policy is 20 years old and he supported the administration looking at it. Mr. Ballard said the Board does approve the Designation of Depositories. This is not going to some unknown group of institutions, and, in response to a question from Mr. Bacher, Mr. Ballard explained the process of having two readings of the policy. Mr. Stolz brought up that this had not been the way a policy suggestion from him had been handled.

This resolution was adopted by the following roll call vote:

Aye: Bacher, Ballard, Donches, Earnshaw, Heid, Policano, Stolz-----7

Nay: Fuller, Rhodes-----2

9. Legislative C. Ballard

Mr. Ballard reported that the Legislature is forming committees and getting ready for budget deliberations. Governor Corbett is supposed to present his budget in February.

10. Business Operations

1. Approval of Bill List

Motion by Earnshaw, Seconded by Rhodes

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

Designation of Depository

RESOLVED, That, in accordance with Section 621, PA Public School Code of 1949, the East Penn Board of School Directors designate Susquehanna Bank as an additional depository for the funds of the East Penn School District for the 2012-2013 fiscal year; and that said depository furnish a bond in an amount equal to 120% of the highest balance or comply with Act 72 of 1971 of the Pennsylvania Legislature, such bond amount to include the amount provided by federal insurance.

Facility Rental Agreement

RESOLVED, That the East Penn Board of School Directors grant permission for Kaplan Test Prep, 179 Dale Road, Wethersfield, CT to use the Emmaus High School classroom for a SAT prep class. This is a Group V organization and will be charged the following rental fees:

\$18.00 per hour rental fee

Parent Transportation Contract

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

Parent/Guardian: Mary Jones
42 South 10th Street, Allentown
Effective: November 27, 2012-June 10, 2013

Reimbursement: \$.555/mile-18.32 miles/day
Parent/Guardian: Tina Landis
5828 Memorial Road, Allentown
Effective: December 1, 2012-June 10, 2013
Reimbursement: \$.555/mile-8 miles/day

Sweet, Stevens, Katz & Williams Standard Agreement for Fees, Costs, and Expenses for Representation of Public Educational Entities (Exhibit 6)

RESOLVED, That the East Penn Board of School Directors authorize the Standard Agreement for Fees, Costs, and Expenses for Representation of Public Educational Entities with Sweet, Stevens, Katz & Williams, LLP, as specified in Exhibit 6.

Disbursement of Funds (Exhibit 7)

RESOLVED, That the East Penn Board of School Directors authorize expenditure of funds from the 33-2010 Series A Bond Issue as described 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

Mr. Stolz introduced the following motion:

RESOLVED, That the East Penn Board of School Directors instruct the administration to continue funding and providing busing to all Willow Lane School students who are currently receiving transportation as part of the budget preparation for the 2013-14 school year.

Mr. Ballard ruled the motion improper and said it could be on the agenda in two weeks.

Ms. Heid suggested going to paperless board meetings. Dr. Seidenberger indicated there is a cost associated with this suggestion. Mr. Ballard pointed out it also involves purchasing lap tops for every board member.

Mr. Stolz asked about web casting and preparing a zero based budget. Dr. Seidenberger responded that he had information on web casting. As far as zero based budgeting, the administration had prepared that information last year and it was not addressed by the Board.

11. Announcements

Monday, January 14 6:45 p.m.-Executive Session (Legal, Negotiations, Real Estate, Confidentiality)
7:30 p.m.-Board Meeting
Monday, January 21 Martin Luther King Jr. Day-All schools & offices closed

12. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 10:25 p.m.

Cecilia R. Birdsell, Board Secretary

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, 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

2. Requests to Address the Board

Jill Ahne, 6221 Wheatland Drive, Macungie expressed her concern with the proposal to remove busing for some students attending Willow Lane School. She asked that the decision be postponed until Lower Macungie Township and the school have completed the cross walks, etc. and signs.

John Donches, 559 Minor Street, Emmaus announced the upcoming CEPTA sponsored Candidates Petition Signing Event on February 19, 2013 at Fire Company #1 in Emmaus. They will have representatives from Lehigh County Voter Registration to provide information about running for public office. Candidates will also be able to have their petitions signed.

Jonathan Berger, 6912 Sunflower Lane, Macungie addressed the Willow Lane School bus issue. He was hoping Mr. Stolz' resolution would be passed. He said it was an excellent district with high standards and that was what he found disappointing with this issue. He cited his facts about the parent committee not being formed, cost benefit analysis, and the fairness issue that refers to students who walk in Emmaus and Alburtis. He felt there was more congestion with the roads by Willow Lane. He said he has not seen any of the parents from those areas at a Board Meeting. He felt the safety concerns outweigh the savings issue. He felt the transportation information should be completely divulged.

Susan Coenen, 6220 Wheatland Drive, Macungie talked about the onsite safety improvements and thanked Lower Macungie Township officials for their work in making this issue a top priority. She said it was time for East Penn to step up and do its part. She cited safety issues that should be addressed, questioned the time plan, the top priorities, etc. She wanted to know when the dialog was going to begin. She felt all parents in the Willow Lane community should be involved, not just the affected parents.

John Jansen, 2637 Chardonnay Drive, Macungie complained because he asked for information that he felt should have been available and was either not available or not being provided. He cited various scenarios where information was discussed by the Superintendent and then not provided. He criticized the Walkability Study that did not include officials from Lower Macungie Township. He asked the Board to become more available on this issue.

Donna Jurado, 1975 Winthrop Way, Macungie said she lived in Graymoor and everyone in her house was concerned about the safety of the children. She said busing is the safest and greenest way to get children to and from school. She was concerned about the changes and whether they would be finished by August. She said the traffic will be horrendous and walkers will not be safe. She suggested the time frame for students being dropped off be extended. She suggested an upgrade to the Edulink system so more than one telephone number could be listed.

Garrett Rhoads, 5595 Wedge Lane, Allentown complimented the Emmaus High School Key Club for their participation in the BACA coat drive for the victims of Hurricane Sandy. The group collected over 2200 coats and the Key Club members helped with promotion and sorting.

3. Approval of Minutes

Motion by Fuller, Seconded by Rhodes

RESOLVED, That the East Penn Board of School Directors approve the minutes for the January 14, 2013 meeting.

Ms. Donches wanted the following change to the minutes – Page 4 – District Update

From: She asked if there was an environmental reason for walking.

To: She asked if being a walking school was ever part of an application for being a LEED school.

This resolution was unanimously adopted by voice vote.

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

1. District Update

Dr. Seidenberger reported the district enrollment is currently 8,078, an increase of 32 students from the beginning of the school year. The elementary enrollment is 2,579, an increase of 16 from the beginning of the school year; middle school enrollment is 1,978, an increase of 29; and Emmaus High School enrollment is 2,521, a decrease of 13 students from the beginning of the school year. Any changes to the school calendar will be made after February; however, it appears that the days will be added to the end of the school year. The superintendents work together so there is a common calendar for LCTI students.

Dr. Seidenberger announced the competition area and placement of LCTI students from Emmaus High School who competed in Skills USA:

Automated Manufacturing Technology	1 st Place	Kane Morrison
Automotive Service Specialization	3 rd Place	Anthony Granato
Collision Repair Technology	3 rd Place	Lake Duell
Commercial Baking	1 st Place	Amanda Bennicoff
Criminal Justice	3 rd Place	Cody Sabaski
First Aid/CPR	3 rd Place	Frances Santiago
Masonry	1 st Place	Brendan Hudak
Nurse Assisting	1 st Place	Brandy O'Brien
Restaurant Service	2 nd Place	Kaitlyn Bennicoff
Welding	2 nd Place	Zachary Ziegler

Dr. Seidenberger acknowledged Dr. Tony Moyer's article in the current issue of the Walden University Alumni magazine that describes the STEM (garden project) at Willow Lane School. Mr. Bryan Svencer, Grade 4 Teacher at Lincoln School, has published a book entitled, "Edutainment."

Referring to the Governor's budget, Dr. Seidenberger said there has been a lot of talk about state aid and levels of funding, he reminded the audience about the Costing Out Study and the projections in that report. He said even with the \$300,000 proposed increase it still puts the district behind by over 1 million dollars in 2010. Looking at all of the districts in Lehigh County as a collective group, the school districts are down over 10 million dollars. Dr. Seidenberger talked about the special education funding and being held harmless. The Governor is taking 10 million dollars from everyone and is increasing the contingency fund. He pointed out last year that the district was eligible for over \$900,000 and the district only received \$150,000.

Dr. Seidenberger distributed information to the Board regarding webcasting. This will be discussed at the next Board Meeting. Mr. Mohn and Mr. Glancy will respond to questions at that time.

Dr. Seidenberger shared the primary goals for the 2013-2014 Budget. The goals are:

1. To develop a budget that is educationally sound and fiscally prudent;
2. To maintain fiscal flexibility and the ability to adapt to external factors that may impact the overall budget;
3. To improve the overall efficiency of the school district;
4. To be able to adjust the organization to meet the demands of both funded and unfunded state and federal mandates;
5. To maintain all existing academic and instructional programs in the 2013-2014 school year.

There are other goals dealing with organizational goals, curriculum and staff development, facility, technology, and community relations. These goals are posted on the district web site.

Transportation Report (Available on the District Web Site)

Dr. Seidenberger indicated that in March 2012 he said there would be a review of the district transportation. He noted that extensive work has been done to compile this Transportation Report. He thanked Mrs. Kristen Campbell, Mr. Glancy, Dr. Mirabella, Mrs. Surdovall, Mr. Jim Frank, Mr. Mohn, Mrs. Bloise, Mrs. Skinner, Mrs. Evans, and Miss Birdsell for their work on the report. He noted that Mrs. Campbell and Dr. Mirabella actually followed up on addresses. He noted that the Transportation Report would be on the web site on Tuesday morning.

Dr. Seidenberger reviewed the transportation regulations and guidelines that guide school districts on transportation issues. It is important to know that local districts do not have to provide student transportation for regular education students who reside in their district. However, local school districts must provide transportation to charter school students who live within the district, or a charter school that is located not more than ten miles from the nearest public highway beyond the school district boundary or the charter school is a regional charter school in which the school district participates. Districts are not required to provide transportation for charter school students who live within 1.5 miles of their school or 2 miles to their school if they are

enrolled in a secondary charter school. School districts must provide the same level of service for charter school students as a district does for its public school students if it offers transportation.

Referring to Table 1, Summary of Public School Transportation he indicated the student enrollment, number of riders, and per cent of the school population riding the bus. In Tables 2 and 3, he explained the summary of riders and distances of 1.5 miles and .75 miles. The categories of student riders in Table 4 lists 6,130 public students, along non-hazardous roads, 1,222 public students along hazardous roads, and 859 resident students in non-public schools who are transported. The total number of charter school students who are transported is 143. Dr. Seidenberger continued to highlight the various components that contribute to the transportation of students across the district. The detailed report is available on the web site and is part of the permanent minutes of this meeting.

The full report consists of the following topics and 20 tables.

Section I	Transportation Regulations/Guidelines
Section II	Current Student Rider Data
Section III	Special Education Transportation
Section IV	Transportation Costs
Section V	Transportation Subsidy Comparisons
Section VI	Number of Vehicles and Routes for the 2013-2014 School Year
Section VII	Utilization Percentages
Section VIII	District Owned Vans
Section IX	Update on the Contract with First Student
Section X	Update on the Implementation of Versatrans
Section XI	Hazardous Route List
Section XII	Shared Services Agreements with Other School Districts
Section XIII	Cost Estimates of Transporting All Elementary Students Within the 1.5 Mile Guideline
Section XIV	Willow Lane
Table 1	Summary of Public School Transportation
Table 2	Summary of Riders and Distances
Table 3	Summary of Walkers
Table 4	Categories of Student Riders
Table 5	Charter School Transportation
Table 6	Non-Public/Charter Schools Within East Penn Boundaries
Table 7	Non-Public/Charter School Summary of Riders by Distance
Table 8	Summary of Special Education Transportation
Table 9	Special Education Vehicles
Table 10	Main Transportation Contract Costs
Table 11	Other Transportation Costs
Table 12	First Student Bus Fees Without Aides or Fuel Costs
Table 13	District Transportation Subsidy
Table 14	Bus Utilization Summary
Table 15	Bus Utilization Summary
Table 16	Cost Estimates of Transporting All Elementary Students Within the 1.5 Mile Guideline
Table 17	Willow Lane Site Revision Estimates
Table 18	Willow Lane Car Counts
Table 19	Willow Lane AM Bus Participation
Table 20	Willow Lane PM Bus Participation

Dr. Seidenberger pointed out that last year the district spent \$637,627 on special education transportation and a total of \$6,645,145 for transportation costs. The Department of Education transportation subsidy for 2011-2012 was \$1,763,206. After deducting the subsidy, the net cost to the district is estimated to be \$4,828,343. There are 132 vehicles and 481 total routes both public and non-public. The East Penn School District uses a two-tiered system with a bus usually making a high school or middle school run and then an elementary run. Dr. Seidenberger reviewed the bus utilization and how students are assigned to a bus from elementary to secondary students using 72 and 48 passenger buses.

In 2009, the East Penn School District purchased three nine passenger vans to reduce the costs for transporting some sports and academic competition teams and some activity clubs. Each van costs approximately \$25,000. Funds from that year's operating budget were used to purchase the vehicles off the State Contract Bid list. The idea was simple. In a three - year period the vans would basically pay for themselves by eliminating the cost to rent vans from either First Student or a car rental company. The district estimated that the total cost for renting the nine passenger vans would be \$120,000 over a five-year period.

East Penn has a contract with First Student and we are currently in the fourth year of a five year contract. The district maintains the right to revise or change any and all of the routes and the number of buses required to best suit its needs at any time before or during the school year. In addition, First Student also provides transportation for field trips, athletic events, excursions

and any other purpose designated by the district. He thanked Jennifer Keith from First Group for her work with Mr. Mohn and Dr. Mirabella. District staff were concerned about the way the hazardous roads were transferred to the Versatrans system. The district staff worked with Ms. Keith to construct hazardous routes and boundaries information. Dr. Seidenberger said a great deal of administrative time has been spent on being sure the information on boundaries is correct. The Hazardous Roads list is Appendix A and is the official list from PennDOT. Dr. Seidenberger emphasized that only PennDOT can determine if a road is hazardous. There are four homes in a very small area of Willow Lane that could be deemed hazardous. During the 2011-2012 school year representatives from Lehigh County School Districts met to discuss possible ways to share services for transporting nonpublic students. Several meetings were held and some solutions were examined. Unfortunately, no cost effective solutions could be implemented. The group has continued to meet on a periodic basis and representatives will strive to look for cost effective ways to lessen the financial impact of transporting students to nonpublic and private schools. The Board can transport any student and set any distance guideline it desires, however, if the Board transports a child within the 1.5 mile guideline and that child does not live along a dangerous road nor face any other specific condition such as no sidewalks, then the Board cannot seek transportation reimbursement for that child. It is important that if the Board does provide transportation that it does so in a fair and impartial manner.

Dr. Seidenberger said that if the Board would decide to bus all students in the district the estimated cost would be \$181,410. The Board would also have to extend the invitation to transport all students to St. Ann's and Seven Generations as well. The costs for each would approximate the cost associated with Shoemaker School, totaling \$31,186.00. This would equate to a Grand Total Cost of \$212,596.00. The Administration restored busing for a majority of students who live in selected neighborhoods that serve the student population of Willow Lane with the exception of Brandywine II due to its close proximity to the school. The savings amounted to \$115,593 and the reduction of one 48 passenger bus.

Referring to the district's relationship with Lower Macungie Township, Dr. Seidenberger said the meetings have been productive and forthright and have always placed an emphasis on safety. We are pleased with the progress of the meetings. The Township is in the final stages of issuing its specific plans for the placement of the traffic signs, cross walks, and the placement of crossing guards. There has never been any animosity and he thanked LMT Manager Bruce Fosselman, Township Engineer Bill Erdman, and the district's engineer Paul Szwczak. It is important to note that a state police representative has attended the sessions as well.

Dr. Seidenberger described the Willow Lane site revisions being recommended and urged the Board that all site improvements be done as a solution to the number of cars now dropping off children on a routine basis. The revised traffic pattern will keep buses and cars apart and end car traffic near the firehouse exit route. The internal site improvements include improving the bus turn-around areas, some new line painting, improving a walking path in the rear of the school, the placement of some new traffic signs on school property, and the installation of traffic gates that will prevent cars from exiting the property by way of the main entrance to the school. The improvements also call for a major shift in car traffic. Parents would enter the school grounds and exit by way of Mill Creek Road. This shift will separate buses from cars and also keep the main driveway open for fire station vehicles should an emergency occur during the start and end of the school day. They believe the new traffic pattern will also reduce some of the back-ups at the intersection of Willow Lane and Sauerkraut Lane. The funds for the site improvement work will come from the Capital Reserve Fund. This use of Capital Reserve Account funds will have no impact on the 2013-2014 Operating Budget. The base bid would be \$89,355.75 and an alternate bid would be \$9,226.25.

A car count showed that on the average there were 134 cars dropping off students on a daily basis. He reviewed the Willow Lane AM and PM bus participation noting there is a better participation rate after school. The overall average for AM is 60.8% and the overall average for PM is 69.5%. Dr. Seidenberger reviewed the following recommendations for two options for Willow Lane:

Option 1 Eliminate Busing for Students Who Live Within 1.5 miles to Willow Lane

This option affects approximately 330 students who live in the following developments:

Beaumont at Brookside
Brandywine Village & Brandywine Village II
Brookside Farms
Graymoor

As a result of the district's collaboration with Lower Macungie and the agreement in principle to place two (2) crossing guards at the intersection of Willow Lane and Sauerkraut, it is now believed that children from Penn's Meadow and parts of Brookfield Estates can walk as well. This option has been well documented. It is anticipated that Dr. Moyer will continue to work with parents on issues related to the start and dismissal times and drop-off procedures.

Option 1 Cost Analysis

Reduction of one 48 passenger bus and driver (\$143 per day for 182 days...a one tier savings)	\$13,013
Reduction of five 72 passenger buses (\$183 per day for 182 days...a one tier savings)	\$83,268
Reduction of Fuel Costs	\$15,480

Total Savings

\$111,761

Note: If the district agrees to fund half of the cost of crossing guards then the savings would be reduced $(7 \times 1 \text{ hr.} \times \$15 \text{ per hour for } 182 \text{ days}) \div 2 = \$9,555.00$

\$102,206

Option 2

The Board moves to extend busing to all students who live within .75 and 1.5 miles of an elementary school. The Board would not change its secondary distance guidelines in this option.

Referring to the parent survey that was taken, Dr. Seidenberger explained that 201 people filled out the survey and 44 people filled out duplicate surveys. Some people put in conflicting developments and he indicated his disappointment. The administration will conduct another survey and require a name. He said there were few people who wanted to car pool or be involved in the walking school bus. Only a few people volunteered to work with Dr. Moyer, Mr. Glancy, and Dr. Mirabella on some of these issues. In response to an earlier comment that parents from Lincoln and Jefferson did not come out, Dr. Seidenberger said he has talked to parents from those attendance areas and they are watching the situation but have chosen not to come out to a Board Meeting. They want to know if they are going to get a "fair shake."

This option is based on a request by a parent offered at a Board of School Directors' meeting. The district contacted PDE relative to the .75 distance and PDE responded that they were not aware of any research that found that .75 of mile is a better distance for a child to walk to school. There is nothing in Board Policy #810 nor is there any regulation that would prevent the Board from implementing such a policy unless the route is classified as hazardous by the state. The district would not be eligible for any state reimbursement for those students who are transported from a distance of .75 of a mile. Utilization data from the current manner in which First Student schedules students and the results from the participation counts indicate that there may be an opportunity to tighten the building of student assignments to specific buses that serve Willow Lane. In addition, an average of 134 cars a day now drop off students on a daily basis. The Administration believes that in Option #2 parents should be contacted to determine if they will use the school bus. If not then parents can opt in at a later in a manner which will be proposed to high school students. We are estimating that at least a 48 passenger bus can be eliminated if First Student uses a different variable in scheduling and parents tell us that they are willing to opt in later. The Administration believes that approximately 305 Willow Lane students would still be bused under this scenario. Approximately 125 students would not be offered busing under this option. In fairness to students in other schools, it would be recommended that the .75 distance be extended to other elementary schools. The Administration examined the data and found that 20 students in Alburtis, 12 students in Jefferson, and 9 students in Lincoln would qualify under this scenario. The Administration believes that all of these students could be absorbed into the present system and therefore there would be no additional cost for transporting those students if Option #2 is approved by the Board. There would be no state reimbursement for transporting these students. The Board would have to be cognizant that the new .75 distance guideline could have a future impact if new developments arise near other district schools since at this point there are no additional students who qualify from Macungie, Shoemaker and Wescosville. The administration will be looking at a will call system where parents can indicate whether or not their child needs a bus. This will also be considered for Emmaus HS seniors as well. If something changes that would require a student to be bused, parents would notify the school district.

Option 2 Cost Analysis

Reduction of two 72 passenger buses at \$183 per day for 182 days (one tier busing)	\$33,306
Reduction of one 48 passenger bus at 143 per day for 182 days (one tier busing)	\$13,013
Reduction of Fuel Costs	\$7,740
Total Estimated Savings for Option #2	\$54,059

Dr. Seidenberger presented the following recommendations for the Board to consider:

Recommendation #1

The Administration recommends that the Board review and update Board Policy #810.

Recommendation #2

The Administration recommends that the Board transports children to St. Ann's and to Seven Generations in accordance with its practices for transporting students to all public elementary schools in the district. If changes in transportation are needed for certain children who may not qualify, then the Administration will meet with the leaders of St. Ann's and Seven Generations to explain why some children may no longer qualify for daily transportation to and from school.

Recommendation #3

The Administration recommends that the Board grant permission to the Administration to pilot a program for high school students that mirrors the philosophy of a neighboring district that gives parents and students an assignment on a bus if requested but also ask parents to waive a bus assignment if their child has a parking pass. The student would be able to gain a seat on a bus with written notification to the high school should the student no longer need a parking pass. It is expected that the district can eliminate two one tier runs and save a minimum of \$34,000 in the 2013-2014 school year.

Recommendation #4

The Administration recommends that district personnel work closely with First Student and First Group (the parent company of First Student) to complete the redrawing of the hazardous roads and hazardous boundaries in the Versatrans system. When the work is completed the Administration is recommending that the Technology Department develop a way in which parents and the community can access the data.

Recommendation #5

The Administration recommends that First Student in concert with the district use the Versatrans system to develop more efficient bus routes to St. Ann's and Seven Generations schools by assigning students by area and not by school since both schools are so close together. The Administration then proposes that First Student and district personnel work with leaders from St. Ann's and Seven Generations to implement such a change. Students for the non-public schools could ride the same bus if they all live in a particular area, rather than sending separate buses to the same area for a specific school.

Recommendation #6

The Administration recommends that First Student and key district staff use the planning features of Versatrans to run multiple variables of students assigned to 72 and 48 passenger buses to determine if the number of bus routes can be reduced thereby generating additional savings in the overall net transportation costs.

Recommendation #7

The Administration recommends that the Board directs the staff to prepare bid specifications for bidding out a new transportation contract no later than December 2013.

Dr. Seidenberger talked about how the will-call busing would work for the Emmaus HS seniors. If students are getting a parking pass, then they can indicate that they would not need a bus seat. He felt that would help save approximately \$34,000. He also suggested that it might be a recommendation for Willow Lane School since 134 cars are dropping off students. He questioned whether the parents were using bus transportation at Willow Lane at all. The district would provide transportation if something changes in the need for bus transportation.

Mr. Ballard said this is the first and most comprehensive study of transportation in the school district and complimented Dr. Seidenberger and his staff. Mr. Rhodes and Mr. Earnshaw questioned the will-call system. Mr. Rhodes asked about the legality. Dr. Bacher said from his personal experience that his daughter took the bus every day in elementary. However, she does not use it as frequently in the morning to go to high school but does ride the bus to come home. Mr. Rhodes and Mr. Earnshaw wanted to be assured that if a student would opt out of the system that they would have a seat on a bus if needed and that the district would not be overbooking buses. Dr. Seidenberger said there are multiple people in the district who are now more efficient with the Versatrans system and we can look at simulations to become more efficient. In response to Dr. Bacher, Dr. Seidenberger talked about the differential in use at Willow Lane. He said they will have to maintain some degree of flexibility to avoid overbooking. He said fluctuations in enrollment also contributes to the busing. Bus cards are going to go out electronically next year. This should save around \$5,000. Ms. Donches asked if the will call system would work for Wescosville students. Dr. Seidenberger said the administration could certainly look at that but more students can walk. He said they looked at all the bus runs across the district. Referring to Wescosville, he said they are looking to see if some more walking paths could be developed. At this time, there is only one neighborhood that can walk to Wescosville. Ms. Donches said looking at Table 12 (First Student Bus Fees Without Aides or Fuel Costs) the costs are for First Student. She asked if there was an average cost per student. Dr. Seidenberger said the information given is a good number. Mr. Stolz said he could support recommendations 1, 2,3, and 5. He suggested an Option 3 that this plan not be implemented until site improvements have been completed. Mr. Ballard suggested that the district ease in to the utilization figures over a couple of years as we get more experience with the goal.

2. Personnel

Motion by Rhodes, Seconded by Fuller

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

Retirement/Resignations

-Sandra Frederick, Administrative Assistant at Willow Lane School, effective July 1, 2013 (Exhibit 1)

-Jennifer Scott, Instructional Assistant at Emmaus HS, effective January 29, 2013 (Exhibit 2)

-Dawn Kohler, Staff Assistant at Wescosville School, effective February 12, 2013 (Exhibit 3)

Compensated Professional Development Leave Request – Board Policy 438.1

Employee:	Sharon Shankweiler Grade 6 Teacher, Lower Macungie MS
Effective:	2013-14
Purpose:	Graduate Work, Southern New Hampshire University

Appointment of Temporary Professional Employee

Name/Address: Heather Spotts
2049 Municipal Road, Lehighton 18235
Education Level: B. S. Degree (2009)
Undergraduate School: Kutztown University
Certification: Instructional I, English 7-12
Assignment: English Department, Emmaus HS
Vac. created by J. Landgraf resignation
Effective: TBD
Experience: 9/2012-Present: Lehighton SD
9/2011-1/2012: East Penn SD
8/2009-6/2011: School District of Lancaster
Salary: \$45,831 (Year 3, Col. B)

Requests for General Leaves of Absence – Board Policy 539, General Leave

Employee: Ardith Yorgey
Instructional Assistant, Jefferson School
Effective: January 14, 2013-January 13, 2014

Employee: Donna Derr
Instructional Assistant, Willow Lane School
Effective: May 6, 2013-May 21, 2013

Leave as per Collective Bargaining Agreement

Employee: Amy Kaunitz
Social Studies Teacher, Eyer MS
Effective: Extension to 4/5/13

Appointment of Instructional Assistant

Name/Address: Jennifer Halcisak
539 Turner Street, Emmaus
Assignment: Lincoln-Staff Assistant
Effective: February 12, 2013
Salary: \$13.38/hr., 12.5 hrs./wk.

Maintenance Transfers

See Exhibit 4

Appointment of Custodians

Name/Address	Assignment	Salary
Shawn Greene 199 Keiser Lane, Lehighton 18235 Effective: February 12, 2013	Eyer MS, Second Shift Vac. Created by J. Guth retirement subsequent transfers	\$18.94/hr., 40 hrs./wk.
Brett Jones 5308 Debra Drive, Schnecksville 18078 Effective: February 19, 2013	EHS, Second Shift Vac. Created by P. Gehman retirement subsequent transfers	\$18.94/hr., 40 hrs./wk.
Scott Lewis 931 Hickory Street, Macungie 18062 Effective: February 12, 2013	Eyer MS, Second Shift Vac. Created by R. Knecht retirement subsequent transfers	\$18.94/hr., 40 hrs./wk.
Andrew Marsteller 6002 St. Peter's Road, Emmaus	PT Custodian, Willow Lane Vac. created by R. Seaman retirement	\$18.94/hr., 20 hrs./wk.

subsequent transfers

Effective: TBD

Co-Curricular Appointments

See Exhibit 5

Nancy DeBellis replacing Alison Moxey, EHS Girls LaCross Coach	\$4,803
Sean Boyle Debate Club I	\$32.56/hr., Max. 6 Sessions

Additions to the 2012-13 Per Diem Substitute List

Beverly Shegina, Instructional/Staff Assistant
Lydia Orban, Food Service
Sarah Brouse, Instructional/Staff Assistant
Damaris DeLaRosa, Instructional/Staff Assistant
Wendy Fritsch, Instructional/Staff Assistant
Heidi Clauser, Instructional/Staff Assistant
Wendy St. John, Instructional/Staff Assistant
Stephanie Jacobs, Instructional/Staff Assistant
Evangelina Hoffman, Instructional/Staff Assistant
Jessica Denkowski, Elementary, Early Childhood
Joseph Bigley, Elementary
Anthony Pirrocco, Health/Phys. Ed.

Change in Assignments-Food Service Department

Employee	From	To
Tami McGrath	FTFSA Leader, Shoemaker School 7.5 hrs./day	FTFSA Coordinator, Shoemaker School 7.5 hrs./day
Effective: January 12, 2013		
Vicky Rothbort	PTFSA, Emmaus HS 4.75 hrs./day Vacancy created by D. Stubits	FTFSA, Emmaus HS 6.75 hrs./day
Donna George	FTFS Leader, LMMS 7.5 hrs./day Vacancy created by T. McGrath transfer	FTFS Leader, Shoemaker 7.5 hrs./day
Deb Koch	FT LMMS 5.5/1 hrs./day Vacancy created by D. George transfer	FT LMMS Leader 7.5 hrs./day
Renee Tigar	PT Shoemaker 2 hrs./day Vacancy created by V. Rothbort transfer	PT EHS 4.75 hrs./day

Change in Assignment – Instructional Assistant

Shelley Christman-Scharer	Instructional Assistant, Wescosville 17 hrs./wk.	Instructional Assistant, Wescosville 29 hrs./wk.
---------------------------	---	---

Educational Conferences-Exhibit 6

That the East Penn Board of School Directors approve the estimated expenses for the individuals attending the educational conferences listed on Exhibit 6.

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

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

5. Other Educational Entities

-Carbon Lehigh Intermediate Unit

F. Fuller

Ms. Fuller reported that the Board of Directors had met on January 30 to avoid having the meeting on Martin Luther King, Jr. holiday. She announced that on January 25, the IU received approval from the State Board of Education for the first alternate program leading to Level I Principal K-12 Certification. Qualified candidates in Carbon and Lehigh Counties will come together to collaborate and participate in a viable, cost-effective, quality program designed specifically to meet the increasing demand around accountability and student achievement. The alternate pathways Level I Principal Certification Program will be delivered utilizing a blended model allowing for customization, integrating support; involving the development of regionalized personal learning networks and communities, and using a practitioner-focused approach. The CLIU is the only intermediate unit in the state that has this type of program and is the only program not affiliated with a college or university.

-Lehigh Career & Technical Institute

R. Heid
S. Rhodes
A. Earnshaw
F. Fuller

Ms. Heid reported that the LCTI budget totals \$23,598,900, representing a total increase of 2.1%. There are items that affect the budget such as salaries, PSERS, payroll taxes, and health insurance. LCTI is forward looking and is analyzing electricity, supplies and equipment, health benefits for 2 IA positions, capital projects and business services and reduction in tentative equipment grant estimates. This budget is based on a five year average. East Penn's share of the budget is \$2,119,128.94. It is a .87% decrease from last year. This is at a per pupil cost of \$5,379. The Academic Center has a budget of \$1,361,509 and this is an overall decrease of .93%. East Penn has increased enrollment and our contribution is 1.4% which is about \$92,000. Referring to the Skills USA Competition, East Penn had 10 students who got either 1st, 2nd, or 3rd place. The only students with more medals came from Wm. Allen HS. The total for all LCTI students was 16 Gold medals; 18 Silver medals; and 13 Bronze medals.

6. TIF Committee Update

Dr. K. Bacher
Dr. Thomas L. Seidenberger

Dr. Bacher reported that the first meeting was called by the Lehigh County Industrial Development Authority on January 25. Although there was a program planned, almost the entire meeting was consumed with the discussion of whether the TIF Committee meetings would be open to the public. The Lehigh County Industrial Development Board decided unanimously that because of the proprietary and confidential information being discussed, the meetings would not be public but minutes would be shared. The second meeting was held on January 30 to go over TIF materials. The responsibilities of the TIF Committee were reviewed, noting there would be at least three committee meetings. The first meeting was to discuss the project and the process; the second meeting was to discuss projected financial data; and the third meeting would be to review the draft of the TIF Plan but it has not been scheduled as of this date. There were discussions on the project overview and the renderings and possible tenants, update on the planning process and the work that has been done, the project status in relation to zoning, land development plan approvals, PennDOT and NPDES and other municipal and state authorities. There were preliminary estimates of the economic benefits of the project and the creation of temporary construction jobs and then permanent retail jobs. There was also discussion on one time tax revenue sources, new revenue (EIT, property, real estate transfer, public services tax, etc.). Only a portion of the initial property tax revenue all the other additional income tax would not be constrained. There is strong subscription for the shopping center and they expect to have significant sign ups for the retail plots in the mall. He talked about the traffic upgrades and the site. There is a mobile home site in close proximity to the project site and the developers are making efforts to not disrupt these families. There was an overview of the TIF Act and key terms used for TIF projects. The next meeting was held on February 4 and the meeting minutes are not official. The project background was discussed; they reviewed the requirements of the TIF Act, the Redevelopment Act, and security and credit enhancement of the TIF. The security structure proposed for this TIF contemplates the use of a Neighborhood Improvement District. The creation of this special assessment taxing district would allow for a specific tax, levied on the property owners within the TIF district to offset any deficit if the incremental real estate taxes generated are less than the amount needed to pay debt service on the TIF bonds. Dr. Bacher indicated that he had received public input via email concerning the impact on the school budget and the initial jobs that might increase school enrollment. He said the expectation is that the financial impact would be positive in both the short and the long term. The bonds would be issued by the LCIDA and no existing revenue from any of the taxing bodies would be used for this project. In answer to a question raised by Ms. Donches about the Neighborhood Improvement District, Dr. Bacher indicated that this is a special assessment and it is a method to assure the bonds are paid regardless of the assessment on properties and will allow for a more reasonable rate on bonds. Dr. Bacher indicated that he would be available after the Board Meeting to answer questions.

7. Transportation Resolution as presented by Julian Stolz (January 14, 2013)

Mr. Ballard asked Mr. Stolz if he still wanted to introduce the motion in light of the Transportation Study report. Mr. Stolz indicated that he still wanted to introduce the motion.

Motion by Stolz, Seconded by Donches

RESOLVED, That the East Penn Board of School Directors instruct the administration to continue funding and providing busing to all Willow Lane School students who are currently receiving transportation as part of the budget preparation for the 2013-14 school year.

In light of the Transportation Report, the district is not there yet and there are still concerns from parents about the committee not being put together and he did not think the district would be ready by the beginning of the school year. Mr. Earnshaw said he was reluctant to put specific constraints on the administration. In the Superintendent's contract and school law,

the Superintendent prepares the budget and the Board gives the priorities and not specific strictures. He said the Board has never asked that any specific item be carved out in the budget and he would trust that the administration will be reflective of the cost. Ms. Fuller appreciated the work that has been done and wanted time to review it. She concluded that it was premature to put this motion on the table and that she would personally like to see it tabled. Dr. Bacher also said he would like to have time to review the Transportation Study and would like to see this motion tabled. He did not like the idea of singling out specific parts of the population for special treatment. He reminded everyone that the administration did chose to reinstate busing prior to the beginning of the year when they did not feel that they were quite ready to put the plan in operation. He concluded that he would trust the administration in this matter. Ms. Donches thanked the administration for the report. She said her concern was not that the provisions be put in place by the beginning of next year but rather that they be put in place at the end of this school year so the community can become familiar with the new patterns. She supported the resolution. Mr. Ballard said he found the concept of attempting to direct the administration to do something of this nature both premature and unwise. He found it highly offensive personally that a person declaring to be conservative in principle, would throw those principles under the bus and support a motion like this to spend money for a very small group without having all the facts in place before knowing if all of those expenditures would be warranted or wise. The information provided in the Transportation Study provides different options and considerations rather than something narrow-minded and a pandering attempt to get votes by a seated board member. Mr. Stolz said he knew that there were members of the Board who would trust the judgment of the administration and not the parents. He criticized board members who are always talking about education and students who are now quite willing to throw the students under the bus. Mr. Stolz said he was conservative because he did not like change and he felt that if the district does something they should do it right and do it in the best of interest of the students and parents and not rubber stamp the recommendations of the administration. He called the question.

Motion by Stolz, Seconded by Donches
RESOLVED, That the East Penn Board of School Directors end debate.

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

The Board returned to the following motion:

Motion by Stolz, Seconded by Donches
RESOLVED, That the East Penn Board of School Directors instruct the administration to continue funding and providing busing to all Willow Lane School students who are currently receiving transportation as part of the budget preparation for the 2013-14 school year.

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

8. Business Operations

1. Bill List Approval

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

Ms. Donches said she had been emailing her requests for the higher amounts and she knew there had been discussions about having the account codes for each of the purchases on the bill list. She read from Page II-16 of the district's budget book for 2012-13. She insisted she needed the full account code so she has the most detailed information. She admitted that she was a person who needed a lot of information and she then proceeded to start at the top of the bill list and ask for the 16 digit code for each of the 14 pages of the bill list to be given to her by the Business Manager this evening. Mr. Earnshaw called for a Point of Order since this did not address the motion at hand. Mr. Ballard said that it also was an attempt to get around a previous motion. Ms. Donches contended that was last year. Mr. Ballard replied that it did not matter what year it was because the Board had already defeated the motion. Ms. Donches insisted that the information she wanted did exist and felt it was very frustrating because she could not receive it. She wanted to make a motion that the information be provided. Ms. Fuller said she did not see how going through 14 or 15 pages of accounts would enlighten her. Dr. Bacher pointed out that this topic was discussed and it was decided by the Board that if a request was of a de minimis nature the information would be provided. He said if it was a request that was more involved and required time and an expenditure of money or personnel time it would require Board action.

This motion was duly adopted by the following roll call vote:
Aye: Bacher, Ballard, Earnshaw, Fuller, Heid, Policano, Rhodes-----7
Nay: Donches-----1
Abstain: Stolz-----1

2. Treasurer's Report

Motion by Earnshaw, Seconded by Rhodes

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

Tax Collectors' Compensation Plan

RESOLVED, That the East Penn Board of School Directors set the rate of compensation for its real estate tax collectors at \$3.00 for each of the first 2,000 tax payments processed, and \$2.00 for each additional tax payment processed; and,

Be it further

RESOLVED, That the collectors be reimbursed for supplies and expenses in a sum not to exceed \$1,000.00 per school tax year conditioned upon the tax collectors submitting receipts to the Business Office; and,

Be it further

RESOLVED, That said compensation shall become effective beginning with the fiscal year starting July 1, 2014.

Budget Transfers – Exhibit 7

RESOLVED, That the East Penn Board of School Directors approve the Budget Transfers listed on Exhibit 7.

Disbursement of Funds – Exhibit 8

RESOLVED, That the East Penn Board of School Directors authorize the disbursement of funds from the 33-2010 Series A GOB issue as outlined in Exhibit 8.

Facility Rental Requests

RESOLVED, That the East Penn Board of School Directors grant permission for the following Group V organizations to rent district facilities:

Organization:	Lehigh Valley Martial Arts
	544 Jubilee Street, Emmaus
Facility:	Jefferson School All Purpose Room (Graduation Ceremony)
Dates:	1/18; 3/1; 5/3, 10; 6/28; 7/12; 9/6, 13; 11/1,8, 2013
Fees:	\$30.00/hr. Rental Fee
Organization:	Anita's School of Dance
	380 Minor Street, Emmaus
Facility:	LMMS Auditorium & Classrooms (Rehearsal and Dance Recital)
Dates:	6/4 & 8, 2013
Fees:	\$120 per hr. rehearsal fee
	\$125 per hr. recital fee
	\$18.00 per hr. classroom fee
	\$41.49 per hr. Stage Manager Fee
	\$16.00 per hr. Security Fee
	\$41.49 per hr. Custodial Fee

Approval of PLANCON PART K: Project Refinancing – Exhibit 9

RESOLVED, That the East Penn Board of School Directors approve the submission of PLANCON PART K: Project Refinancing, to the PA Department of Education as outlined in Exhibit 9.

Parent Transportation Contract

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

Parents/Guardians: Stephen & Michelle Colsen
1656 Laurel Lane, Macungie
Effective: November 27-June 10, 2013

Reimbursement: \$.555 per mile, 29.4 miles/day (7 children; 3 different schools)

Approval of Investments – Exhibit 10

RESOLVED, That the East Penn Board of School Directors approve the investments listed on Exhibit 10.

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

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

Ms. Donches then proceeded with the following motion:

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

Mr. Earnshaw raised a point of order. He stated that he thought Ms. Donches had not been on the prevailing side of the motion the last time it was brought forth for action. There was discussion about whether the motion could be made by Ms. Donches according to Roberts Rules of Order or whether there was any relevance to the motion being made prior to Reorganization. In order to end the confusion, Mr. Ballard said the motion would be listed on the next agenda; however, if Solicitor Fisher rules it cannot be made by Ms. Donches then anyone who voted on the prevailing side would have to introduce the motion.

Ms. Donches then asked about the time line for the policy on investments. Dr. Seidenberger indicated that he had reviewed over 30 districts' policies. His recommendation will be that the Treasurer reports the information once a month which is in all the sample policies.

Ms. Donches then brought up the Insurance Advisory Council and the fact that insurance is purchased from the companies the insurance agents represent. She made the following motion:

Motion by Donches,
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.

Mr. Ballard said it could be discussed at the next meeting.

Dr. Bacher asked if Board Policy 810 would be on the agenda. Dr. Seidenberger felt it could be on the next agenda.

Mr. Ballard announced that the EHS Rifle Team just won their district competition.

9. Announcements

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

February 14 Full Day for All Schools

February 15 11:00 a.m.-Dismissal – Middle Schools & Emmaus High School
(SNOW MAKE UP DAY)

February 18 Presidents' Day – All Schools & Offices Closed

Monday, February 25 7:30 p.m.-Board Meeting

April 10-13 7:00 p.m. EHS Drama Department will present Legally Blonde: The Musical
April 13 2:00 p.m.-Matinee

10. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 10:15 p.m.

Cecilia R. Birdsell, Board Secretary

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

Employee	Assignment	Effective
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
-------------------	-----------	---------

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

Name/Address	Assignment	Salary
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
--	---	-------------------------

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
Evangeline 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

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:
Salary:

Opening created by M. Long leave
11/12-Present: East Penn SD
\$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

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, J. Stolz

Solicitor: Robert Magee, Esq. (for Marc Fisher, Esq.), Worth, Magee, & Fisher

Board Secretary: Cecilia R. Birdsell

Superintendent of Schools: Dr. Thomas L. Seidenberger

Peter McConnell, East Penn Press Reporter

Katrina Wehr, Morning Call Reporter

Precious Petty, Express Times Reporter

Randy Kraft, WFMZ on line Reporter

Mariella Savidge, Emmaus.Patch.com Reporter

2. SGA Report

Adam Kita and Will Geroni, SGA representatives from Emmaus High School, reported on the following activities:

- Emmaus High School spring sports teams are just starting up. (La Crosse, Softball, Baseball, Cross Country)
- Matchmaker Server was conducted and they had over 1,000 students sign up. While they did not make a lot of profit, they did have fun.
- The track team sponsored Shave for the Brave and raised approximately \$45,000 for Pediatric Cancer Research.
- Adam Kita and Will Geroni addressed the bomb threats at Emmaus HS and commented on the inconvenience for rest room use, acknowledging that the precautionary measures were warranted for stopping the threat occurrences.
- EHS students and advisors are taking the annual Spring European trips. Students are touring in Italy, Greece, and Germany.

Mr. Earnshaw indicated that the AP German students were currently in Munich and would be touring Dachau, the site of a German Concentration Camp during WW II. He felt it would be a sobering experience for students. Mr. Earnshaw said he was glad that students had an opportunity to make these trips.

Mr. Ballard said that the students should be highly commended for their fund raising with the Shave for the Brave initiative.

3. Requests to Address the Board

Susan Coenen, 6220 Wheatland Drive, Macungie reported her personal survey results regarding the Willow Lane busing situation. She asked when the parent committee would be established; status of the site improvement plans to be filed with Lower Macungie Township; which of her suggestions from her 17-page report will be included in the final plans; whether the plans were going to be reviewed by a traffic engineer; and status of parent allegation about when the November 27 meeting was put on the district calendar. She also wanted the site improvement plans to be put on the district web page.

Dr. Lee LaRusso, 1982 Winthrop Way, Macungie urged the Board to support the resolution for K-5 busing as listed on the agenda. He felt it was a good compromise for the safety and traffic concerns.

Garrett Rhoads, 5595 Wedge Lane, Allentown reported that the electronics recycling program, sponsored by the Eastern PA Business Owners Network, raised \$500 for the Angel Network. He thanked all of the volunteers and Drs. Moyer and Seidenberger and his staff for allowing them to use the Willow Lane parking lot. He concluded that it was an excellent event to show cooperation between the school district and community for the needy families in the district and to demonstrate their mutual commitment to green operations policies.

Lou Schuler, 1991 Forest Lane, Allentown, a parent with three children in the East Penn School District and a journalist, expressed his outrage at the vulgar twitters about public education between a Todd Kincannon and East Penn Board Member Julian Stolz on Mr. Stolz' Twitter account. Mr. Schuler said Mr. Stolz was entitled to his opinion on public education and, if Mr. Stolz feels that students are inferior to children in private schools, he is entitled to that opinion also. He questioned why a person who holds children and their parents and taxpayers in such contempt takes up one of nine positions on the School Board and probed how this person who considers the 8,152 students in the district "inferior offspring of the proletariat" serve the cause of public education. He said his problem was not that Mr. Stolz holds these repellant views but rather the fact that Mr. Stolz uses his position on the School Board as a the source of his authority to support those repellant views. Mr. Schuler concluded that Mr. Stolz should not be holding a seat on the School Board and called for his resignation.

In response, Mr. Stolz said he did not agree with the language that Mr. Kincannon used in his tweet and has called him on that several times. However, he did agree that there are many problems with public education in this country but East Penn is the exception to the rule. He said in some areas children are trapped in very poor schools with teachers who did not have the same interest in education as in the East Penn Schools. He felt East Penn does a great job and he looks forward to taking part on this Board to uphold the excellent education. He told Mr. Schuler that if he wished to talk to him after the board meeting he could do so.

4. Approval of Minutes

Motion by Bacher, Seconded by Fuller

RESOLVED, That the East Penn Board of School Directors approve the minutes for the March 11, 2013 meeting.

This resolution was unanimously adopted by voice vote.

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

1. District Update

Dr. Seidenberger reported on the following staff and district activities:

- Sallie Yencho, Third Grade Teacher at Jefferson School, was selected as B104's Teacher of the Month.
- Michael Mohn, Director of Technology, will be adding up to three phone number fields for Edulink calls. Parents will be able to do this through the Home Access system.
- Emmaus High School will be hosting a College Fair on May 1 from 6:00-8:00 p.m. They will have over 100 post-secondary institutions.
- Teachers Erin Haddigan, Jen Glendenmeyer and Mike Behr received the Certificate of Outstanding Achievement in Recognition of Achieving Model Independent Status for the 2011-2012 School Year. This status is difficult to achieve through the PA Autism Initiative. Dr. Seidenberger thanked Dr. Pekarik and Jen Curtis for their work.
- Dr. Seidenberger reported on legislation that is being proposed for charter and cyber school funding and distributed a cost estimate compiled by Assistant Business Manager Jim Frank based on the legislation being proposed. The projected savings to East Penn with the new calculation would be \$102,178.23.
- Senator Joseph Scarnati, III is proposing legislation for security measures that will raise the Safe Schools allocation from \$500,000 to \$10,000,000. This could be used for school resource officers and East Penn would be eligible to submit a grant application.
- Senator Ward will be re-introducing SB 1507 that did have bipartisan support. This legislation is related to mandate waiver relief. This bill would allow districts to ask parents whether or not they would be using transportation. Dr. Seidenberger felt it was something that should be considered.

Referring to the 2013-14 East Penn Budget Books that were distributed to board members, Dr. Seidenberger explained that the district would not be seeking waivers this year. He called attention to the narrative section and the set of goals he established. He said the budget shows a 1.69% increase in the budget and he felt confident that could be reduced. He commented on the following specifics:

1. Basic Education Funding going up \$300,000 which is not in the budget; however, a partial amount of the ABG Grant is included. There is consistent information that the ABG grant will happen.
2. The increase represented is about \$1,320,617.00.
3. The concern about the status of assessment appeals. There is a back log of appeals and districts lose about 66% of those cases.
4. We do not know about pension reform. This is a function of PSERS and the Legislature. We expect a lot of activity from Harrisburg regarding this issue.
5. Privatization of Liquor stores will have no impact on this budget. If it goes through, the bank of money would not be available until 2014-15.
6. Special Education Funding. With the Governor's recommendation of holding harmless again this represents six years of no increases. Senator Browne is leading a charge to see how funds are allocated.
7. Enrollment patterns continue to fluctuate. The Kindergarten registrations indicated 367 students which is lower than previous years. There is usually an increase of approximately 75 students over the summer. The Spring Real Estate Meeting has not been scheduled yet.
8. At this point, we do not have an exact number of retirements.
9. The district is looking at opportunities to reduce transportation costs. (Merging bus runs with St. Ann's & Seven Generations; reducing the number of runs, etc.)
10. Departments will continue to look at their budgets and spending patterns to see if there is an opportunity to adjust.
11. There is a new housing development in Lower Macungie Township so we will be monitoring this to see how it could impact the schools.
12. Dr. Seidenberger will be having conversations with Township and Borough Managers to see if there is anything that could happen in the way of development.

Dr. Seidenberger said that we will continue to look at our revenue streams which continue to be positive (increasing at 2.4%). Referring to the TIF, there is no firm decision on that moving forward. Dr. Seidenberger said the district could be looking at a 5% decrease in federal funding that would impact Title I and special education. He reminded everyone that state aid increases would help reduce the budget as well as the restoration of Charter School reimbursements (\$850,000 loss to the district). He asked the Board to take a look at the budget books and the goals. Mr. Stolz provided his insight into the topic of state aid.

2. Personnel

Motion by Fuller, Seconded by Earnshaw

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

Resignations

-David Silfies, Principal at Eyer MS, effective June 29, 2013 (Exhibit 1)

Vice President Alan Earnshaw commented that his children had the privilege of attending Eyer MS when Mr. Silfies was the Assistant Principal and then the Principal. Mr. Earnshaw said that Mr. Silfies is an outstanding educator and has kept the sense of community that exists at Eyer. He thanked him for his service and wished him a long, happy retirement.

-Ellen Rae Price, Instructional Assistant at Willow Lane School, effective June 11, 2013 (Exhibit 2)

-Susan Hoffman, Custodian, effective March 15, 2013 (Exhibit 3)

-Bonnie Kirka, Instructional Assistant at Shoemaker School, effective April 15, 2013 (Exhibit 4)

-Matthew Bachert, Custodian – Second Shift at Lincoln School, effective March 15, 2013 (Exhibit 5)

Leave as per Collective Bargaining Agreement

Employee: Marie Hartman
Grade 3 Teacher, Willow Lane School
Effective: April 12-June 30, 2013

General Leave – Board Policy 539

Employee: Ellen Peters
Staff Assistant, Macungie School
Effective: March 25, 2013-March 24, 2014

Temporary Professional Appointment

Name/Address: Ross Kirk
851 Nantucket Circle, Bethlehem 18015
Education Level: B. F. A. Degree (2004)
Undergraduate: Edinboro University
Graduate School: Moravian College
Certification Credits
Certification: Art, K-12; Elementary K-6
Assignment: Art Teacher, Willow Lane School
Vacancy created by resignation of M. Comp
Experience: 9/12-Present: Northwestern Lehigh SD
Salary: \$45,185 (Year 1, Col. B)

Appointment of Instructional Assistant

Name/Address	Assignment	Salary
Kaitlin Mikitka 5035 Elmhurst Drive Schnecksville 18078	Instructional Assistant, Eyer MS Vacancy created by B. Vanderloef resign.	\$13.38/hr., 29 hrs./wk. Effective: March 26, 2013

Appointment of Custodian

Scott Berry 7524 Bell Gate Road Coopersburg 18036	Custodian, Second Shift Vacancy created by M. Bachert resign.	\$18.94/hr., 40 hrs./wk.
---	---	--------------------------

Co-Curricular Advisors

Shannon Atkinson	Hair & Nails Club, Eyer MS	\$32.56/session, 8 sessions Maximum
------------------	----------------------------	--

Change in Employment Status

Employee	From	To
Nicole Polanki, Instructional Assist.	Macungie School	Shoemaker School

Additions to the 2012-2013 List of Per Diem Substitutes – Food Services

Maureen McGrath	Diana Mae Jago	Suzanne Reppert
Sandra Ruch-Moorin, German		

Educational Conferences (Exhibit 6)

That the East Penn Board of School Directors approve the estimated expenses for the individuals attending the educational conferences listed on Exhibit 6.

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

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

3. 2013-14 East Penn School District Calendar (Exhibit 7)

Motion by Bacher, Seconded by Donches

RESOLVED, That the East Penn Board of School Directors approve the 2013-14 District Calendar.

Dr. Seidenberger said that every school district in Lehigh County, except Allentown and Parkland, are starting school before Labor Day. This is a common calendar among the districts so the flow of students to LCTI and the IU are not disrupted. The make-up days are included at the bottom of the calendar.

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

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

4. Transportation Resolution

Motion by Bacher, Seconded by Donches

RESOLVED, That the East Penn Board of School Directors provide bus transportation for all K-5 elementary students who live .75 miles and further from their assigned school, effective with the 2013-2014 school year.

Dr. Seidenberger responded to comments made earlier this evening. Mr. Szewczak is working on the drawings to be submitted and approved by the Township. He commented on statements made at the last meeting about staff members not being forthright with dates on the calendar. He explained that when there was access to the district calendar on February 25 and March 7 the date is recorded. Dr. Seidenberger and his staff were reviewing the calendar information in a meeting on those two dates. Dr. Moyer asked the Technology staff as early as November 21 to put the information on the calendar for the November 27 meeting.

Referring to Willow Lane, he said that everyone was offered transportation for the first two years that the school was open. It was not the district creating the traffic issues but rather the number of parents who are transporting students to the school. He told Dr. Moyer that if he wanted to lessen traffic there must be cooperation from the parents. The district is realistic and he thought compromise and common sense are important to the resolution. Changing the mileage from 1.5 miles to .75 reduced the students by one-third so there will be about 125-140 students who will not be offered transportation unless there are mitigating circumstances or they are special ed students. The district has had conversations with Lower Macungie Township officials about the developments and communities and what planners look at when developing communities. The administration must look at a sense of fairness for other students and cannot be arbitrary and capricious. The district staff was surprised by how few students in the other buildings would be added so there should be no additional cost. The other component is the confidence that Lower Macungie Township will follow through with their part. He again re-stated that if for some reason the flashing signs and cross walks are not installed or we do not have crossing guards, he would come back to the Board and recommend busing for the students.

Ms. Fuller congratulated the staff and the public noting that it has been a long journey together. This plan demonstrates that concerns have been heard and incorporated. The first time .75 was suggested was during the public comment period. She recounted her conversation with the Township Engineer who indicated they just needed the school district to make the next move.

She indicated she would support the motion. Dr. Bacher asked how the distance would be measured. Dr. Seidenberger said whatever is done will be handled in a consistent basis. We will certainly work with parents who feel they have a legitimate case. They will be working with Versatran to develop the technology to allow parents to click on their address to see how far they are from the school. Mr. Ballard suggested that there be some kind of attachment to the Board Policy stating the .75 miles so it is written somewhere. Ms. Donches asked if the measuring would be from the door or the end of the driveway. Dr. Seidenberger said they would use discretion and would not quibble over a foot or a yard. Mr. Glancy will respond to that question when he returns. The district would save \$54,000 with this plan, including the crossing guards. She asked if any of the parent's safety concerns would be addressed. Dr. Seidenberger responded that they would be looking at the black top along the fence as an alternate. Ms. Donches asked if there was a consensus that the Fire Company was satisfied with the plan. Dr. Seidenberger reiterated that for years the Fire Company has asked the district to do something about parents coming up the main driveway. Moving the cars to Mill Creek will alleviate the traffic and there will only be 9-10 buses coming in from Sauerkraut Lane and they will be looking at the gates. Mr. Earnshaw clarified that the motion deals with courtesy busing. The resolution has nothing to do with traffic patterns at Willow Lane, drop offs, or ending transportation at Willow Lane. All these issues are separate and will be dealt with separately. This motion does not impact any of those items. He again restated the resolution. Mr. Stolz questioned the policy issue that Mr. Ballard talked about adding the distance. Mr. Ballard said the current policy is silent about mileage. This resolution states what we are doing with courtesy busing for elementary. He thought it would be clearer to the public so they would know what the current mileage is. Mr. Ballard and Mr. Stolz continued to debate the question of interpretation of policy and practice. Mr. Earnshaw said this is a district decision on how we are practicing our transportation. He did not see it as a policy change as much as a district practice.

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

6. Policy Adoption

Motion by Earnshaw, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors adopt the following policies for inclusion in the Board Policy Manual:

Board Policy 609-Investment of District Funds – Exhibit 8

Board Policy 810-Transportation – Exhibit 9

There was consensus to add a schedule to Policy 810 stating the .75 mile distance as a district practice for elementary. Dr. Seidenberger will also add language for the middle schools and the high school.

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

7. Other Educational Entities

-Carbon Lehigh Intermediate Unit

F. Fuller

1. 2013-14 Proposed General Operating Budget

Motion by Fuller, Seconded by Earnshaw

RESOLVED, That the East Penn Board of School Directors approve the 2013-14 General Operating Budget for the Carbon Lehigh Intermediate Unit as presented.

Ms. Fuller said this budget allows the IU to operate and pay for staff, curriculum, and maintenance. The budget this year calls for a total of \$823,241. East Penn's share is \$136,309 representing an increase of \$411 over the previous year. She supported adopting the budget.

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

-Lehigh Career & Technical Institute

R. Heid; F. Fuller; A. Earnshaw; S. Rhodes, III

1. 2013-14 General Fund and Academic Center School Budgets

Motion by Heid, Seconded by Earnshaw

RESOLVED, That the East Penn Board of School Directors approve the 2013-14 General Fund and Academic Center School Budgets as presented.

Ms. Heid reported that the budget has decreased .9% based on enrollment. Our total \$2,218,912 represents a \$19,000 decrease from last year's budget. In response to a question from Dr. Bacher, Ms. Heid indicated that Allentown and Parkland have the highest enrollments. Mr. Earnshaw clarified that there are two budgets – Operating and Capital Budgets. East Penn has a smaller part of the operating budget based on enrollment; however, we have a larger part in the Capital Budget because of the district's property base.

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

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

8. Legislative

Mr. Ballard said the legislation on the privatization of the liquor stores may be changed and the revenue will not be put into a separate fund for education but will be earmarked for "some" fund. Mr. Ballard reported on the following legislative items passed and approved by the House of Representatives and the Senate:

The House of Representatives passed:

HB 658 which gives school districts the authority to implement local tax credit programs for seniors that perform services in a school district. Mr. Ballard pointed out that East Penn has a successful program that does not require seniors to work. East Penn was also one of the first districts to implement this program. Mr. Earnshaw noted that Dr. Seidenberger had a similar program in a previous district (Avon Grove).

SB 66 which moves the State Tax Equalization Board (STEB) from an independent board to a division within the Department of Community and Economic Development (DCED).

The House Education Committee approved:

HB 930, which makes extensive changes to the Professional Educator Discipline Act. Among the changes, HB 930 requires an educator arrested or indicted for or convicted of certain enumerated crimes to report the indictment, arrest or conviction to the employing school entity within 72 hours.

House Resolution 139, which directs the Legislative Budget and Finance Committee to conduct a study of the status of special education for gifted students in this Commonwealth.

The Senate approved:

SB 193, which requires all school nurses to be certified in cardiopulmonary resuscitation (CPR).

The Senate Education Committee approved:

SB 10, which expands the current Safe Schools Grant program offered by the Office for Safe Schools within PDE and creates a dedicated grant to public and private school entities for the purpose of training and hiring armed guards for schools that want them on premises.

SB 60, which allows school districts to apply to PDE for a waiver of pupil transportation requirements. The amendment requires a school board seeking a waiver to survey the parents of resident pupils prior to the incoming school year to determine transportation routes and schedules. The district will not be required to transport any child during regular school hours, if the parents waive, in writing, the transportation services provided by the school entity. The parent or guardian may revoke the waiver, in writing, at any time, requiring the school entity to provide transportation.

HB 2 implements a new special education funding formula, establishing how any increases in the current special education appropriation are distributed using weighting factors based on category of disability. The bill also creates a Special Education Funding Commission to develop the components of the special education funding formula, including the weighting factors and the parameters of each category of disability.

There is also a bill that would require districts to provide space and allow the Fish & Game Commission to conduct hunter safety courses.

Representative Roebuck, Chairperson of the House Education Committee, issued a report on charter and cyber schools and provided a report on the investigation of the schools that indicates there are problems with 44 of the schools and that 37 of those schools are still operating. He introduced HB 394 to reform the schools and it parallels the report of the Auditor General from last year. Mr. Ballard asked that board members talk to the legislators.

Mr. Stolz commented on the fact that legislators have no problem using the sale of liquor and gambling for revenue and do not see the immorality of taxing property owners.

9. TIF Committee

Dr. K. Bacher; Dr. Thomas L. Seidenberger

Dr. Bacher reported that the Committee had met last Thursday and discussed more details. There was discussion about how the TIF Plan will become public. It will be voted on by LCIDA and at that point it will be made public. It will be on the web site as well as some Frequently Asked Questions. He indicated that another meeting will be held on Thursday. Mr. Rhodes asked if there was a time frame between when the plan is made public and when the district would have to act on it. Dr. Bacher indicated that the County would vote first and then the school district would vote second. By law, the Township would vote last. It does not make sense to put it on an agenda until the County has taken action. Mr. Rhodes asked if there was a date and he was told that they had not seen any specific date. In answer to a question from Ms. Donches regarding prevailing wage, Dr. Bacher indicated that this project is required to use prevailing wage. There is information in the TIF Plan but it has not been made public and it is just an estimate. There is an estimate for final bids and there is a line item in the document. Ms. Donches asked if the figure has been released yet. Dr. Bacher responded that it had not. Dr. Seidenberger said all three government agencies will be putting the final approved plan on their web sites. Ms. Donches asked if it would be done a regular meeting. It will be done at a public meeting by Public Financial Management.

10. Business Operations

1. Approval of Bill List

Motion by Fuller, Seconded by Stolz

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.

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

Aye: Bacher, Ballard, Earnshaw, Fuller, Heid, Policano, Rhodes-----7

Abstain: Donches, Stolz-----2

2. Treasurer's Report

Motion by Stolz, Seconded by Earnshaw

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

Disbursement of Funds – Exhibit 10

RESOLVED, That the East Penn Board of School Directors authorize the disbursement of funds from the 33-2010, Series A, as listed on Exhibit 10.

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

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

11. Other

Ms. Donches thanked Athletic Director Dennis Ramella for his conference report. In response to a question about whether there would be any budget implications, Dr. Seidenberger said budget implications would revolve around Title IX changes.

1. Proposed Motion by L. Donches for April 8, 2013 Agenda

Motion by Donches, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors bid out all the professional services.

In response to early comments, Mr. Stolz said that East Penn is an excellent school system; however, there are areas where lower income parents are forced to have their children attend failing schools. He suggested people read a piece that he wrote for Pennsylvaniaconservative.com.

11. Announcements

Monday, March 25	7:00 p.m.-Executive Session (Negotiations, Confidential Matters)
	7:30 p.m.-Board Meeting, Board Room
Thursday, March 28	All Schools & Offices are open. (Makeup Day)
March 29 & April 1	All Schools & Offices are closed.

12. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 9:15 p.m.

Cecilia R. Birdsell, Board Secretary _____

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: Peter McConnell, East Penn Press Reporter
Precious Petty, Express Times Reporter
Mariella Savidge, Emmaus.Patch.com Reporter
Katrina Wehr, Morning Call Reporter

2. Award Presentations

-LEED for Schools Silver Award – Willow Lane Elementary School

Mr. Glancy announced that the U. S. Green Building Council notified the district that it had achieved Leadership in Energy and Environmental Design (LEED) certification of Willow Lane Elementary School. The letter is attached to the minutes of this meeting.

-Recognition of Achieving Model Independent Status for the 2011-12 School Year – Autism Initiative – Erin Haddigan & Staff, Emmaus High School; Jen Glendenmeyer & Staff, Wescosville School; Mike Behr & Staff, Wescosville School

Dr. Seidenberger, Dr. Pekarik, and Mr. Ballard presented certificates to the staff members named. Dr. Pekarik thanked the Principals, Dave Piperato and Tara Desiderio, and Supervisors of Special Education Meredith Frantz and Jen Curtis, for their support. They received a round of applause from the audience.

3. Requests to Address the Board

Nicole Bassett, 1221 Acorn Circle, Macungie announced that EPIC in conjunction with the Chamber of Commerce is having a Candidates' Night on April 30 from 7-9 p.m. at the Macungie Institute.

Susan Coenen, 6220 Wheatland Drive, Macungie thanked the Board for voting in favor of the .75 mile distance for elementary students. She felt there were still loose ends such as the appointment of the parent committee at Willow Lane; how the distance from home to school will be calculated; will some families within a development be bused while others will not; and is there a plan B. She questioned why the plans are not on the web site stating that the plans are on the Lower Macungie Township site. She also expressed concerns about safety and suggested a Traffic Manager from PennDOT could assist. She said her 17-page report was submitted to open a dialog about the changes.

Jonathan Berger, 6912 Sunflower Lane, Macungie claimed the parents are angry because they feel left out of an open dialog about the recent Willow Lane busing issue. He asked Dr. Moyer about having a Town Hall Meeting and he has not responded to him. He criticized Dr. Seidenberger's explanation about the calendar data. He said that the data was created several times. Mr. Berger declared that he was an Information Technology Manager for a Fortune 75 company. He said the district would not win an argument with him but he was willing to have a dialog. In addition, he said he would like a formal investigation into the security of the district's computer system.

Claire Kowalchik, 2980 Keystone Avenue, Emmaus expressed her condemnation of Board Member Julian Stolz and his Stolz Report. She reviewed the following PSBA Core Values: Commitment: We demonstrate our belief in public education and the importance of local school governance. Integrity: We are honest, responsible and ethical in all we do. Respect: We recognize the dignity and worth of everyone by treating them with courtesy and fairness.

She said Mr. Stolz has disdain for public education and uses his elected position as a platform for making sexist and racist remarks and has clear contempt for the children in the community. She concluded that the Board should vote to censure him.

Hillary Smith, 7644 Sweetwood Drive, Macungie said, as an involved parent, she was deeply offended by Mr. Stolz' remarks. She said his remarks border on obscenity and violate the moral standards of this community. She felt the Board should take the necessary disciplinary action.

Byron Crudup, 4806 Pine Grove Circle, Wescosville explained that he has two daughters who graduated from Emmaus High School who are doing very well. He talked about his experience with the teachers and how he intervened to be sure they included minority scientists and women in the curriculum. As a result, he had a very good relationship with the teachers. He said it is very hard to understand when comments are made that have to do with their integrity and try to sort it out. He said when students are called "crotch fruit" it is offensive and a mere apology "just does not cut it." He said it shows ignorance on Mr. Stolz' part and he needs to re-educate himself. Mr. Crudup said he would be more than happy to assist him in that until his re-election. He said we need people who will believe in our public school system so that our students get their fair share of education. It is one thing to have actually stated something like that but Mr. Stolz reflected on it and agreed to it. Mr. Crudup concluded that Mr. Stolz must go.

Corinne Fecho, 6690 Hauser Road, Macungie spoke about the outstanding experience that she and her daughter have had in the district. She said she would have to applaud the previous speakers who stayed so calm when addressing Mr. Stolz' statements. She said it is not acceptable for anyone representing children. She called for Mr. Stolz' resignation or stepping down from his position. She spoke in support of keeping the cafeteria workers and not contracting them out. She noted that they live and work in the community and have a commitment to the district.

Risa Donegan, 9 Coach Street, Macungie spoke against outsourcing the cafeteria workers. She said that many times they are the first people to notice a change in the pattern of a student. She talked about paying for conferences and cited examples on the Educational Conference page. She felt teachers should use the webinator more. She asked that the Board reconsider outsourcing since this is not just a money issue because these workers have a stake in the community.

4. Approval of Minutes

Motion by Donches, Seconded by Bacher

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

This resolution was unanimously adopted by voice vote.

5. 2013-14 Adoption of the Lehigh Carbon Community College Capital & Operating Budget

Motion by Earnshaw, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors approve the 2013-14 Adoption of the Lehigh Carbon Community College Capital & Operating Budget.

Mrs. Ann Thompson, East Penn's representative on the LCCC Board of Trustees, pointed out that the full-time tuition for a student at LCCC is \$2,880 while in a state university the tuition is \$6,428 and at Penn State it is \$15,562. Overall the budget has increased 1.7% and East Penn's share has increased 1.4%. This year East Penn has 89 students in the dual enrollment program compared to 56 students last year. Due to the many articulation agreements and the caliber of the community college, students may transfer to some of the most prestigious colleges and universities to complete their education. Mr. Earnshaw expressed his thanks to the staff and the administration at LCCC. He felt the school offered fantastic educational opportunities for students and is an asset to the community. Mr. Stolz felt that the classes he took at LCCC were every bit as good as what he had at DeSales University. Mr. Ballard thanked Mrs. Thompson for representing East Penn.

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

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

1. District Update

Dr. Seidenberger reported on the following items:

- Wednesday-Saturday the Emmaus HS Drama Department will be presenting "Legally Blonde." He was sure it would be an outstanding performance and wished Mrs. Kuebler and the students lots of luck.
- Lincoln Principal Dr. Jackie Attinello and the teachers were congratulated. Last week there were visitors from PATTAN and CLIU to observe Lincoln's School Wide Positive Behavior Program and they passed with flying colors and will receive an award in Hershey on May 29.
- Mike Mauro, Grade 3 teacher at Wescosville School, has been selected as B104's March Teacher of the Year.
- The NSBA Technology Site Visit planning is underway. There will be administrators attending from Alabama, Louisiana, Texas, and California. There will be a reception at the DaVinci Center on April 29. He thanked the vendors that are sponsoring the reception. We are also getting a lot of interest from local school districts that may attend for one day. He thanked Mrs. Bloise and Mr. Mohn and all the staff members for their help with this visit.
- At the April 22 Board Meeting, Director of Technology Michael Mohn, will be updating the Board on Moodle sites. He will be going over what is happening with the NSBA participants.

Referring to the district's 2013-14 budget, Dr. Seidenberger said he was optimistic. Currently, the budget shows an increase of 1.69%. We are confident that we will be able to increase revenue streams. There is still Basic Education Funding for \$300,000 and the pension reform collar would mean a decrease of \$582,000. He was not able to attend the Legislative Breakfast last Friday because of his commitment to Middle States. Dr. Torma is currently evaluating a public high school in Bermuda.

Director of Operations Lynn Glancy reviewed the Capital Reserve Fund History. Capital Reserve Balance is currently \$1,961,484. He indicated that transfers from the General Fund for refinance savings have taken place and capital projects have been paid from this fund. Two projects being proposed for this summer are the Lincoln roof replacement and the resurfacing of the Lincoln playground. This will amount to approximately \$675,000 to complete both of those projects. We may be looking at taking some of the savings from refinancing and putting it in Capital Reserve. There are additional projects that need to be done such as boiler work in the high school since it is not an efficient system and we could have more energy savings. It would be a two to three year payback period. Because of the mild winter, there are some funds left in the utility account. There is no recommendation this evening because they continue to have a dialog but they are hopeful to have a recommendation at the next Board Meeting so they can move forward and complete these programs during the summer. In response to a question from Ms. Heid, Mr. Glancy explained that some of the domestic hot water boilers were replaced by smaller and more efficient designs and we are saving energy. This replacement would enable the district to use a smaller boiler for operation during the summer rather than the larger boilers. Part of the larger boiler was rebuilt but the way the system is set up in order to have hot water during the summer the larger boiler needs to operate. Dr. Seidenberger further explained that when we completed the borrowing for Willow Lane the Board was asked to approve some additional capital projects. The bids came in low and put the district in an advantageous position.

Ms. Donches asked about ACCESS funds and what the more aggressive use means. Dr. Seidenberger said it relates to personnel and the reimbursement for certain services for students who qualify. It is basically for health and special services. We have been using those funds for positions in special education. An aggressive use means that we can staff more positions from the ACCESS funds. Referring to federal funds, Ms. Donches asked if we do not accept funds from the federal government do we have to do all the No Child Left Behind provisions. Dr. Seidenberger was not sure. Mr. Ballard pointed out that some of the regulations from the federal government have been adopted by the PA Department of Education so not taking the federal funds means that we cannot be fined the federal penalties; however, failure to meet the state NCLB regulations may supplant some of the federal ones. Dr. Seidenberger said he was not sure the Bob Jones scenario would apply here. Dr. Seidenberger will provide further information. Ms. Donches then asked about the \$158,000 for the Common Core Curriculum the status. Dr. Seidenberger said the district is in a good place and has been working on the Common Core changes over the last two years. Currently, our curriculum is in alignment but there is more work to be done with teachers. Ms. Donches said she has heard that there are legislators who are not excited about having the Common Core and she wondered

if Pennsylvania would opt out how much we are investing in the implementation. Dr. Seidenberger explained that we do need to do things differently and challenge teachers and students with more rigor and this fits in with what the district is doing in Instructional Rounds. Teacher will become more sophisticated and engage students in higher level thinking skills. He said he would hate to see the district abandon what the Common Core is all about. There is some debate in educational circles but the district is required to make that shift. Ms. Donches requested that the social security, retirement contributions, and workers' compensation be broken out. Dr. Seidenberger asked her to email him tomorrow with the request. She asked if web capturing fits into the budget. Dr. Seidenberger did not see it as making or breaking the budget.

2. Personnel

Motion by Fuller, Seconded by Rhodes

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

Retirements/Resignations

-Michael Seip, Health/Physical Education Teacher, effective June 16, 2013 (Exhibit 1)

Dr. Seidenberger recalled that when he came to the district six years ago, Mike Seip was an outstanding person. He embraced change and has taken the Phys. Ed Department, Aquatics, and Driver Education and modernized them. Last year he had conversations with Mike about making the pool a great place for students. Dr. Seidenberger thanked him for his years of service and said he will miss Mike.

-Patrice Helfrich, ESL Teacher, effective June 12, 2013 (Exhibit 2)

-John Stabinger, Web/Application Specialist, effective May 3, 2012 (Exhibit 3)

Dr. Seidenberger said one of the invisible people in the district is John. When Dr. Seidenberger came to the district six years ago, he was considering outsourcing the web page. People convinced him to give the staff a chance. John has played an outstanding part with the portfolios, the Dashboard, Moodle and Moodle, docs, etc. He works with the highest integrity and he wished him well.

-Melissa Klingenberg, Instructional Assistant at Jefferson School, effective April 5, 2013 (Exhibit 4)

-Amanda Kender, Instructional Assistant at Macungie School, effective April 10, 2013 (Exhibit 5)

General Leave of Absence – Board Policy 539

Employee: Maria Matsuba
Instructional Assistant, Wescosville School
Effective: June 5, 2013-June 4, 2014

Income Protection Leave

Employee: Jeanette George
Custodian
Effective: April 18, 2013

Leave as Per Collective Bargaining Agreement

Employee: Emily Vernon
Grade 2 Teacher, Willow Lane
Effective: May 1, 2013-June 30, 2013

Remedial Assistant and Staff Assistant Appointments

Name/Address	Assignment	Salary
Jennifer Rosa 78 Willow Street Macungie 18062	Remedial Assistant, Macungie School Vacancy created by R. Ross resignation	\$13.75/hr., 29 hrs./wk. Effective 4/9/13
Sandra Kreiner 3950 Main Road, West Emmaus 18049	Staff Assistant, Macungie School Vacancy created by K. Cole resignation	\$13.38/hr., 16.5 hrs./wk. Effective 4/9/13

Additions to the 2012-13 List of Per Diem Substitutes

Robert Bogwist, Social Studies
Jennifer Halucka, Special Education/Elementary
Kristen Breitfield, Family & Consumer Science
Kathryne Fones, Remedial Assistant
Kim Wanninger, Remedial Assistant
Kristen Marks, Remedial Assistant
Dee Barebo, Remedial Assistant
Diana Wallbillich, Remedial Assistant
Jeanette Nichol, Food Service
Jessica Celone, Food Service

Co-Curricular Appointments

See Exhibit 6

Educational Conferences – Exhibit 7

That the East Penn Board of School Directors approve the estimated expenses for the individuals attending the educational conferences listed on Exhibit 7.

Ms. Donches requested that Mrs. Andrea Edmonds present information on the Restorative Practices Training. Dr. Seidenberger indicated that the high school has been involved in this training for approximately four years and he would contact EHS Principal Dave Piperato to provide a ten minute presentation at a future board meeting.

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

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

7. Legislative C. Ballard

Mr. Ballard talked about the Lehigh County Legislative Breakfast held at East Penn on Friday, April 5. There were over 25 superintendents, business managers, and board members and 5 legislators. East Penn was represented by Ms. Fuller, Ms. Donches, Ms. Heid, Mr. Policano, Dr. Bacher, and Mr. Ballard. There does not appear to be a lot of movement on the state budget. He said it was a very good discussion and received some good feedback.

8. TIF Committee Dr. K. Bacher; Dr. Thomas L. Seidenberger

Dr. Bacher reported that there was a meeting on March 27 and it was probably the last committee meeting. It is expected that LCIDA should be voting at a public meeting next week. Lehigh County will then take up the TIF at a committee meeting (April 24) and then a regular meeting (May 18?). Dr. Bacher felt that the TIF would be on East Penn's May 13 Board agenda. Lower Macungie Township is looking at taking action at their June 6 meeting. As soon as the LCIDA approves the plan, it will be released and put on the web sites of all three municipal groups (Lehigh County, East Penn SD and Lower Macungie Township). Dr. Seidenberger indicated it will also include a Commonly Asked Questions page as well. The presentation at the East Penn Board Meeting will be conducted by PFM. Ms. Donches asked if it would be helpful to deal with it at two meetings. Dr. Bacher said there is only one meeting in May and pushing it to June would delay everything. Mr. Ballard said if the board members do not feel

they have enough information it could be tabled. Mr. Earnshaw pointed out that if the time line outlined is followed the plan will be on the web site for at least three weeks to review and he felt it was incumbent on board members to seek any feedback before the May meeting. Dr. Bacher pointed out that the County meeting on April 24 will be a public forum. Dr. Bacher said he has already received feedback from the public and he felt there would be plenty of time. Ms. Donches said there is more dialog at the County Meeting and suggested changing the East Penn meeting to allow for dialog. Dr. Bacher said the public and the Board will see the presentation and then make a decision. He concluded it was premature to decide what the reaction is until the plan is presented.

9. Business Operations

1. Bill List

Motion by Fuller, Seconded by Rhodes

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

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

Aye: Bacher, Ballard, Earnshaw, Fuller, Heid, Policano, Rhodes-----7

Abstain: Donches, Stolz-----2

2. Budget Transfers (Exhibit 8)

Motion by Earnshaw, Seconded by Rhodes

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

Record of Investments (Exhibit 9)

RESOLVED, That the East Penn Board of School Directors approve the investments listed on Exhibit 9.

Disbursement of Funds (Exhibit 10)

RESOLVED, That the East Penn Board of School Directors authorize the disbursement of funds from the Capital Reserve Fund and 33-2010 Series A as described on Exhibit 10.

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

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

5. PLANCON PART K: Project Refinancing (Informational Only) (Exhibit 11)

PLANCON PART K: Project Refinancing and appended materials are being entered into the minutes of this Board Meeting.

Mr. Ballard mentioned that PDE is not accepting any PLANCON applications. There is a two to three year waiting list for reimbursement. The funds have been limited and the only reason to do PLANCON is get reimbursement. East Penn is reimbursed at about 8%.

6. Proposed Motion by L. Donches for April 8, 2013 Agenda

Motion by Donches, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors direct the administration to bid out all the professional services.

She explained that she has asked if the auditor or bond services have been bid out and has been told that these are professional services and they are not bid out. Her concern is that she does not know if the district is receiving the best service for the taxpayers' dollars if these services are not bid out. She claimed it was common

business practice to bid out services every three years. Ms. Donches mentioned that she was not suggesting that the current providers of services were not giving good service. She suggested that she does not know if the district could be saving money by taking advantage of the economic times and is it getting the best service that it can. Dr. Bacher asked if she was talking about all professional services or asking for RFPs or bid packets. Ms. Donches said that once RFPs are submitted they could be used in the future. She cited legal services, engineering services, bond counsel and financial services, auditor, Insurance Advisory, etc., summarizing it would be beneficial to have the RFPs. Mr. Earnshaw expressed concern about this idea. There is no indication of how often services would be bid out and does it mean the district would be changing its solicitor every year or every time there is a bond refinancing we would have to go out and get bond counsel and financial services. He pointed out that the bond professionals would not be there as well as engineering services, auditing. He concluded that this motion was ill thought out. Mr. Earnshaw's other concern was that the district has been getting excellent service with the professionals (bond counsel, solicitor, engineers) and it would seem that the institutional memory saves a lot of billable time. He talked about the learning curve to bring people up to speed and how the time is billed to the client. A new solicitor would have to review all the ongoing cases in which the district is involved. You may save a per hour rate but you will put out more money in billable hours and cost over runs. He talked about the district's experience (Willow Lane) in selecting architects and going with a less expensive firm. He concluded he would not be in favor of doing this unless there is a professional service not giving us the service then we might look at that. Dr. Bacher said the motion is not accurate. He thought that the administration does seek other services when it is appropriate (i.e. pool item). He concluded he was not in favor of this action. Mr. Ballard read the attached statement describing the process for writing bids, the use of time for district staff, the extent of the services beyond what is mentioned. He concluded that this is not being businesslike and showing a positive need. He described the problems that have been created by going with a low bidder and the subsequent legal costs. Someone asking to have bids for all these services is just asking to multiply these problems a hundred fold. The School Code allows for maintenance services not to be bid for services below \$18,500. Mr. Ballard said when he sees one of these thoughtless, forcing everything into one ideology motions, he has to think what the rationale is. He said so far he has not heard anything but sound bite responses. He said most professional services are obtained under a RFP process. Mr. Ballard concluded that professional services contracts are not subject to the bid rule and there is an element of trust in these contracts. The district has to go to someone that is trusted not the cheapest provider that can be found he could not support the motion. Ms. Donches responded said she did not put in a time frame because she did not know how often the services would be put out to bid. She understands that with the RFP you get to evaluate the proposal and not only choose it as low bid. She felt that would be worth doing for the services mentioned but she did not know how to word it. She continued to debate about how the Board knows it is getting the best service, adding that she felt it was the Board's fiduciary responsibility. Ms. Fuller responded that the way the motion was phrased to bid out all professional services and what Ms. Donches has presented are diametrically opposed. She said she would vote against it and she felt the administration needs to have flexibility to react when the district needs services. Ms. Fuller concluded that it was not an effective motion. Mr. Stolz suggested that the motion be either tabled or withdrawn to give it more thought. Ms. Donches agreed to withdraw the motion.

Ms. Donches asked about a previous check issued for \$83,804.72 to USI Insurance Services for worker's compensation. She asked to confirm the commission and was told that the district does not pay commission but she was told previously that commissions were around 3% to 4%. She again questioned the role of the insurance agents on the Insurance Advisory Council who may represent a particular company that is awarded the insurance and then subsequently they are paid a commission. Mr. Glancy reiterated that this had been explained to her in a previous Board Meeting. Mr. Ballard said the insurance agents share the commission. Dr. Bacher, Mr. Earnshaw and Ms. Heid again explained how the best insurance for a customer is provided and subsequently the agent receives the commission. If there was a single agent, then one agent would get all the commissions for all the policies involved. Mr. Earnshaw said he could not see how this was so hard to understand. Ms. Donches said that it just seemed like "racketeering" by the agents who get a benefit from the insurance award. Ms. Fuller responded that the insurance industry would have to change how an agent is paid and that is not what the Board can do. Ms. Donches then questioned if there is any incentive by the agents to get the best prices. Mr. Ballard said that these agents would not be on the Insurance Advisory Council if the district finds out that they have been "stiffing us." Ms. Donches asked what the evaluation process is. Mr. Glancy responded that he sits down with the agents and reviews the multiple quotes that are received and then a recommendation is made to the Board. They compare the last two or three years using a variety of instruments that tell whether it is going up or going down based on the claims. If the cost do not track, then they will look at another company.

10. Announcements

Monday, April 8	7:00 p.m.-Executive Session (Negotiations; Real Estate; Confidential Matters, Personnel)
	7:30 p.m.-Board Meeting
April 10, 11, 12, & 13	7:00 p.m.-Emmaus HS Spring Musical, Legally Blonde
April 13	2:00 p.m.-Matinee
April 15-19	1:30 p.m.-Elementary Early Dismissal
April 22	7:30 p.m.-Board Meeting

11. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 9:05 p.m.

Cecilia R. Birdsell, Board Secretary

ORDER OF BUSINESS

1. Order of Business; Pledge of Allegiance

President Charles 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, followed by the Pledge of Allegiance. President Ballard called for a moment of silence in remembrance of the victims from the Boston Marathon bombings.

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: Peter McConnell, East Penn Press Reporter
Mariella Savidge, Emmaus.Patch.com Reporter
Margie Peterson, Morning Call Reporter

2. Requests to Address the Board

John Donches, 559 Minor Street, Emmaus announced that CEPTA was sponsoring a Candidates Night on Tuesday, May 14, at Fire Company #1, corner of Sixth and Broad Streets beginning at 7:30 p.m. He submitted a flier that is attached to the minutes of this meeting.

Barbara Levinson, 23 Maple Street, Macungie expressed concern about class sizes in Grades 3, 4, and 5 at Macungie School. She suggested that during the budget process Dr. Seidenberger consider adding 2 teaching positions to alleviate the class sizes.

Dr. Lee LaRusso, 1982 Winthrop Way, Macungie wanted clarification on how the site distance will be calculated for Willow Lane and when the parents' committee will be determined.

Jonathan Berger, 6912 Sunflower Lane, Macungie complained about the fact that parents cannot have a dialog with the Board. He felt that sometimes parents have pointed questions that they want to ask and receive answers. He wanted the Board to support the motion on the agenda that would direct that the committee be setup.

3. Approval of Minutes

Motion by Fuller, Seconded by Bacher

RESOLVED, That the East Penn Board of School Directors approve the minutes for the
April 8, 2013 meeting.

Dr. Bacher questioned the date with a question mark on Page 5 under the TIF Committee discussion. The date should be May 8 and not May 18.

This resolution was unanimously adopted by voice vote.

4. SGA Report

SGA Representatives Adam Kita and Will Geroni reported on the following items:

- In May, the SGA will be working on Final Rivals and the Final Fling.
- Spring sports are in full swing and Emmaus High School teams are dominating the Lehigh Valley Conference.
- The AP Government class is going to Washington, D. C.
- The Junior Prom is May 4; the Senior Ball is May 10. The After Ball is looking for parent volunteers.
- EHS Spring Musical, "Legally Blonde" played to sold out performances.
- The Dance Team held its last recital.

-SGA is sponsoring a tee shirt fund raiser for an organization helping victims and survivors from the Boston bombings. The tee shirts will be sold for \$6.00 and have "Boston Strong" on them.

Mr. Stolz commented that the district was in the budget cycle and asked if they had suggestions for the budget.

5. NSBA Technology Visit Overview

Dr. Seidenberger indicated that the district is preparing for the NSBA site visit and thanked the teachers who have been involved in preparing and planning for the visit as well as Mrs. Bloise for soliciting donations from local vendors and putting together some very nice gift baskets. The district has had many things donated by local companies and will not be spending very much, if anything, from district funds. Director of Technology Michael Mohn noted that East Penn is the first Pennsylvania district that has been selected by NSBA for a site visit. The teams will be visiting 60 classrooms and there will be 12 break-out sessions. Student ambassadors will be bringing the visitors through classrooms so they can see how actual lessons are conducted. They will also be visiting LCTI. Mr. Mohn demonstrated how, through Moodle, participants will also be able to take a virtual classroom tour. Ms. Fuller asked how classrooms were selected. Mr. Mohn said they went out and talked to teachers and got everyone excited about the visit. The virtual tour Moodle Room is not open for the general public. Mr. Earnshaw asked if any thought was given to videotaping. Mr. Mohn said the participants will be visiting the EHS TV studio and the high school reporters will be doing a story on the visitors.

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

1. District Update

Dr. Seidenberger reported that the PA School Public Relations Association has recognized East Penn's web site. This is the second state-wide award. He thanked the staff for their work with the web site.

Dr. Seidenberger reported that the TIF Plan has been posted to the district's web site. He encouraged board members and the community to read the document. There will be additional pages put on line tomorrow. The TIF Plan is also posted on Lehigh County's web site as well as the Lower Macungie Township web site. Each area will have an opportunity to vote on the plan. East Penn will have a presentation at the May 13 Board Meeting. If board members have questions, they should forward them to either Dr. Seidenberger or Dr. Bacher prior to the May 13 meeting so they can forward them to PFM. There is an impact on our budget for next year.

Item 10.4, GASB 45 Valuation and Related Services Agreement (Exhibit 11) has been withdrawn and will be presented at a June meeting.

Referring to the 2013-14 budget, Dr. Seidenberger cited budget goals (located on the district's web site) and said the goal is to submit a budget that has a no tax increase for next year; however, the district is entering this year with a degree of uncertainty. He thanked the Board and community for sticking by the district during the last three years. He will be looking at situations where we warrant new staff members. Dr. Seidenberger pointed out that there are some situations that cannot be controlled. The TIF Plan will give the district an automatic revenue increase if the plan is approved by all three governmental agencies. There is also a warehouse going up on Quarry Lane that will generate approximately \$385,000 in new revenue. The administration will be continuing to look at department budgets. The preliminary budget adoption is scheduled for May 13.

Dr. Seidenberger pointed out the resolution to transfer funds from the General Fund into the Capital Reserve to cover the capital projects described at the April 8 Board Meeting. The funds were primarily generated from the bond re-financing during the last year. This year the energy savings amount to approximately \$166,000.

A question came up at the last meeting that if we do not take Federal funds do we have to do all the Common Core mandates. Dr. Seidenberger indicated that if the state takes any federal funding then the districts are required to follow the federal regulations. He contacted Dr. Eib, Executive Director at IU 21, who called PDE and she has not received an answer. The state has put in waivers for NCLB and we have not heard any more. Title II monies are earmarked for professional development; Title III funds are used for the ELL program. The ACCESS funds are used for special education. Drs. Pekarik and Gutman have prepared reports that they will share at a later time. He talked about the National Board Teacher Certification Program and indicated there would be an informational meeting for staff members on May 2. East Stroudsburg University is one of four sites in Pennsylvania

that offers the program. Dr. Seidenberger indicated that Board Member Sandy Rhodes has already completed this program through East Stroudsburg.

Referring to the questions raised about how the distance will be measured for the Willow Lane students, Dr. Seidenberger said the distance will be measured from the residence to the driveway that is located on Sauerkraut Lane to see if students are within that range. This information will be communicated to parents. Lower Macungie Township's off site plans have been approved and are out to bid. Their parts – flashing lights, cross walks, and crossing guards – will be established by August when school starts. He thanked the Township for their cooperation in working with the district. Dr. Seidenberger emphasized that the time line does not always coincide with what parents want but the district and the Township have been working on this process. Mr. Szewczak has completed the drawings and they were reviewed by the administration. The drawings have been enhanced and the district will be adding flashing stop signs on the property. The district will be putting up the gates. Dr. Moyer has not met with parents because he is working with his own staff on internal dismissal procedures and the parents will be working with Dr. Moyer about procedures to follow for the morning and afternoon dismissals. There were 23 parents who indicated an interest and he will be selecting representatives from that list. Those parents have been notified of the process. Mr. Szewczak has a few minor changes and will be submitting the final drawings to the Township. Mr. Ballard announced that Mr. Moyer's letter indicated that he will be selecting two parent representatives from the following developments: Beaumont at Brookside; Brandywine Village I & II; Brookside Farms; and Graymoor. The committee will be selected by a public drawing on April 26.

Mr. Stolz indicated that he was withdrawing his motion, Willow Lane Transportation Committee.

2. Personnel

Motion by Donches, Seconded by Bacher

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

Retirements/Resignations

- Ellen Held, Special Education Teacher at LMMS, effective June 12, 2013 (Exhibit 1)
- Mena Venesky, Elementary Guidance Counselor, effective June 12, 2013 (Exhibit 2)
- Tracy Antonioli, English Teacher at Eyer MS, effective June 12, 2013 (Exhibit 3)
- Payal Bhowmick, English Teacher at LMMS, effective June 12, 2013 (Exhibit 4)
- Nicole Polanski, Instructional Assistant at Shoemaker School, effective April 8, 2013 (Exhibit 5)
- Joseph Schmoyer, Custodian, EHS Second Shift, effective May 7, 2013 (Exhibit 6)

Leaves as Per Collective Bargaining Agreement

Employee	Assignment	Effective
Jennifer M. Thomas	Grade 2 Teacher, Macungie School	11/1/13 Extension
Erin Geiger	Family & Consumer Science Teacher Eyer MS	5/1/13-11/1/13

Income Protection

Lisa Walker	Grade 6 Teacher, Eyer MS	4/24/13
-------------	--------------------------	---------

General Leave – Board Policy 539

Brenda Koch	Staff Assistant	4/15/13-4/14/14
-------------	-----------------	-----------------

Appointment of Instructional and Staff Assistants

Name/Address	Assignment	Salary
Wendy Frisch	Instruc. Assistant*	29 hrs./week, \$13.38/hr.

228 Ridgeview Drive, Alburtis

Eyer MS
Vac. created by N. Polanka resignation

Ellen Lynn
4708 Yorkshire Drive
Macungie

Staff Assistant* 12.5 hrs./wk., \$13.38/hr.
Wescosville School
Vac. created by D. Kohler resignation

*Effective: April 23, 2013

Melissa Stewart
1983 Autumn Ridge Road
Macungie

Instruct. Assistant 29 Hrs./wk., \$13.38/hr.
Shoemaker School
Vac. created by B. Kirka resignation

Effective Date to be Determined

Co-Curricular Appointments

Desiderio Gonzalez
Lisa Schael
Dennis Ramella

Boys LAX Volunteer
Chemistry Club Volunteer
Pediatric Cancer Club Volunteer

Additions to the 2012-13 List of Per Diem Substitutes

Kulsum Juma, Elementary
Benjamin Rentler, English, Social Studies
Kristin Manguso, Mathematics
Stacy Puliatte, Elementary
Jill Buck, Elementary
Jean Machamer, Elementary

2013 Summer Maintenance Employees-Exhibit 7

Please see Exhibit 7

Change in Employment Status

Employee	From	To
Catherine Courier	LMMS Instruct. Assistant 29 hrs./wk.	Shoemaker Instruct. Assistant 25 hrs./wk.

Educational Conferences-Exhibit 8

That the East Penn Board of School Directors approve the estimated expenses for the individuals attending the educational conferences listed on Exhibit 8.

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. 2013-14 Facilities Plan Committee Report – Exhibit 9

Ms. Fuller indicated that every year the IU evaluates the needs of the students it serves and makes adjustments for the facilities that are needed. Last year two classrooms were removed from East Penn and moved to Whitehall Coplay School District. She noted the changes on Exhibit 9.

Motion by Fuller, Seconded by Earnshaw

RESOLVED, That the East Penn Board of School Directors approve the 2013-2014 Facilities Plan Committee Report that was adopted by the CLIU Facilities Plan Committee on February 22, 2013. In addition, the Board reaffirms its commitment to the original construct of the Facilities Planning, approved November 1, 1989, which consists of a series of prioritized inquiries to be considered in determining future locations of the CLIU and school district special education classes.

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

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

Ms. Fuller announced that the IU had received a 100% score for their work with the 3-5 year old population and PDE looked at all aspects of the program entitled Project CONNECT.

8. Lehigh Career & Technical Institute – R. Heid, A. Earnshaw, F. Fuller, S. Rhodes, III

Ms. Heid indicated that the JOC Meeting had been held on March 27 and there was a reception and awards ceremony for the students who participated in Skills USA. Governor Corbett's visit to LCTI is on the LCTI web site. Ms. Heid reported on First Book which is an organization that distributes books to needy families. To date, they have moved 159,00 books. She noted new customized programs that are being offered for training staff from local companies. A Career Night is scheduled for 7:00 p.m. on April 25. They have also had a learning experience for over 40 counselors from high schools. They are building an Alumni Association. Mr. Earnshaw talked about the LCTI Adult Education Program and the agreements with local businesses to provide customized training for their employees. The employers are charged a fee for the curriculum. The school then uses the funds to purchase equipment that is used for the high school students. It has been a highly successful program and has brought in millions of dollars. He noted that B. Braun actually has the training at their facility and wanted a similar program at their California plant; however, there was no technical school in the area that could provide the service so they asked the LCTI staff if they could hire someone to provide the curriculum and set up the program. LCTI is the only technical school in the country that has set up a program outside the state. The students who are recognized for Skills USA have moved on to the state and national competitions. Ms. Heid pointed out that Emmaus HS had the most placements among the high schools.

9. Legislative – C. Ballard

Mr. Ballard reported that there is not much happening and there are no budget bills. In two weeks (May 13), the district must present the preliminary budget and adopt it by the end of June. The district will be guessing what can be expected from the state. There is nothing happening with the Prevailing Wage Bill despite legislators being contacted by school districts. PSBA has put an interesting spin on pension reform. Emily Leader, Acting Chief Counsel, provided the Legislature with a new legal analysis that supports some of what was in the Governor's list of changes. One of them was to note that it is possible to change the benefits of some employees. If someone accepts a promotion or pay raise, they are in essence accepting the terms of the pension. There is some legal analysis going on and PSBA is working with the Governor and the Legislature on pension reform. HB 66 which was passed by the Senate and the House is on the Governor's desk. The State Equalization Board has been moved to a division within the Department of Community and Economic Development. HB 2 was passed by the Senate this week and will now be sent to Governor Corbett for his signature. This bill implements a new special education funding formula and establishes how any increases are distributed using weighting factors based on the disability. The House Select Committee for Schools will conduct a hearing which establishes the committee and charges it to examine the issue of school safety in public and nonpublic schools. Mr. Ballard reported that SB 10 has passed the Senate. The bill expands the current Safe Schools Grant program offered by the Office for Safe Schools within PDE and creates a dedicated grant to public and private school entities and municipalities for the purpose of training and hiring school resource officers and school police officers for schools that want them on the premises. Other bills of interest are SB 46, which requires an employment history review for all prospective school employees as it related to any investigation concerning sexual misconduct; SR 71 calls upon the President and Congress to fully fund all special education mandates. HB 19 is another unfunded mandate that requires school districts to incorporate an age-appropriate child exploitation awareness education program into the existing curriculum. Mr. Ballard concluded that all of the budget information is under the table and legislatively the state is at a standstill. Mr. Stolz commented on the Prevailing Wage bill, drawing the conclusion that the legislators involved received funding from unions, adding it is the reason privatization of liquor stores is languishing. Dr. Seidenberger said there is a time line established for

the Special Education Committee and they will look at up-to-date special education data. It is a growing need, especially in the autism spectrum.

10. Business Operations

1. Bid Opening Report – General School Supplies; Computer Supplies (Exhibit 10)

Mr. Glancy indicated there is an additional company that was not included previously. A revised copy of the Bid Opening Report was submitted.

2. Approval of Bill List

Motion by Rhodes, Seconded by Donches

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.

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

Aye: Bacher, Ballard, Earnshaw, Fuller, Heid, Policano, Rhodes-----7

Abstention: Donches, Stolz-----2

3. Treasurer's Report

Motion by Earnshaw, Seconded by Donches

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

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

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

4. GASB 45 Valuation and Related Services Agreement – Exhibit 11 **(Withdrawn)**

Motion by _____, Seconded by _____

RESOLVED, That the East Penn Board of School Directors approve the attached GASB 45 Valuation and Related Services Agreement as presented in Exhibit 11.

This Agreement has been reviewed by the Solicitor.

5. Appointment of Auditor

Motion by Fuller, Seconded by Stolz

RESOLVED, That the East Board of School Directors appoint the Audit firm of Gorman & Associates, P.C. to audit the records of the East Penn School District for the year ending June 30, 2013 at a fee of \$34,300 and a single audit fee of \$3,155 per letter of engagement dated April 4, 2013.

Note: Rates have not increased over the previous year.

Ms. Donches asked if there was a contract or a letter of engagement each year. Mr. Glancy confirmed that there is a letter of engagement. She asked if there were any other firms given an opportunity to submit a bid. Mr. Glancy responded that no one else had been contacted. Before Gorman & Associates, several applied and Gorman was the most satisfactory. Mrs. Surdoval said that 2004-05 was the last year for the Hutchinson, Gorman & Freed firm. There was a split in the partnership and RFPs were submitted by other firms. Mr. Gorman's firm was selected and started in 2006. There have been no submissions since that time and they prepare the audit. Ms. Donches said she will submit her motion to bid out professional services in the future.

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

Aye: Bacher, Ballard, Earnshaw, Fuller, Heid, Rhodes, Stolz-----7

Nay: Donches-----1

Secretary's Note: Mr. Policano was present but was missed during the roll call vote so he does not appear in the listing of votes.

6. Appointment of Architects for Professional Services for the Roof Replacement at Lincoln School

Motion by Rhodes, Seconded by Earnshaw

RESOLVED, That the East Penn Board of School Directors approve the appointment of Spillman Farmer Architects, 1720 Spillman Drive, Suite 200, Bethlehem, PA for basic and specific architectural services during the contract documents phase for the replacement of the roof at Lincoln School for a cost not to exceed \$18,500.

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

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

7. A Resolution for Designation of Millage Rates Following County-wide Reassessment of Real Estate Values

Motion by Bacher, Seconded by Rhodes

WHEREAS, the Lehigh County Board of Assessors completed a county-wide revision of assessment of real property values in 2012; and

WHEREAS, the East Penn School District is required, pursuant to 53 P.S. § 6926.327, to reduce its tax rate in the year following such a county-wide reassessment for the purpose of having the percentage increase in taxes levied for the year following the reassessment to be less than or equal to the index for the preceding year notwithstanding the increased valuations of real property under the revised assessment.

NOW THEREFORE, it is hereby resolved that reducing the fixed rate from 46.75 mills to 16.1259 mills will accomplish the requirements of 53 P.S. § 6926.327, and the rate is hereby so reduced.

This resolution shall become effective July 1, 2013.

Dr. Seidenberger said the district must do this to set the millage rate as well as for the TIF Plan. After consulting with PFM, this is the rate that we feel comfortable with at this time. Mrs. Surdoval submitted information to the state after the Board voted not to exceed the index. She had to look at the tax levy for old mills on the same properties and new mills and the equivalent. It has been reviewed by the solicitor. Mr. Ballard said this is a requirement by the state law because of the Lehigh County reassessment. This is revenue neutral and will not change anyone's tax bill. The County reassessment will change the tax bill. Mr. Bacher also explained how the County takes all the assessed values of properties on last year's tax rolls and those properties still on the tax rolls and determines the assessed values with the new assessment. Mr. Earnshaw commented that previously taxes were based on half of the appraised value but after the County reassessment properties will now be taxed on the full appraised value.

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

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

8. Capital Reserve Fund Transfer

Motion by Earnshaw, Seconded by Heid

RESOLVED, That the East Penn Board of School Directors authorize the transfer of \$1,022,033 into the Capital Reserve Fund.

Note: This is 2/3 of the \$1,533,050 saved from bond refinancings that settled in the 2012-13 fiscal year on August 17, 2012 and January 15, 2013.

Ms. Donches wanted to know what was the advantage for moving funds into the Capital Reserve. Dr. Seidenberger said once the money is put into Capital Reserve it is there until the district uses it. In the General

Fund, the money can be comingled. The money in Capital Reserve will protect the well being of the physical plant. The funds cannot be spent on anything but a capital project. The proceeds of the bonds were used for capital projects in the first place. Ms. Donches asked if there was a dire situation could the Board move the funds out of Capital Reserve. She was told that it was not possible to move the funds once they have been transferred to Capital Reserve. Ms. Donches asked for the Capital Projects updated. Dr. Bacher commented that the Capital Reserve is a specific reserve and funds could be from other reserve funds. Mr. Ballard said that Capital Reserve is specifically designed by law that it cannot be undone. Dr. Seidenberger said a district can use any funds out of the general operating budget. Mr. Stolz said given the number of projects coming up over the next year he will support the motion. Mr. Ballard talked about one time funds being used for one time uses. Ms. Donches argued about putting the PLANCON funds in the pension account. Mr. Ballard said there is a unique situation with the pensions since it will rise from 4% this year to 30% in the next ten years.

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

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

9. Disbursement of Funds – Exhibit 12

Motion by Earnshaw, Seconded by Heid

RESOLVED, That the East Penn Board of School Directors authorize the payment of funds from the 33-2010 Series A GOB as described on Exhibit 12.

Budget Transfers – Exhibit 13

RESOLVED, That the East Penn Board of School Directors authorize the budget transfers listed on Exhibit 13.

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

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

10. Willow Lane Transportation Committee (**Motion Withdrawn by Julian Stolz**)

Motion by _____, Seconded by _____

RESOLVED, That the East Penn School District Board of Directors instruct the administration to form a Willow Lane Transportation Committee to be comprised of but not necessarily limited to, representatives from the administration, Board of Directors, Willow Lane parents, and Lower Macungie Township should the township choose to be a part of the committee.

The purpose of this committee will be to receive input and have a dialogue with parents who will be affected by the possible pending change in transportation policy by the district so that all major safety concerns are heard and handled in a comprehensive manner.

11. Announcements

Dr. Bacher indicated that there would be a revision to the TIF Plan that is on the web site since some of the attachments were not included. The County Commissioners will have the presentation of the Plan on April 24; a first reading on May 8; and a second reading on May 28. Lower Macungie Township will have a public hearing on the plan after both the County and the school district. Dr. Bacher said that if anyone has questions to let him know. He said there is a potential significant benefit to the school district from the plan. Mr. Ballard also commented that right now the district receives \$7,000 in revenue; however, because of reassessment the district will now receive \$57,000. This has nothing to do with the TIF. Dr. Seidenberger said that when you read the TIF Plan it lays out what each governmental entity will receive over the life of the TIF. There is also an estimate for EIT. Dr. Seidenberger and Dr. Bacher agreed that they had learned a lot during this process. Mr. Ballard said this is a PA TIF and not one for another state.

Mr. Stolz made the following statement:

"I'd like to take a moment to thank my fellow board members.

Last meeting, you were asked to draft a resolution of censure against me for comments I made on social media. I know there may be one or two of you who don't much care for me personally and I frequently disagree with most of you politically.

I have not always been a perfect board member but I always strove to be an honest one. I thank you for giving me the freedom to continue being honest about what I believe, even when you disagree. It speaks highly of your character and your respect for the First Amendment.

In return, I owe it to you, my colleagues, and to the public, to be more circumspect in the way I express my beliefs in the public domain. Being honest does not mean I should fail to think before I type.

Once again, my thanks to all of you."

April 22, 2013	6:30 p.m.-Executive Session (Confidential; Real Estate) There will also be an Executive Session following the Board Meeting to discuss personnel.
April 28-30, 2013	7:30 p.m.-Board Meeting NSBA Education Technology Site Visit
May 13, 2013	Board Meeting

12. 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

ORDER OF BUSINESS

1. Call to Order; Pledge of Allegiance

Board 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, 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, Emmaus.Patch.com Editor
Peter McConnell, East Penn Press Reporter
Randy Kraft, WFMZ On line reporter
Pat Lester, Morning Call Reporter
Precious Petty, Express Times

Ms. Donches made the following motion:

Motion by Donches, Seconded by Stolz

RESOLVED, That the rules pertaining to the Requests to Address the Board be suspended to allow all citizens that wish to address the Board and have questions for the representatives on the subject of the TIF to be allowed to address the Board and have dialog after their presentation and before the Board votes on the topic.

Ms. Donches said that people who have topics other than the TIF would go now and then those who have questions about the TIF would go after the presentation.

Since a two-thirds vote is required, this resolution was defeated by the following roll call vote:

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

2. Requests to Address the Board

Nicole Basset of Macungie, accompanied by Julie Kibelbek of Emmaus, and representing East Penn Invested Citizens announced a new initiative – a series of forums focused on a positive, fact-based discussion about issues important to the quality of education in the East Penn School District. EPIC members recently met with Dr. Seidenberger and Mrs. Kristen Campbell to ask for their support and help with the logistics. A copy of their complete statement is attached to the minutes of this meeting.

John Donches, 559 Minor Street, Emmaus thanked the district for including CEPTA's Candidate's Night scheduled for Tuesday, May 14, on the district's web site. He invited all interested parties to attend.

Sal Verrastro, 4477 Far View Court, Emmaus and representing the Macungie School PTC, presented a petition asking that consideration be given to adding teachers in both the upcoming 4th and 5th grades due to the current and projected enrollment numbers. A copy of the petition is attached to the minutes of this meeting.

Robert Oberle, 2374 Bordeaux Drive, Macungie expressed his concern about the Tax Abatement for Hamilton Crossings, adding it was overly rich for the developer. He is disappointed that there was very little effort to negotiate a better deal for the taxpayers. His suggestion was to table the resolution and go back to the developer. He has no particular argument with a tax abatement or a negotiated settlement. This is found money for the East Penn School District and should be bank rolled and put away should there be an expansion of facilities.

Jonathan Hugg, Esq., from Philadelphia representing the Cedar Realty Trust, Inc. and Cedar-Trexler LLC and Cedar-Trexler Plaza 2 & 3, read the attached letter regarding their objection to the participation by the East Penn School District in a Tax Increment District for Hamilton Crossings. He threatened that his clients may file a law suit against the school district.

3. Approval of Minutes

Motion by Rhodes, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors approve the minutes for the April 22, 2013 Board of Directors Meeting.

This resolution was unanimously adopted by voice vote.

4. Zazo Scholarship and Grant

Stephen Baier, Science Teacher at Emmaus High School, accepted a check for \$22,253 for the Emmaus HS Science Department. The check was presented by Keith Dudley from the Department of Environmental Protection, who provided the background for the scholarship. He indicated that Chet Zazo was a graduate of Emmaus HS and was killed in a traffic accident. Because of his enthusiasm for the outdoors, this scholarship was created by his co-workers at the DEP for a \$3,000/year scholarship for a needy, college-bound student at Emmaus HS who would be studying in the biological sciences and was dedicated to the environment. Over the years, 12 students have benefited from the scholarship. In order to reach more students, the remainder of the scholarship is being donated to the Science Department at Emmaus High School for equipment and other science related materials.

Motion by Bacher, Seconded by Stolz

RESOLVED, That in accordance with Board Policy 702, Gifts, Grants, and Funds, that the Board accept this donation of \$22,253 for the Emmaus HS Science Department.

Ms. Fuller shared that she had been present at an awards ceremony where the scholarship was awarded. She had been very moved that co-workers had remembered Chet so beautifully. Mr. Earnshaw expressed his appreciation to the family, friends, and co-workers of Chet. Ms. Donches also extended her appreciation. There was a round of applause from the audience.

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

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

5. Tax Increment Financing – Hamilton Crossings

-Jason Brockman, Senior Managing Consultant, Public Financial Management

-Tim Harrison, Developer, Hamilton Crossing Project

1. A Resolution of the East Penn Board of School Directors Providing for the Participation by the East Penn School District in a Tax Increment District for Hamilton Crossings, and For the Taking of all Related Actions

Motion by Bacher, Seconded by Policano

WHEREAS, the Tax Increment Financing Act, 53 P.S. §6930.1 et seq., ("TIF Act"), grants powers to industrial and commercial development authorities and redevelopment authorities to address conditions of blight and inadequate planning and development of urban communities; and

WHEREAS, the TIF Act also provides authority for local taxing bodies to cooperate in providing financing for redevelopment of areas in their jurisdictions which will generate new development and improve the tax base; and

WHEREAS, pursuant to the TIF Act, the Lehigh County Industrial Development Authority ("LCIDA") has prepared and presented a plan for the creation of a tax increment district in Lower Macungie Township, within the East Penn School District ("School District"), for the area known as Hamilton Crossings, more particularly described in Exhibit "A" attached hereto ("Hamilton Crossings TIF District"); and

WHEREAS, in accordance with the TIF Act, the Board of Directors of the School District designated Dr. Thomas Seidenberger and Dr. Kenneth Bacher as the representatives for the School District ("School District Representatives") to meet with LCIDA to discuss the Hamilton Crossings TIF District and the plans for the redevelopment thereof and the tax increment financing therefore; and

WHEREAS, as required by the TIF Act, the LCIDA and the School District representatives have met and discussed the creation of the Hamilton Crossings TIF District, the boundaries, the plan for redevelopment and financing thereof, and other matters set forth in Section 5 of the TIF Act, 53 P.S. §6903.5; and

WHEREAS, after such discussions, and after formal presentation on May 13, 2013, the Board of Directors of the School District have determined to participate in the Hamilton Crossings TIF District and to allocate 50% of the positive tax increment of the School District to the financing of the redevelopment of the Hamilton Crossings TIF District; and

WHEREAS, the School District desires, by this Resolution, to participate in the Hamilton Crossings TIF District as hereinabove set forth and to authorize such actions as are necessary and appropriate to effectuate the purposes thereof.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the East Penn School District as follows:

1. The aforementioned recitals are incorporated herein as full as though the same were set forth at length.

2. The School District agrees to participate in the Hamilton Crossings TIF District and to allocate 50% of the School District's tax increment as defined in the TIF Act, to finance the redevelopment thereof.
3. Notwithstanding anything contained herein to the contrary, the School District's election to participate in the Hamilton Crossings TIF District shall not, in any way, be deemed a pledge of the credit or taxing power of the School District, nor shall such participation obligate or make the School District liable for the payment of principal of, or interest on, any bonds issued by the LCIDA in connection with the tax increment financing.
4. The proper School District officials are authorized on behalf of the School District to take such actions and to execute and deliver such documents as may be necessary or appropriate for the implementation of the Hamilton Crossing TIF District consistent with this Resolution, including, but not by way of limitation, a Cooperation Agreement among the LCIDA, Lehigh County, Lower Macungie Township, and the School District, in form and substance consistent herewith and satisfactory to the School District Representatives with the advice of counsel.
5. The Secretary of the Board of Directors of the East Penn School District is hereby authorized and directed to cause a copy of this Resolution to be delivered to the Board of Commissioners of Lower Macungie Township promptly after adoption hereof, but in no event later than the date on which said Board of Commissioners holds the public hearing on the Hamilton Crossings TIF District as required by the TIF Act.
6. All resolutions or parts thereof inconsistent herewith are hereby repealed to the extent of any such inconsistency.
7. This Resolution shall become effective immediately upon adoption this 13th day of May, 2013.

PROJECT BOUNDARY – TAX INCREMENT DISTRICT-Exhibit A

The Hamilton Crossings Tax Incremental Tax Financing Project area is located in its entirety within Lower Macungie Township, Lehigh County, Pennsylvania. The project area consists of approximately 63.21 acres. The Hamilton Crossings Tax Incremental Financing Project area is generally bounded as follows:

Consists of five (5) tax parcels located in Lower Macungie Township, Lehigh County, Pennsylvania. The TIF District is generally located to the east and west of Krocks Road, between Hamilton Boulevard and the Route 222 Bypass. Containing approximately 63.21 acres.

Mr. Brockman from Public Financial Management and representing the Lehigh County Industrial Development Authority indicated he was going to walk through the TIF Plan and point out major developments. He described the role of the Authority as the organization and administrative entity for the TIF. The TIF Committee was made up of designated representatives from each local governing body – Lehigh County, East Penn School District, and Lower Macungie Township. The Committee has met five or six times over the last three-four months. The Act requires that the TIF Plan define and delineate the properties to be included in the TIF District which in this case is in Lower Macungie Township. The Act further requires that the TIF Plan be submitted to the governing bodies for approval and provide opportunities for public input.

The Goldenberg Group and Hamilton Crossings Associates (Tim Harrison) propose to transform the property into an upscale commercial town center. The project will consist of 590,324 sq. ft. of retail stores and restaurants, 2,501 parking spaces, and many public amenities. The two anchor tenants are Costco and Target. Both Costco and Target will own their own parcels, and the balance of the town center will be owned by The Goldenberg Group-Hamilton Crossing Associates. The project will involve a total investment of more than 140 million dollars. It will create 495 new construction jobs and 920 new permanent jobs and will generate substantial new tax revenues for the governing authorities. The total current county wide reassessment, annual property tax generation from this property is estimated to increase to about \$57,007 in the current year. Upon completion, the project is projected to generate \$1,411,834 per year after the 2% discount for early tax payment. Should the TIF Plan be approved, 50% of that net Tax Increment will be paid to the Authority each year for a period of 20 years. If during that period, Lower Macungie Township imposes a property tax, 50% of its net Tax Increment will be paid to the Authority for the remainder of the TIF debt. The remaining 50% of the net Tax Increment (\$705,917 per year) will become new revenue for the governing bodies beginning immediately after the project opens for business. In year 21, after repayment of the TIF bonds, the government bodies will share 100% of the net Tax Increment. Referring to non-recurring revenue, Mr. Brockman indicated that the Act 515 rollback taxes would be \$157,805; the transfer tax would be \$74,715; and the total non-recurring revenue is \$232,520.

The Construction Schedule indicates that the project will begin around the third quarter of 2013 with a projected opening

date in the fall of 2014. The transportation improvements include the following: Widening the Route 222 Bypass; widening Krocks Road; improvements to Hamilton Boulevard; and adaptive traffic signals. The traffic improvements will add approximately 11 million dollars to the project. Approximately 410 acres lie in a watershed that drains into an unregulated open pit that was formerly an iron mine. The total cost of drainage improvements exceeds 4 million dollars. The utility capacity upgrades will cost almost one million dollars.

As part of the Tax Increment Financing, the developer agrees not to file any tax assessment appeal during the term of the TIF debt. When all the governing bodies have approved the TIF Plan, the next step would be a public hearing in Lower Macungie Township.

In review, Mr. Brockman indicated that Costco and Target are the anchor tenants and will occupy 49% of the project's building area. Each will own its own tax parcel. The project has secured three grants for a total of \$3,750,000. The developers are pursuing two forms of potential credit enhancement: Neighborhood Improvement District and the TIF Guaranty Programs. The developers are also pursuing participating in two Commonwealth lending programs that offer sub-market interest rates to eligible projects and using the detailed charts in Exhibit 10, he explained the structure. If the TIF plan is approved, the district will be agreeing to give up 50% of the Tax Increment and that would result in a bond issue of up to 7 million dollars of construction fund proceeds. The developer will cover any shortfall for the project. The total project cost is estimated to be \$140,160,791.

Ms. Fuller said that currently there is no millage rate for Lower Macungie Township. If a millage rate is established will it expedite the repayment of the bond. Mr. Brockman responded that there are a number of scenarios that would affect the repayment of the bonds such as the enactment of a millage rate by Lower Macungie Township or if any of the other government entities raise their taxes higher than the 1% every year that would also result in paying off debt. Ms. Fuller asked what would happen if all three member governing boards would not approve the project. Mr. Brockman responded that the TIF would not happen. All three governing boards need to approve or the TIF plan would have to be re-drafted. Dr. Bacher talked about the reassessment and Act 515 estimates of the parcels included in the TIF District. In response to questions raised by Mr. Policano regarding PennDOT approvals, Mr. Harrison responded that 76% of the funds are correcting problems that exist today and maybe 24% of the funds are mitigating their development. Ms. Donches asked about the structure of the ownership of the project. Mr. Brockman responded that the developer will own everything but the Costco and Target properties. Ms. Donches then asked how it would develop over the next twenty years. Mr. Brockman said the short answer is that it can change like any property. Ms. Donches asked what netting out means. Mr. Brockman asked her if she was referring to a specific page of the plan. Since the page was not located immediately, she then asked if the development gets half way done and then something goes wrong who has to finish the development. Mr. Harrison responded that part of the agreement with the Costco, Target, Lower Macungie Township, and PennDOT is that the improvements that are shown on the plans have to be secured by a bond or letter of credit. If they cannot be completed then those security instruments are available to complete the improvements. Costco and Target prefer to complete improvements by themselves and typically municipalities are happy they do not have to do the work. Ms. Donches asked who is the Annual Trustee. Mr. Brockman said at this point they do not know who that will be since there are many aspects of the bond issue that are still to be determined. Ms. Donches then asked if once it is known can it change. Mr. Brockman said that typically the Annual Trustee remains the same. Ms. Donches noted that the TIF debt is over 7 million dollars. Mr. Brockman said what would happen is they would issue less debt and then the debt would be paid off sooner than expected. She then asked if there was any costs above the 1% going to the LCIDA and Mr. Brockman responded that he did not think so. Ms. Donches then asked if the debt was still outstanding in Year 21 is the school district guaranteed to get 100% of the revenue. Mr. Brockman responded affirmatively and it goes back to bond holders, not the school district. If the state guarantees it, then it falls back to the state. Ms. Donches asked about scenarios that would keep the bond from being paid off. Mr. Brockman said one of the things that they are anticipating a need for is a Neighborhood Improvement District when they issue the debt and what that is if the debt service was not enough to cover the debt then a special assessment would be imposed on property owners. Ms. Donches asked if the county does another reassessment within those twenty years how will it be handled. Mr. Brockman said the reassessment could be re-calculated at the new rate. In response to Ms. Donches' questions about what would happen if property taxes were eliminated in the next twenty years. Mr. Brockman could not comment on that scenario. Ms. Donches then moved on to the Lehigh Valley Planning Commission recommendations regarding transportation. She commented on the overall plan being attractive, however, she said the district would be voting on a 1% increase in school taxes as outlined in Exhibit 10, TIF Cash Flow Analysis. Mr. Brockman this was built in because if it was not built in it would result in a higher incremental value that you would have to send to pay for the debt. The district would still pay 50% of whatever the millage rate would be. She commented that the school district would get the revenue but not the taxpayers. Mr. Brockman reiterated that the 1% is just an assumption being made to impact on the numbers. If it is 0%, the district is still giving up 50%. Dr. Bacher also explained that the 1% is to show a possible pay off scenario. If there are 0% increases, there will be a shortfall and then the NID would kick in and property owners would have to pay the difference. Dr. Bacher concluded that there is no requirement that the district do anything with taxes in the plan. Ms. Donches questioned what the district would do with the additional funds and what would they be used for. She concluded that she did not think it was the best deal for the taxpayers and she would not support it.

Mr. Earnshaw said if the revenues come in higher than necessary then the debt could be paid off sooner and asked if there was a call feature. Mr. Brock said they would not know that until the debt is put in place. There is typically a pre-payment call feature. If there is more revenue, it would build up the Sinking Fund and to call the debt. Mr. Earnshaw asked what the land is currently being used for. Mr. Harrison said that 63 acres for the most part is vacant and not being used for agriculture and at one time was an open pit iron mine. Mr. Earnshaw said earlier the question asked was what would be the benefit for the taxpayer. He commented that additional revenues would minimize future tax increases and possibly eliminate tax increases. If the revenues are so much higher there could be a tax decrease. The benefit for the taxpayers is that it reduces the potential for future tax increases. Once the project is completed, it will provide a little less than \$600,000 at the current tax rates. However, it is less than

1% of the district's current expenditures. Mr. Earnshaw said some of the advantages are that the district is not destroying farmland for development and it is not losing any tax revenues but instead will be providing significant tax increases and it creates jobs to provide Earned Income Tax. It is an unused property and there seems to be a lot of interest in having Costco in the Lehigh Valley. Mr. Earnshaw said that these are all great benefits. The intention of the bypass was to spur development and this is what long term planning has anticipated. He said that there are also traffic improvements that need to take place now and this will provide for those improvements, adding the taxpayers will pay for these improvements one way or another. Since most out of town traffic will be using the interstates and the bypass, it will not increase traffic in the neighborhoods. Referring to a comment made in Citizen Input, Mr. Earnshaw clarified that this TIF was negotiated by the Lehigh Valley Industrial Development Authority, not the district. The district is only asked to participate in the project, not weigh the merits or demerits of the project.

Mr. Rhodes asked about the timeline. Mr. Brockman said the school district and the county must vote on the TIF Plan with the Township going last. Lehigh County has not voted on it yet. Mr. Rhodes asked how soon does this have to be done so dirt can be moved. Mr. Brockman responded that they are anticipating the TIF be approved this summer. In June, Lower Macungie Township will be voting. Ultimately, they are to close on the bond issue in December. Mr. Rhodes said for all the reasons cited by Mr. Earnshaw he finds this a hard thing to vote against. This will help the school district and taxpayers, citing the lack of funding for public education by the state. While personally and philosophically, he is not a big fan of this kind of development, he said his fiduciary responsibility is to the school district. He would be remiss if he did not support this plan.

Mr. Stolz questioned the solicitor about the legality of this plan. Solicitor Fisher said there is no reason why the Board cannot take action legally. Mr. Stolz indicated he would not support the measure and talked about the free enterprise system, government subsidizing the proletariat, board members being dazzled by expected revenue, drawing the line in the sand, and ended by quoting Captain Jean-Luc Picard, "the line must be drawn here, this far and no farther." Mr. Stolz said it is not the place of the American government to create jobs and pick winners and losers and by approving the TIF this would be doing just that. He then proposed the following motion:

Motion by Stolz, Seconded by Donches

RESOLVED, That the Resolution of the East Penn Board of School Directors Providing for the Participation by the East Penn School District in a Tax Increment District for Hamilton Crossings, and For the Taking of all Related Actions be tabled.

This resolution was defeated by the following roll call vote:

Nay: Bacher, Ballard, Earnshaw, Fuller, Heid, Rhodes-----6

Aye: Donches, Policano, Stolz-----3

Mr. Ballard said that time and time again taxpayers have asked how to stop tax increases in East Penn and he gave them a very simple answer. First of all, inflation has averaged 3% for 150 years and the only cure for that is to find additional revenue. You need to get municipalities to approve more industries and more retail and more anything that comes in a large building and puts materials in them and has a high tax value and no kids. Otherwise tax revenue with the growing population and inflation will not be able to keep up. This property could go from being a fallow field to a large retail complex, producing significant revenue for the school district. He also pointed out that the state is limiting and cutting educational funding. This project is badly needed to offset some of the other impacts on the budget. There is no liability to the school district and from the standpoint of the school district and taxpayers and the community this is a win. Mr. Ballard indicated his support.

Dr. Bacher indicated his support, citing the fact that it provides significant new revenue and the funds can only be used for public infrastructure improvements. He also noted that it will generate business in the area and there is a limitation on tax assessment appeals. The money is not going to the developer. The Lehigh County Industrial Development Authority does the bond offering and the developer will have to request reimbursement from the bond funds. There is a plan to make sure that the funds go to qualified expenditures. There is no government guarantee of the TIF debt. No existing revenue from the school district, county, or township is going to the TIF.

Mr. Policano indicated that he was on the fence regarding the project. He commented on the infrastructure improvements that are needed which would be addressed. Mr. Policano noted that if those improvements are put off, they will only be more expensive later. Mr. Earnshaw said that the property owners are on the hook for the full tax payments and any extra costs to service the debt. The risks are to the developer and the two anchor stores, Costco and Target, through the NID.

Ms. Donches said there was no idea about what the discussion will be regarding the transportation grant. If other developments come up along the bypass then there may be other requests for a TIF. She felt very uncomfortable about the transportation funding not being known. She asked what if the transportation is not approved and affects the timeline. Mr. Harrison explained that if there are problems in securing the transportation funding then there is no project and there will be no bonds. Solicitor Fisher explained that the Lehigh Valley Planning Commission has not made a final recommending dealing with the transportation issue. The Lehigh Valley Planning Commission is only a recommending body that recommends to the Township on a project. The Township is free to accept the recommendations or ignore them. The Commission does not make recommendations to the County or the school district. Any recommendations, if and when they are made, are not an issue to the East Penn School District. Ms. Donches made a motion to defer the vote. There was a discussion about whether the motion could be made after a tabling motion had been introduced and defeated earlier in the meeting. Solicitor Fisher did not see the difference between a motion to table or deferring the vote to another meeting. Mr. Earnshaw thought Ms. Donches was trying to propose a motion to postpone the vote to a certain date. Ms. Donches made a motion to postpone the vote to the next board meeting.

Motion by Donches, Seconded by Stolz
RESOLVED, That the East Penn Board of School Directors defer/postpone the vote until the next meeting.

This resolution was defeated by the following roll call vote:

Nay: Bacher, Ballard, Earnshaw, Fuller, Heid, Rhodes-----6

Aye: Donches, Policano, Stolz-----3

Hearing no further discussion, Mr. Ballard called for a vote on the original motion.

The original motion was approved by the following roll call vote:

Aye: Bacher, Ballard, Earnshaw, Fuller, Heid, Rhodes-----6

Nay: Donches, Stolz-----2

Abstention: Policano-----1

6. 2013-14 Proposed Final Budget Adoption for East Penn School District/Senior Citizens Real Estate Tax Rebate Program

Motion by Earnshaw, Seconded by Rhodes

RESOLVED, That the East Penn Board of School Directors adopt the proposed final 2013/14 budget in the amount of \$130,076,922 with the following tax levies:

16.1259 mills on the assessed valuation of real estate

0.5% (.005) Act 511 Earned Income Tax

1.0% Act 511 Real Estate Transfer Tax

be it further

RESOLVED, That the East Penn Board of School Directors continue the Senior Citizens Real Estate Tax Rebate Program for the 2013-14 year with the income eligibility guidelines to be established at final budget adoption.

Dr. Seidenberger indicated that documents regarding the budget and the goals are posted on the district web site. He reminded the Board that every year is different. He pointed out the positives and negatives of the budget that cannot be predicted but have an impact. There is no local tax increase in this budget; there will be additional professional staff needed to address the needs generated by the Keystone Exams. There will be an additional biology teacher at Emmaus HS. He will be addressing the class size for Macungie School. There is a need for an additional elementary teacher at Macungie School and maybe Shoemaker School. There will be an additional special education teacher in the area of autism. There are plans for another speech therapist to be funded by the ACCESS funds. He expressed concern about enrollments starting to increase and that will mean additional teachers. Dr. Seidenberger said that the district has been good stewards of energy. The district will continue to increase efforts in that area. The budget honors all collective bargaining units in place. The district will continue the Senior Citizen Tax Rebate program. The budget also contains a focus on Green Solutions. Dr. Seidenberger read the following statement from Rita Perez, Director of the Bureau of Teaching and Learning, about the return on educational investment:

"Your district or charter school has been identified as scoring above the state mean in student performance and below the state average in expenditures based on 2010 data. The Bureau of Teaching and Learning is interested in learning how you were able to receive a high return on educational investment."

Charter Schools have stabilized. East Penn received 23 students back from Seven Generations Charter School. This budget does have a 5% budgetary reserve. We will continue with fine programs in education technology and we are looking at Bring Your Own Device. The budget supports Instructional Rounds and Dr. Torma and Mrs. Campbell have put together information for the PILS program that will save at least \$70,000 in tuition costs for administrators. The Transportation Study was completed and now the district has a pathway to look at where there can be some savings. The budget contains funds for the STEAM program. District sponsors have been obtained to fund the district calendar.

Ms. Fuller asked if the power point was posted on the web and was told that it has already been posted. Mr. Earnshaw commented that people think the district has a use it or lose it mentality but that does not happen in East Penn. Budgeted funds are only expended if there is a need, adding that the district spends less than what is budgeted because we control that spending and look for efficiencies where they can. He was very appreciative of the budget but was uncomfortable with the structural budget of 5.5 million dollars but he is also confident that things are improving on the revenue side. He concluded that this is a conservative budget and he would support it. Dr. Seidenberger pointed out that it is now May and there is no word on the budget from Harrisburg. Ms. Fuller thanked the staff and all of the employees for making this possible. There are school districts that are making horrific cuts to programs and staff yet East Penn is able to preserve staff and program and is able to selectively add staff where it is required. She contributed it to the great stewardship of the administration and a region that can support the school district. Mr. Ballard said this district always tries to do right by its taxpayers. He did share concern about state funding. Mr. Stolz

announced that this would be the first time since he is on the Board that he will support the budget. He may propose suggestions before the final budget. Mr. Ballard said anyone who has suggestions should get them in well before the final adoption.

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

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

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

1. District Update

Dr. Seidenberger commented on the following items:

- ✓ All the board members who came out for the reception for the NSBA Technology Visit participants were thanked. Dr. Seidenberger said it was a wonderful evening. Teachers and students were spectacular and magnificent. It was a great experience and he thanked everyone who was involved. It was important to see so much support from the Board. NSBA Coordinator Ann Flynn felt that East Penn was “a real gem.”
- ✓ There will be a Green Schools seminar at Lehigh University on May 30. Willow Lane will be acknowledged as well as Nazareth MS and Broughal MS. This is free and open to the public.
- ✓ The Willow Lane Parent Committee on Transportation will be meeting at 4:00 p.m. on Tuesday, May 14. Engineer Paul Szwczak, Lynn Glancy, and Dr. Mirabella will be attending.
- ✓ Three EHS seniors were awarded a Regional Emmy on Tuesday, May 7th by the National Academy of Television Arts and Sciences. Megan Famularo, Christina Cilento, and Isaiah Zukowski created a video about the dangers of distracted teen driving for a class project in Communications.
- ✓ He called attention to a response from the United States Department of Education regarding the implications of not accepting Title I funds.
- ✓ Dr. Seidenberger congratulated Lincoln Teacher Bryan Svencer on being published.
- ✓ Dr. Doug Lare from East Stroudsburg met with several teachers regarding the National Board for Professional Teaching Standards.
- ✓ Dr. Mirabella has been notified that East Penn has been awarded Safe Schools grant money for two way radios and school security information for staff members dealing with cyber bullying and the dangers of sexting.

2. Personnel

Motion by Rhodes, Seconded by Donches

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

Retirements/Resignations

- Michele Pennebacker, Grade 4 Teacher, Jefferson School, effective June 12, 2013 (Exhibit 1)
- Phyllis Whitney, Grade 2 Teacher, Jefferson School, effective June 14, 2013 (Exhibit 2)
- Stephen Baier, Science Teacher, Emmaus HS, effective June 12, 2013 (Exhibit 3)
- Dolores Evans, German Teacher, Eyer/Lower Macungie MS, effective June 12, 2013 (Exhibit 4)
- Marie Hartmann, Grade 3 Teacher, Willow Lane School, effective May 22, 2013 (Exhibit 5)
- Denise Morth, Food Service Administrative Assistant, effective June 30, 2013 (Exhibit 6)
- Ann DeSandis, Administrative Assistant, Emmaus HS, effective June 3, 2013 (Exhibit 7)
- Dorothy Breinich, PT Food Service Assistant, Jefferson School, effective June 14, 2013 (Exhibit 8)
- Barbara Frey, FT Food Service Assistant, Emmaus HS, effective June 30, 2013 (Exhibit 9)
- Lynn Kelly, Instructional Assistant, Willow Lane, effective June 13, 2013 (Exhibit 10)
- Gretchen Stone, Health Room Assistant, Lincoln School, effective April 25, 2013 (Exhibit 11)
- Heather Karlovitz, Remedial Assistant, effective April 29, 2013 (Exhibit 12)
- Kathleen Higley, Instructional Assistant, Macungie School, effective May 23, 2013 (Exhibit 13)
- Jasmyn Tanner, Grade 2 Teacher, Alburtis School, June 12, 2013 (Exhibit 14)

General Leaves of Absence – Board Policy 539

<u>Employee</u>	<u>Effective</u>
Kakoli Kar Instructional Assistant, Emmaus HS	5/28/13-5/27/14
Jeanne Kean Instructional Assistant	5/6/13-5/4/14
Erica Petrella Grade 5 Teacher, Wescosville School	7/1/13-6/30/14
Kristen Bruckner	7/1/13-10/31/13

Grade 1 Teacher, Macungie School

Ashley Benner
Speech Teacher, Wescosville/Eyer MS 8/31/13-1/22/14

Madhu Mathur
Instructional Assistant, Wescosville School 5/17/13-6/5/13

Compensated Professional Development Leave-Board Policy 438.1

Paula Fehlinger
Grade 2 Teacher, Wescosville School 2013-14 School Year

Leave as Per Collective Bargaining Agreement

Karen Durigan
Grade 4 Teacher, Shoemaker School Extension to 9/15/13 and
General Leave 9/6/13-6/30/14

Stacey Yapsuga
Special Ed/Reading Teacher, Emmaus HS 6/6/13-6/30/13

Marybeth Long
Special Ed Teacher, Macungie School Extension 6/30/13-1/22/14

Melissa Saylor
Grade 1 Teacher, Macungie School 6/30/13-11/1/13

Nicole Swatsky
Grade 3 Teacher, Wescosville School 6/30/13-10/11/13 and General Leave
10/12/13-6/30/14

Loribeth Knauss
Grade 5 Teacher, Lincoln School 7/1/13-1/22/14

Colleen Kingsbury
Family/Consumer Science, Emmaus HS 6/10/13-6/30/2014

Technology Consultant

John Stabinger \$30.00/hour

Appointment of Assistant Principal, Eyer MS

Name/Address: Travis Bloom
703 Green Meadow Drive, Douglassville 19518
Education Level: B. S. Degree (2006)
M. S. Degree (2011)
Undergraduate School: Kutztown University
Graduate School: Wilkes University
Certification: Administrative I, Principal K-12
Instructional II, Citizenship 7-12
Assignment: Assistant Principal, Eyer MS
Vacancy created by D. Silfies Retirement and subsequent transfer
Effective: To be determined
Experience: 8/06-8/2011: Allentown SD
8/2011-Present: Muhlenberg SD
Salary: \$80,000 plus Act 93 Agreement Benefits

Appointment of Full-Time Substitute Teacher

Name/Address: Allison Fisher
1343 Country Club Road, Wescosville
Education Level: B. S. Degree (2004)
Certification Credits
Undergraduate School: Kutztown University
Graduate School: Kutztown University
Certification: Instructional I, Elementary K-6
Assignment: Grade 1, Macungie School

Effective: Opening created by M. Saylor leave
Experience: To be determined
Salary: None
\$45,185 (Year 1, Col. B)

Appointment of Instructional Assistant

Name/Address: Kimberly Wanninger
1307 Windmill Lane, Breinigsville 18031
Assignment: Macungie School
Vacancy created by A. Kender resignation
Effective: 5/14/2013
Salary: \$13.38/hr., 29 hrs./wk.

Additions to the 2012-13 Per Diem Substitute List

Deanna Portz, Instructional/Staff Assistant
Mary Kate Walter, Elementary, Reading
Amy Morgan, Remedial Assistant

Co-Curricular Appointments

-Chelsey Stanton,	EHS Boys Volleyball	Volunteer
-Randall Cuthbert	EHS Football Head Coach	\$9,049
-Michael Mihalik	Replacing J. Bottiglieri	Equipment Manager
	Effective: 4/30/13	

Summer Maintenance Program

That, as needed, the Board of Directors approve the possible employment of the following qualified applicants on a temporary basis in the Maintenance Program during the summer months at the rate of pay set for their assigned classifications as of May 13, 2013.

Former Employees - \$8:30/hour:

Ward Stephen
Vilardi, John

New Employees/Possible Alternates - \$7.55/hour:

Davies, Steven
Strong, Eric
Miller, Clayton

Note: The total number of hires for 2013 will be determined on an as-needed basis.

Educational Conferences – Exhibit 15

That the East Penn Board of School Directors approve the estimated expenses for the individuals attending educational conferences listed on Exhibit 15.

2013 List of Emmaus HS Graduates (Exhibit 16)

RESOLVED, That the East Penn Board of School Directors approve the 2013 list of Emmaus High School graduates.

Note: This is a complete list of seniors and only those who meet the graduation requirements will be graduated.

New Eyer Assistant Principal Travis Bloom was introduced to the Board.

Dr. Seidenberger noted the accomplishments of Steve Baier who will be retiring this year.

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

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

1. Accept PPL Poles and Approve Agreement – Exhibit 17

Motion by Donches, Seconded by Heid

RESOLVED, That the East Penn Board of School Directors accept the donation of four (4) PPL Utility Poles and approve the Agreement with PPL for their donation to deliver and install the poles at the Softball Field at Lower Macungie Middle School.

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

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

9. Business Operations

1. 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.

Ms. Donches is abstaining because she has not received the information she needs.

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

Aye: Bacher, Ballard, Earnshaw, Fuller, Heid, Policano, Rhodes-----7

Abstention: Donches, Stolz-----2

2. Treasurer's Report

Motion by Earnshaw, Seconded by Stolz

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

Appointment of Treasurer

RESOLVED, That the East Penn Board of School Directors appoint Lynn A. Glancy as Treasurer for a term effective July 1, 2013 to June 30, 2014; and that he be directed to perform such duties as are appropriate for the position in accordance with the Public School Code of 1949, as amended, Section 436-443; that he shall implement federal, state and local policies and regulations at the direction of the Board of School Directors and the Superintendent of Schools; and, that the Treasurer's bond be set at \$500,000.

Mr. Earnshaw complimented the service of Mr. Glancy.

Designation of 2013-14 Depositories

RESOLVED, That, in accordance with Section 621, PA Public School Code of 1949, the East Penn Board of School Directors designate the following depositories for the funds of the East Penn School District for the 2013-2014 fiscal year; and that said depositories furnish a bond in an amount equal to 120% of the highest balance or comply with Act 72 of 1971 of the Pennsylvania Legislature, such bond amounts to include the amount provided by federal insurance:

Citizens Bank
Embassy Bank
First Niagara Financial Group
ESSA Bank & Trust
Lafayette Ambassador Bank
M & T Bank
National Penn Bank
PA Treasury/Invest Trust
PA Local Government Investment Trust
Quakertown National Bank
Sovereign Bank
Susquehanna Bank
TD Bank
US Bank Corporate Trust Services
Wells Fargo Bank

Authorization to participate in contracts issued by the Department of General Services for the 2013-14 year

WHEREAS, Act 57 of May 15, 1998 permits local public procurement units to participate in those contracts for supplies, services, or construction entered into by the Department of General Services (SGS) that are made available to local public procurement units . A "local public procurement unit" is defined as any political subdivision, public authority, education, health, or other institution; and to the extent provided by law, any other entity, including a council of governments or an area government; non-profit fire, rescue, or ambulance company; and any nonprofit corporation operating a charitable hospital be it

RESOLVED, That the East Penn School District hereby requests authorization to participate in DGS's contracts for the procurement of supplies, services or construction, subject to the following conditions:

1. That the East Penn School District agrees to be bound by such contract terms and conditions DGS may prescribe.
2. That the East Penn School District agrees to be responsible for payment directly to the contractor under each contract for those supplies, services or construction ordered by the local public procurement unit.

Authorization to participate in joint purchasing for the 2013-14 year

WHEREAS, The General Assembly of the Commonwealth of Pennsylvania has enacted an act known as the "Cooperative Purchasing Act, Act 31 of July 1971, and;

WHEREAS, Act 31 of 1971 permits local governments to purchase materials, supplies, and equipment from purchase contracts of the Commonwealth of Pennsylvania; be it

RESOLVED, That the East Penn School District hereby requests authorization to participate in purchase contracts of the Carbon Lehigh Intermediate Unit, Lehigh Career & Technical Institute, U.S. Communities, Keystone Purchasing Network, Pennsylvania Education Joint Purchasing Council, National BuyBoard, PENNCON, and PEPPM.

Record of Investments (Exhibit 18)

RESOLVED, That the East Penn Board of School Directors approve the investment listed on Exhibit 18.

Parent/Guardian Transportation Contract

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

Parent/Guardian:	Lisa Druckenmiller 1617 Seidersville Road, Bethlehem 18015
Effective:	2012-2013 School Year (8/27/12-6/10/2013)
Reimbursement:	12.37 miles, \$.555/mile

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

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

3. Appointment of Board Secretary

Motion by Earnshaw, Seconded by Fuller

RESOLVED, That Cecilia R. Birdsell be re-appointed as Board Secretary for a four year term effective July 1, 2013 to June 30, 2017 and she be directed to perform such duties, as are appropriate for the position in accordance with the Public School Code of 1949 as Amended and implement relevant local regulations at the direction of the Board of School Directors and the Superintendent of Schools; and, that the Board Secretary's bond be set at \$20,000.

Ms. Donches wanted to amend the motion to reduce the term of the Board Secretary to one year. Mr. Earnshaw pointed out that the School Code determines the term of the Board Secretary. Ms. Donches was not aware of that fact. Ms. Fuller thanked Miss Birdsell for exemplary service and for the in-depth minutes. Ms. Earnshaw thanked Miss Birdsell, quoting from Mark Twain, "Boards take hours to create minutes." Ms. Donches apologized adding that she has a personal policy to go for the shortest term. Mr. Ballard commended Miss Birdsell for taking care of board members over the years and her planning of receptions.

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

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

Ms. Fuller noted that this was the first time that a substantial amount of the audience left before the budget presentation.

10. Announcements

Monday, May 13	5:45 p.m.-Executive Session (Negotiations, Personnel, Litigation 7:30 p.m.-Board Meeting
Monday, May 27	All Schools and Offices closed for Memorial Day
Monday, June 10	7:30 p.m.- Board Meeting

11. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 9:55 p.m.

Cecilia R. Birdsell, Board Secretary

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: Peter McConnell, Reporter, East Penn Press

2. Request to Address the Board

John Donches, 559 Minor Street, Emmaus and President of CEPTA, invited Dr. Seidenberger to attend a CEPTA panel discussion with Peg Luksik on Tuesday, August 20, to discuss Common Core standards. Invitation attached.

Ann Thompson, 7250 Heather Road, Macungie read the attached letter dealing with misinformation regarding allegations that there was something illegal regarding professional services and financial matters in the district.

3. Approval of Minutes

Motion by Bacher, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors approve the minutes of the May 13, 2013 meeting.

This resolution was unanimously adopted by voice vote.

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

1. District Update

Dr. Seidenberger reported that the Emmaus High School graduation went well and commended EHS Principal David Piperato, the staff, the students, and the parents. He commented on Viet Nam vet Tom Van Duren being awarded his EHS diploma. Mr. Piperato recognized students who would be entering the military following graduation as well as any veteran in the audience. Dr. Seidenberger noted the musical composition that was commissioned in remembrance of EHS student Ben Albro who would have graduated with the Class of 2013. The students exemplified everything that is good about East Penn.

Dr. Seidenberger noted that the enrollment dropped from 8,046 students to 8,017 students. There was a small growth in elementary and middle schools and a drop in the high school enrollment. Tuesday, June 11, is the last official day of school. He indicated that he is working with parent groups and they put together a survey that is on the web page and he had also made an Edulink call. They will be discussing topics of interest for parents. He shared information that he had received on the Lehigh University Study Council trip to Fox Chapel. They have a similar group and he had a list of topics that were covered.

There have been 410 parents who have responded to the Will Call survey on the district web site. The administration will be reviewing the data over the summer. This Will Call survey will also be done for Willow Lane parents. Parents have been notified regarding the .75 distance. There is also an appeal process in place if a parent has a question. The Willow Lane parent group had their second meeting. They came up with some things to work on and they will come back in September. He thanked Dr. Mirabella, Mr. Glancy, Dr. Moyer, and Mr. Szewczak for their work. Lower Macungie Township will be advertising for crossing guards and the Township supervisors have approved the work that needs to take place. They anticipated finishing the projects by early August. Referring to the Transportation Report, Dr. Seidenberger reported that the district would not be able to combine busing for St. Ann's and Seven Generations because their starting times are too different. He also noted that Seven Generations has students from approximately 15-17 school districts.

Dr. Seidenberger has notified the two Macungie parents who spoke at recent board meetings that the administration will continue to monitor enrollments. An additional teacher for Grade 1 is being recommended. He explained that students will be pulled out for various programs which should alleviate some problems in class size.

He noted a report on budget issues has been published by the PA Association of School Business Officials and he distributed a copy to the board members.

Director of Operations Lynn Glancy distributed copies of the 2013-14 Capital Projects Schedule to begin in July for a total of \$735,000. He pointed out that there will be a lot of roof repairs needed in future years. He also noted that the Capital Reserve account now has \$2,982,673. Mr. Ballard ascertained that there was no action on tonight's agenda for transfers from the Capital

Reserve Account. Ms. Fuller said the repairs are due to the age of the roofs. Mr. Glancy said another phase is to upgrade insulation as the roofs are completed. There is a detailed plan for the roofs, boilers, and air conditioner condensers that is projected for another 20 years. Ms. Fuller pointed out that this is preventive maintenance. In response to a question from Dr. Bacher, Mr. Glancy explained that priority 1 jobs would be for this year and priority 2 for next year; however, there is concern about the amount of cost for priority 2. Right now there will be a half million dollars left in Capital Reserve.

Dr. Seidenberger said the Board will be voting on the budget at the next meeting and indicated that there will be a \$75,000 change for an additional elementary special education teacher.

Addressing some of the questions regarding the 1:30 p.m. Wednesday Afternoon Dismissal for elementary, Dr. Seidenberger said this practice has been in effect for 40 years. The Board received a copy of the last report on the topic as well as the survey results from parents and teachers. He said he would not mind looking at it again but wanted Board direction. He said he would come back with a plan if the Board wishes him to pursue this topic. Mr. Ballard said the issue is usually money. Mr. Earnshaw added that the situation was more complicated and involved shortening the time and having a 9:15 a.m. start and parents protested. He said two hours of specialist time would have to be added and that increased the cost to over \$700,000. He said neither one of them were acceptable solutions. Ms. Heid asked how the practice started 39 years ago. It was noted that 39 years ago it was the result of contract negotiations and creating prep time for elementary teachers. Mr. Ballard said that the previous two times this has come up he suggested going for a referendum so there could be community input for the additional tax revenue needed. There appeared to be consensus among the board members for Dr. Seidenberger to give the Board an update in September.

Dr. Seidenberger thanked Dr. Torma and Mrs. Campbell with their work to gain 82 hours of PIL credit. This has probably saved the district approximately \$70,000 in professional development costs for administrators. There will be an update of the School Performance Profile changes at a Board Meeting in August. Dr. Torma, Mrs. Campbell, and Dr. Seidenberger will be attending a seminar in Harrisburg regarding the teacher and principal effectiveness process. The summative tool is to be released between now and June 30. We may be able to submit an alternative process to PDE.

Dr. Seidenberger and Dr. Bacher will be attending the Lehigh County Commissioners meeting on June 12 for the vote on the TIF recommendation. The Lower Macungie Township Supervisors have responded to the Lehigh Valley Planning Commission's report.

Commenting on the EHS Graduation, Mr. Earnshaw said it was top notch and the behavior of the students and audience was fantastic. It was a great touch to recognize students who were entering the military. Two students were actually leaving for Parris Island for boot camp immediately after graduation. Mr. Earnshaw also said that the composition for Ben Albro was moving. The graduation ceremony from start to finish was 1 hour and 35 minutes. It was amazing that over 580 students were recognized. Mr. Ballard thanked Dennis Ramella for the organization that was well done. He also commended the musical composition that was paid for by donations and hoped people would have an opportunity to hear it at future band concerts.

In answer to a question raised by Dr. Bacher regarding the decrease in high school enrollment, Dr. Seidenberger indicated that next year they will be doing exit interviews to find out why students are leaving. Dr. Seidenberger said that next year there are more 8th graders entering high school than 12th graders leaving. He also indicated that Mrs. Susan Noack will be shifting to the middle school level as curriculum coordinator.

2. Personnel

Motion by Earnshaw, Seconded by Stolz

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

Resignation

-Kim Wanninger, Instructional Assistant at Macungie School, effective May 15, 2013
(Exhibit 1)

-Donna Derr, Instructional Assistant at Willow Lane School, effective June 10, 2013 (Exhibit 2)

Appointment of Principal, Eyer MS

Michael Kelly \$108,000, effective July 1, 2013

Appointment of Professional Employee

Name/Address:	Steven Neikam 209 Lone Lane, Allentown 18104
Education Level:	B. A. Degree (1989)
Undergraduate School:	Moravian College
Graduate School:	Kutztown University (certification credits)
Certification:	Instructional II, Elementary
Effective:	August 20, 2013

Assignment: Elementary Gifted, New Position
 Experience: 10/20/2010-Present: East Penn SD
 12/2008-6/2009: East Penn
 2002-2006: Salisbury SD
 1993-2002: Allentown SD
 Salary: \$76,020 (Year 17, PC)
 Name/Address: Peter Verile
 2940 Woods Hollow Lane, Allentown 18103
 Education Level: B. A. Degree (2006)
 M. S. Degree (2010)
 Undergraduate School: Moravian College
 Graduate School: Wilkes University
 Certification: Instructional II, Elementary
 Effective: August 20, 2013
 Assignment: Elementary, New Position
 Experience: 8/2012-Present: East Penn SD
 6/2007-7/2012: Easton Area SD
 Salary: \$58,099 (Year 7, Col. M)

Appointment of Full Time Substitute Teacher

Name/Address: Katie L. Roberts
 208 Holiday House Road, Sellersville 18960
 Education Level: B. S. Degree
 Undergraduate Schools: Lock Haven University
 University of PA
 West Chester University
 Certification: Instructional I, Health & Phys. Education
 Effective: August 20, 2013
 Assignment: Health & Fitness, LMMS
 Opening created by M. Webb leave
 Experience: 1/2010-6/2010: East Penn SD
 8/2008-1/2009: North Penn SD
 Salary: \$47,644 (Year 2, Col. B)

Appointment of Elementary Curriculum Coordinator

Name/Address: Michele James
 3511 Princeton Road, Macungie
 Education Level: B. S. Degree (1988)
 M. S. Degree (2009)
 Undergraduate School: Lehigh University
 Graduate Schools: East Stroudsburg University (certification credits)
 Edinboro University of PA (Master of Education Degree)
 Effective: July 8, 2013
 Experience: 9/94-Present: East Penn SD
 1/93-6/93: Nazareth SD
 9/92-1/93: Wyomissing SD
 Salary: \$88,000 (prorated), All benefits included in the Act 93 Agreement

Appointment of Web Master Publications Specialist

Name/Address: Orly Marriaga
 40 E. Washington Street, Tipton 19562
 Education Level: A. A. Degree (2009)
 B. F. A. Degree (2011)
 Undergraduate Schools: Northampton Community College
 Kutztown University
 Effective: To be determined
 Assignment: Vacancy created by J. Stabinger resignation
 Salary: \$46,000

Appointment of Administrative Assistant

Name/Address: Donna Derr
 8371 Mertztown Road, Alburtis

Assignment: Administrative Assistant, Willow Lane
 Vacancy created by S. Frederick retirement
 Effective: June 11, 2013
 Salary: \$25,100, 35 hrs./wk.

Requests for General Leave – Board Policy 539

Employee: Kathleen Durante
 EHS, FT Food Service Assistant
 Effective: June 4, 2013-June 3, 2014

Employee: Susan Breidinger
 Health Room Assistant, Wescosville School
 Effective: June 14, 2013-June 13, 2014

Leave as per Collective Bargaining Agreement

Employees	Assignment	Effective
Karin Kao	Grade 3, Jefferson	8/20/13-11/1/13
Carrie Nawarynski	Grade 3, Lincoln	8/20/13-6/30/14

Change in Assignments

Employee	From	To
Beth Fair	Technology Integration	Elementary ESL
Bonne South	.8 Librarian, Elementary	1.0 Librarian, Elementary

Extended School Year Appointments

See Exhibit 3

2013-14 Co-Curricular Advisor

Samantha Wootsick	Eyer MS Field Hockey Coach	\$3,257
-------------------	----------------------------	---------

Summer Book Repair Program

Mary Visintainer	\$8.75/hr.
Diane Kehm	\$8.75/hr.
Margaret Ritter	\$8.75/hr.
Deb Moyer	\$8.75/hr.
Noelle DeRienzo	\$8.75/hr.

Summer Technology Employees

New	Returning
Gavin Warren	Devon Reinert
Tyler Brown	Patrick Hughes
Elliot Laubach	Matthew Struble
Christian Urrutia	Adam Hersh
	Andrew Grippon

Salary: New Hires-\$7.55/hr.
 Returning-\$8.30/hr.

Educational Conferences – Exhibit 4

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

Ms. Donches requested a report from Dr. Torma regarding her Future of Learning Conference at Harvard University this summer.

2012-13 Modification to School Calendar

RESOLVED, That the East Penn Board of School Directors approve a request to the Pennsylvania Department of Education for an Act 80 exception which will provide that the 2012-13 school calendar days of October 8, 2012 and March 1, 2013 are considered Act 80 days for the PM Kindergarten programs within the East Penn School District.

Child Abuse Recognition and Reporting Tracking Software Contract (Exhibit 5)

RESOLVED, That the East Penn Board of School Directors approve the Child Abuse Recognition and Reporting Tracking Software Contract with the Carbon Lehigh Intermediate Unit as described in Exhibit 5.

An editorial change was noted to Paragraph 6. Mr. Earnshaw noted that this is the result of another unfunded mandate.

Agreement for 2014 Edition of Emmaus HS Alumni Directory (Exhibit 6)

RESOLVED, That the East Penn Board of School Directors approve the contract with Harris Connect, 1511 Route 22, Brewster, NY to produce the 2014 Edition of the Emmaus HS Alumni Directory as stated in Exhibit 5 at no cost to the district.

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

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

Michael Kelly, new Principal of Eyer MS, and Michele James, new Elementary Curriculum Coordinator, were introduced to the Board.

3. Grant Acceptance

Motion by Fuller, Seconded by Rhodes

RESOLVED, That the East Penn Board of School Directors accept the Safe Schools Grant for \$4,869.75 for the purchase of two-way radios for each of the school buildings.

Ms. Donches asked if this covers the whole cost of the radios or was there a matching grant. Dr. Mirabella responded that it covers 18 radios, and 3 batteries. Ms. Donches indicated she would abstain because of her personal philosophy about taking government grants.

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

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

Abstention: Donches-----1

7. Informational: Letter from Secretary of Education Ronald J. Tomalis (Exhibit 7)

Dr. Seidenberger called attention to the letter from Secretary of Education Ronald J. Tomalis commending the staff for another successful audit.

5. Other Educational Entities

-Carbon Lehigh Intermediate Unit

F. Fuller

Ms. Fuller said the Board had an opportunity to meet A. J. Moncman, Grade 2 student from Southern Lehigh, who has been receiving educational opportunities through the IU since he was six months old and he is legally blind. There was a Phillies contest that he entered for teacher recognition and his teacher, Bethann Molinari, was selected as the winner. In addition, Phillies player Ryan Howard wore the bracelet that A. J. had given him for good luck. A. J. is also entered in a national Braille contest and he is one of 12 in his grade to compete at the national level. She concluded that wonderful things are happening at the IU every day. Referring to Dr. Seidenberger's update, Ms. Fuller also noted that the IU is the first in the State to offer OverDrive for libraries where staff and students will have access to electronic material. They can now check out titles using their ID/password and download books and print material to an iPod, eReader or other electronic device.

-Lehigh Career & Technical Institute

R. Heid, A. Earnshaw, F. Fuller, S. Rhodes, III

Mr. Rhodes reported that at the May 22 JOC Meeting, the following Emmaus High School students were recognized:

Bennicoff	Amanda	FCCLA	Bronze	Baking
Bennicoff	Kaitlyn	SkillsUSA		Elmer Gates Award
Bennicoff	Kaitlyn	FCCLA	Gold	Culinary Arts
Lenig	Rebekah	DECA	Gold	Written & Role Play Financial Services Team Decision Making
O'Gara	Kaitlyn	FCCLA	Silver	Culinary Arts
Petrohoy	Joshua	DECA	Gold	Written - Material Handling/Logistics
Petrohoy	Joshua	DECA	Third	Material Handling/Logistics
Schwoyer	Jamie	DECA	Gold	Written & Role Play – Food Marketing
Ziegler	Zachary		First	Keystone Cutting Competition
O'Brien	Brandy			Emmaus Rotary Scholarship
O'Brien	Brandy	SkillsUSA	Second	Nurse Assisting
Scott	Ben	Computer Fair	Second	Logo Design

Mr. Rhodes noted that the Benicoff twins want to open their own bakery. The courses that they took at LCTI will help them realize that goal. They were also the student speakers at Graduation. Mr. Rhodes said he is always impressed with the quality of these students. Camp LCTI for Grades 5-6 is again being offered. Information regarding the program can be found on the LCTI web site. He noted that Zachary Ziegler went to one of these camps and that led him into his position of welding. He has a job outside of school when he graduates. LCTI is offering customized workshops for B. Braun, LV International Airport, Motor Sports, and Reynolds & Reynolds Electronics. They also talked about a female engineers group. They have 26 female students who have signed up. Mr. Frank Frankenfield was appointed Treasurer. Mr. Rhodes noted that the IU is offering a Principal Certification Program. Mr. Earnshaw said Zach Ziegler went to LCTI as a 9th grader and the program he wanted was not offered until 10th grade so he went into welding. He was one of the outstanding Co-op students of the year. He will never have a problem getting a job. He will have all kinds of opportunities to ply his trade in a lot of various settings. He hoped that more students take advantage of the programs. In many cases, there are opportunities that do not require a college degree.

6. Legislative – C. Ballard

Mr. Ballard reported that there is a fairly good consensus that pension reform and privatization of the liquor stores are off the table. There is still no definitive budget from the Governor and it is now June 10. School districts are required to adopt a budget by June 30. Mr. Ballard talked about HB 126, that requires school districts to make facilities available at no charge to the Pennsylvania Game Commission (PGC), for the purpose of allowing the PGC to request to conduct hunter education classes. Classes would be taught by instructors who are certified by the PGC and would be available at no charge to the public. Classes could be held during the school day, after school or weekends. Mr. Ballard maintained that this is another unfunded mandate.

7. Business Operations

1. Bid Opening Report – Informational-Roof Replacement at Lincoln Elementary School (Exhibit 8)
2. Bid Awards – Roof Replacement; General School Supplies; Computer Supplies

Motion by Rhodes, Seconded by Fuller

RESOLVED, That the East Penn Board of School Directors award the contracts for the following items:

Lincoln School Roof Replacement

The award to Spotts Brothers, Inc. for the following amounts:

Base bid: Spotts Brothers, Inc. Schuylkill Haven, PA	\$358,800.00
Alternate No. 1: SBS Modified:	Not Accepted
Alternate No. 2: Add Masonry Restoration:	\$5,000.00
Alternate No. 3: Add Metal Coping:	\$7,000.00

Total Project Cost: \$370,800

General School Supplies – See Exhibit 9

Computer Supplies – See Exhibit 10

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

3. Bill List Approval

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

Ms. Donches said she would continue to abstain because she did not receive the information she requires.

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

4. Parent/Guardian Transportation Contract

Motion by Earnshaw, Seconded by Donches
RESOLVED, That the East Penn Board of School Directors approve the following Parent/Guardian
Transportation Contract:

Parent/Guardian: Laura Gallagher
5608 Stonecroft Lane, Wescosville
Effective: April 22-June 20, 2013
Reimbursement: 24 miles round trip; \$.566/mile (to and from LCTI)

Budget Transfers (Exhibit 11)

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

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

6. Approval of District Insurance Policies

Motion by Bacher, Seconded by Stolz
RESOLVED, That the East Penn Board of School Directors award the following
insurance policies as stated:

PACKAGE POLICY

RESOLVED, That the East Penn Board of School Directors accept the recommendation of the Insurance
Advisory Council and award the contract for the package policy including EDP coverage, boiler
coverage and automobile, to ACE USA (PSBA Insurance Trust Program) through USI Insurance Services at the
quotation price of \$262,265.

Note: Last year this policy was awarded to ACE USA for a total
premium of \$258,494.

UMBRELLA COVERAGE

RESOLVED, That the East Penn Board of School Directors accept the Recommendation of the Insurance
Advisory Council and award the contract for \$15 million umbrella coverage to Old Republic Insurance
Company (PSBA Insurance Trust Program) at a quotation price of \$25,916 through USI Insurance Services.

Note: Last year this policy was awarded to Old Republic Insurance
Company for a total premium of \$23,560.

ERRORS & OMISSIONS POLICY

RESOLVED, That the East Penn Board of School Directors accept the recommendation of the Insurance
Advisory Council and award the contract for School Leaders Errors & Omissions, including an enhanced
employment liability endorsement, to The Pennsylvania School Boards Insurance Trust and Old Republic
Insurance Company at a quotation rate of \$47,036 through the Miers Insurance Agency.

Note: Last year this policy was awarded to the Pennsylvania School Boards Insurance Trust and Old Republic Insurance Company for a total premium of \$42,765.

WORKERS' COMPENSATION POLICY

RESOLVED, That the East Penn Board of School Directors accept the recommendation of the Insurance Advisory Council and award the contract for Workers' Compensation Insurance to Highmark Insurance at the quotation price of \$436,974 through USI Insurance Services.

Note: Last year this policy was awarded to PMA Insurance for a total premium of \$395,494. PMA's renewal quote was \$472,296.

STUDENT/ACCIDENT INSURANCE

RESOLVED, That the East Penn Board of School Directors award the contract for Student/Accident Insurance to ACE American Insurance Company for the Interscholastic all-sports Package AAA, which includes junior and senior high school football, junior and senior high school interscholastic and intramural sports, gym classes, band, cheerleaders and majorettes, loss of use, and expanded sports/medicine, and school trip and activities rider and \$1,000,000 catastrophic accident medical benefit for the total annual premium of \$40,530 for primary excess over \$100.00 plan, as made available through Purdy Insurance Agency, Inc.

And be it further

RESOLVED, That the East Penn Board of School Directors make available the voluntary enrollment primary excess over \$100 student insurance plan AA with a maximum benefit of \$1,000,000, which is offered to parents on a voluntary basis through ACE American Insurance Company for \$30 for school-time coverage and \$116 for 24 hour coverage, through Purdy Insurance Agency, Inc.

Note: Last year this policy was awarded to ACE American Insurance Company at a total premium of \$33,864.

Ms. Donches asked if the insurance coverage was the same as last year. Mr. Glancy responded that the Worker's Compensation is the same as last year with a different company. There have been several very costly workers' comp injuries. Ms. Donches questioned how much were the claims. Mr. Glancy said there were claims of \$30,000 to \$192,000 and there were around 100 claims. She wanted to know if the Insurance Advisory Council members had changed from last year and she was told that they did not. Any time there is a claim the district goes back to the agent for information and sometimes we would be interacting with other insurance companies. He said there is a workplace safety committee that is trained every year and meets every month to find the areas where the claims occur and the district receives a 5% discount. She wanted to know if the Insurance Advisory Council meets and are the meetings open to the public. Mr. Glancy said they meet but the meetings are not open. She thought it would be interesting to have a presentation to the Board. Mr. Earnshaw said he did not see the need for a presentation. They go out on bid and solicit insurance companies then the bids are submitted and reviewed to make sure the coverage is what we have asked for and the lowest possible bid meeting specifications is awarded. He was not in favor of a presentation to simply repeat the process. Ms. Donches said she thought it would be interesting to know about the market and claimed Board Policy 812 said there should be a presentation to the Board. It was noted the policy said a "recommendation" not a presentation.

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

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

8. Proposed Policies

-Board Policy 903 – Public Participation in Board Meetings (Exhibit 12)

Referring to Board Policy 903, Ms. Donches shared her belief that there should be more dialog with the individuals who come to address the Board. She cited two municipal government bodies, Lehigh County and Lower Macungie Township, as an example of this free exchange. She said she had looked at other public school policies that matched what she had in mind. In short, citizens who wanted to address the Board on non-agenda items could do so but, in addition, they would be allowed to address each agenda item after the Board had discussion and following the citizen input on the agenda item, the Board could have more deliberation before taking the final vote. There would be an opportunity for citizens to speak at the end of the meeting as well. Mr. Ballard then asked for a motion that was introduced by Ms. Donches:

Motion by Donches, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors consider revising Board Policy 903 as presented.

Ms. Heid said she was on the fence about the information and would like to get more information on her own. She said she was all for public input and would be willing to put in time coming a half hour before the meeting. She was uncomfortable about having input on every agenda item. She had not run into that on other Boards. She said her biggest concern was about not

having a cut off. Mr. Stolz said he may not agree with every item on here. He attended Emmaus Borough Council meetings as well as Lower Macungie Township and Lehigh County meetings. He said he preferred some change to the format that we now have. Mr. Earnshaw said if the Board acted on every suggestion brought before it the budget would be considerably higher, citing the issue of class size and hiring more teachers. He said his bigger concern was the item under Code of Conduct because it seems to be constraining a person's First Amendment rights and the termination of someone's statement could make the Board dictatorial. We cannot limit the content of the comments. He said within the Board itself there are people with different philosophies. He concluded that as public officials the Board must accept criticism. Ms. Fuller said she wanted to know how many weeks would be devoted to one meeting with these kinds of rules. She noted her husband's personal experience as a Lehigh County Commissioner where their meetings lasted until 4:00 a.m. This occurred because members of the Board and public liked to hear themselves talk. She pointed out that because East Penn does not have a dialog the Board hears what is being said and suggestions have been integrated such as in Willow Lane. Addressing the perception that if a citizen wants to ask a question, Ms. Fuller said the answer may not be at the ready and need to be addressed later. She did not see a problem with the current format. Dr. Bacher said he has made himself available after Board Meetings. He does have some concerns about the Rules of Conduct. While he is open to changing things, he suggested trying some things before the policy is changed. Mr. Policano said that having been to Lower Macungie Township and Lehigh County meetings, they have the suggested format and actually operate very efficiently.

Dr. Seidenberger distributed information from NSBA about the proper way to develop policy. He asked Ms. Donches what school districts she had contacted because he had researched over 60 districts and except for 3, he did not find any with her language. He said one thing the Board must be clear on is First Amendment Rights. Before anything is done the Board should look at sample policies from PA School Boards Association. He asked her if one of the districts was North Allegheny near Pittsburgh. There are several that have variations. In some of the districts, there was an inclination to have two opportunities for public input, before agenda items and after the meeting for non-agenda items. He pointed out that the Willow Lane parents would have been angry if they had to wait until the end of the meeting because Willow Lane was not on the agenda. He said it is important to contact districts to find out what their experience actually is with their format. Mr. Ballard expressed his concern about the process and part of the process is that we subscribe to the PSBA Policy Services that have sample policies that have been reviewed by their Legal Department as well as legislative citations. The policy should also go through the administration. He is also concerned with developing dialog and having arguments about Board actions. He talked about ambush politics and wedge issues, the right to petition, and the process to follow. He said he was concerned about the issues restricting comments by the public and board members. He talked about responding to public issues being brought up by public officials. Mr. Stolz again advocated for more citizen input. He said it was a matter of respect to the public. Again, Ms. Donches recounted the experience with municipal Boards, noting that everything is very respectful because people know information may not be at everyone's finger tips. She asked for the Board's support to review the policy. Mr. Ballard commented on the former Policy Committee. Mr. Earnshaw said that would mean an extra meeting and the cost of advertising and minutes. It is not a free option. Mr. Earnshaw said he was opposed to having two items for public input because in the past it was used to disenfranchise people and meetings went on to 1:00-2:00 a.m. He supports having the ability of the public to address any issue in the beginning of the meeting. He did not support using Ms. Donches' policy as the starting point but use the current model policies from PSBA because the policies have been reviewed by legal counsel. He said their policies are a good basis to start. Mr. Policano said there is a need for a change. He believed that at the beginning of the meeting there should be a 3 minute comment time on non-agenda items. He still believes that there should be an opportunity for residents to make comments on each agenda item. Dr. Bacher disagreed with Mr. Stolz that the Board does not pay attention or listen to the public. He reiterated that he would be in favor of evaluating changes before developing a new Board Policy. He thought the Board could instruct the administration to come up with a policy. Ms. Donches said she appreciated everyone's input.

The following is an amended resolution:

Motion by Donches, Seconded by Stolz

RESOLVED, That the Board Policy 903, Public Participation in Board Meetings, be considered for revision by the administration with a recommendation to be made to the Board.

This resolution was adopted by the following roll call vote:

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

-New Policy: Engagement of Professional Services (Exhibit 13)

Ms. Donches said that she wanted the attached as a policy for inclusion in the Board Policy Manual.

Motion by Donches, Seconded by Stolz

RESOLVED, That a policy for the Engagement of Professional Services be entertained for inclusion into the Board Policy Manual.

Ms. Donches said this policy would answer questions about a timely review of professional services and she found these policies that had the verbiage she wanted. Mr. Earnshaw said the policy language was deeply flawed and unacceptable. Mr. Earnshaw said professional services are engaged in a number of different areas. Referring to the auditor, he said the district receives a Letter of Engagement from the auditor and that is acted on. The Board approves every single contract no matter what the cost. He cited the fact that the district does not have an architect of record. When an architect's services are needed, it is for a project and a number of projects have lasted more than three years. It would not be prudent to change architects in the middle of

a project. He pointed out the construction services that are bid out and they were engaged in a project by project basis. Referring to legal services, he talked about the confusion of changing a solicitor with ongoing legislation that can last longer than three years. He did not think it would promote efficiency. He talked about the annual appointment of the Chief School Physician. He concluded that he did not see the need for this policy, adding the amount of overhead for advertising and reviewing RFPs. He talked about comments made about board members taking kick-backs which is a lie. Dr. Bacher said he had done some research on some companies who have had the same auditor for several years – Walmart, Costco, Apple. He said every time this has come up the administration has exercised the correct diligence. He felt the policy would add a lot of bureaucracy. Dr. Seidenberger said he could not say that he has ever had a policy for professional services. He said he did not feel any time line was justified. There are 85 professional services that could be affected. He said the 60 districts he looked at did not have any policy similar to this one. Mr. Ballard said he checked with PSBA and there is no district that has this kind of policy. He talked about the total cost of acquisition and preparing the specifications, developing a Request for Proposal, advertising, having a pre-bid hearing, having the people respond to the pre-bid, and then having someone analyze the bids. These are all an expense for the services and the question is whether the percentage of the additional cost you are adding to the process is worth it for the amount. He said this is an attempt to micromanage because \$5,000 is actually a small amount and is not practical. The state requires a limit of \$18,500. This amount could be spent in staff time. He questioned the financial basis for this proposal. He pointed out that the insurance companies have their own lawyers who will work on cases. He questioned who would choose a lawyer, doctor or engineer as the low bidder. He said there must be a trusting relationship with purveyors of professional services. He said putting this list out to save money is short sighted and flies in the face of real experience. Mr. Ballard will not support this motion and cannot see it being the basis of any policy. Ms. Fuller said hourly rate and total cost are two different things. She spoke about the costs involved between someone with the institutional memory as opposed to a new company. Ms. Donches felt the lowest rate was covered in the policy. Ms. Donches said at what point can the district find out if there are other companies/services that might want to work for the district. She said she would appreciate their consideration. Mr. Earnshaw said every Board and municipal government is audited and there is nothing stopping another firm from submitting a letter. He said if a professional is doing substandard work then the district could change. He concluded that he did not feel the district needed a policy.

The motion was defeated by the following roll call vote:

Nay: Bacher, Ballard, Earnshaw, Fuller, Heid, Rhodes-----	6
Aye: Donches, Stolz-----	2
Abstention: Policano-----	1

9. Announcements

Ms. Donches distributed copies of her Budget Reduction Suggestions for the 2013-14 school year. She indicated that she wanted to do a presentation at the next meeting. Mr. Ballard told her she could ask her questions at the next meeting.

Monday, June 10	6:30 p.m.-Executive Session (Personnel, Negotiations, Confidential Matters)
	7:30 p.m.-Board Meeting
Tuesday, June 11	Last Day of School
Monday, June 24	Board Meeting

10. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 10:05 p.m.

Cecilia R. Birdsell, Board Secretary

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 (via Skype), 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
Precious Petty, Express Times, Reporter
Margie Peterson, Morning Call Reporter

2. Requests to Address the Board

Richard L. Musselman, 945 Franklin Street, Emmaus said it was remarkable to see a no tax no program cut budget. He noticed a reduction in payments in some areas and hoped that it did not adversely affect any program and the lowering of taxes would not be in the best interest of the school district.

Paul Champagne, 2406 Cross Creek Road, Macungie and representing the EHS Swim Team Parents, expressed concern about the possibility of cutting \$2,000 from the budget for the Emmaus High School Swim Program. The items being proposed for cuts are part of the preventative maintenance program. He expressed his support for Swim Team Coach Tim O'Connor, Activities Director Dennis Ramella, and the parents who volunteer and take a lot of pressure off the budget.

Janice Bowman, 629 E. Hamilton Street, Allentown spoke against Common Core and stated that she was a member of a very active group and they would be getting rid of Common Core. She reported that there are several House Bills (1551, 1552, 1553, 1554, and 1555) that will eliminate Common Core Standards in favor of standardized testing. The last bill would require a study and 2 public meetings before November 1, 2014. She concluded that she hoped the administration would look at this and quit wasting money on budgeting all these computers and get back to teaching and "not brainwashing the kids".

Carla Hess, 1889 Redwood Drive, Whitehall expressed her concern about the data collection being done on private information for students. She felt it would be expanded under Common Core and talked about coming under central government control and the greater access to data. She urged the Board to educate themselves on the issue.

Matthew Mull, 6676 Rutherford Drive, Macungie said that there are a number of swim parents who would have liked to attend the meeting; however, there is a swim meet at EMAC. He spoke about the parents volunteering for the swim team and commended Coach Tim O'Connor for teaching students discipline, endurance, and pacing yourself. He is a good steward of the money he is given. He urged the Board to support the budget to keep the equipment up and running.

Marie Miller, 6017 Fairway Lane, Wescosville complained about the grass not being cut in a "no mow zone." She noted that for 40 years the grass had been cut by the district. She had also made several calls to Maintenance with no results.

Lamont Musselman 229 Lehigh Avenue, Palmerton has a grandson at Eyer MS and he expressed concern about the heart monitors that are used in gym class. He complained about the cost and where they were in the budget, the collection of individual data, and who has access to the data. He requested a written reply.

3. Approval of Minutes

Motion by Bacher Seconded by Donches
RESOLVED, That the East Penn Board of School Directors approve the minutes of the June 10, 2013 Board Meeting.

This resolution was unanimously adopted by voice vote.

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

1. Appointment of Assistant Superintendent (New Position)

Motion by Earnshaw, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors, upon the recommendation of Dr. Thomas L. Seidenberger, Superintendent of Schools, approve the appointment of Mrs. Kristen Campbell, Assistant to the Superintendent, to the Commissioned Office of Assistant Superintendent for a five year term beginning July 1, 2013 through June 30, 2018; and,

Be it further,

RESOLVED, That the East Penn Board of School Directors approve the Contract for Employment of Assistant Superintendent.

Mr. Earnshaw thanked Mrs. Campbell for her service to the district, noting that she has been an exemplary teacher, and now Assistant to the Superintendent, and has received her credentials for Assistant Superintendent from the state. He said that he had every confidence that she will continue to provide the energy, dedication, and expertise that we have come to expect and that he was looking forward to her expanded contribution.

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

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

Dr. Seidenberger congratulated Mrs. Campbell, noting that in his superintendency he has been blessed with working with some outstanding individuals, Greg Nolan who became Superintendent of Raritan (NJ) School District and Dr. Denise Torma. It was his recommendation to the Board to bring Kristen Campbell to the administrative team. Dr. Seidenberger said she does an amazing job and, most importantly, people respect her and nothing will change her work ethic with getting this title – it is all about doing wonderful things for the staff and the students. He concluded that he has a full team of excellent administrators. Mrs. Campbell received a round of applause and was recognized by the Board.

2. District Update

Dr. Seidenberger reported on the visit to Harrisburg with Dr. Torma and Mrs. Campbell for an update on the new school level objectives requirement which will be part of a teacher's annual evaluation. They all agree that they will have to spend a good deal of staff development time to make certain that the staff is ready for the implementation of this portion of a teacher's overall annual evaluation. Dr. Seidenberger said they will provide the Board with an overview of this requirement and the School Performance Profile at one of the August meetings. Unless there is a major change in the philosophy at the state level, as a Commissioned Officer, Dr. Seidenberger will be doing what must be done. Every teacher will have to write at least one measurable objective starting in September 2014 and principals will have to work with their faculties. These objectives will be tied to the Common Core Standards. He said the real challenge is not letting this work get in the way of what the district wants to accomplish with instructional practices.

Dr. Seidenberger said, that with the Board's approval, he wanted to forward a letter to the Lehigh County Commissioners regarding the TIF. Lower Macungie Township took action last Thursday night. The Commissioners could be voting on Wednesday night. The letter outlines what the district will be doing with the revenues. He cited special education costs and residential developments as places where additional revenue would be used for staffing. The developer has 3 million dollars in escrow for developing fields in Lower Macungie Township thus ending the debate for the school district. Ms. Donches and Mr. Stolz indicated that they could not support sending the letter. The following motion was introduced:

Motion by Earnshaw, Seconded by Fuller

RESOLVED, That the East Penn Board of School Directors support sending the letter to the Lehigh County Commissioners.

Mr. Policano felt strongly about holding off until new information is reviewed. Dr. Bacher indicated that one of the developers made a lot of commitments, citing the fact that they did not believe the Township could not support three retail properties in the area as well as the possibility of luring existing tenants away from the established retailers by promising lower rents at Hamilton Crossings. Dr. Bacher pointed out that this is premium retail space, and, if anything, tenants would pay more at Hamilton Crossings not less. The other developer claimed that he could do the project without the TIF. He concluded that there is a lot of contradictory information but he was strongly in favor of continuing with the TIF and Dr. Seidenberger sending the letter to the Commissioners. Mr. Earnshaw discussed the concerns about the by-pass traffic and various articles that indicated the speed limit was always meant to promote business and to interact with the commercial businesses already along Hamilton Boulevard. He said there will never be 100% of people in favor or against the project; however he continues to get questions about when Costco will be coming. Mr. Earnshaw said he supports the project and the benefits for all the taxing bodies. The wages at Costco are typically higher than other retail places and he has received positive comments from most of the people. Mr. Earnshaw pointed out that Lehigh County Commissioners approved the Weisenberg Township TIF two years ago and no one had anything to say about it. He concluded that he would support sending the letter and he did not support re-visiting the Board's decision. Mr. Stolz said he would be attending the Commissioners meeting on Wednesday and proposed a motion to defer sending the letter until July 8.

Motion by Stolz, Seconded by Donches

RESOLVED, That the letter be deferred to the July 8 meeting.

Ms. Fuller said the Commissioners will defer again. She did not see the point in prolonging this discussion. She voted to support the TIF that a majority of the Board did support it and she supported Dr. Seidenberger sending the letter.

This resolution was defeated by the following roll call vote:

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

Mr. Ballard said he did not find that the comments are credible about another developer with new information.

The Board returned to the original motion.

Motion by Earnshaw, Seconded by Fuller

RESOLVED, That the East Penn Board of School Directors support sending the letter to the Lehigh County Commissioners.

Mr. Policano recognized that this was a chance to get more tax money and again referred to new information from a developer. Ms. Donches felt that this new information should be reviewed and agreed with Mr. Policano. She contended that this new developer said that he could build something using his own money without using public money for a private person to build. The district could realize the full tax benefit rather than giving 50% away for 20 years. She wanted to know what was the rush and wanted to "wait it out."

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

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

3. Personnel

Motion by Donches, Seconded by Stolz

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

Resignation

-Jennifer Halucha, Instructional Assistant at Macungie School, effective June 11, 2013 (Exhibit 1)

-Jeanette George, LMMS Custodian, retirement effective June 27, 2013 (Exhibit 2)

-Brian Legutko, Mathematics Teacher at LMMS, effective August 16, 2013 (Exhibit 3)

Professional Employee Appointment

Name/Address:	Marc Dobbs 3241 Jordan Road, Orefield 18069
Education Level:	B. S. Degree (1991) M. Ed. Degree (1999)
Undergraduate School:	Penn State University
Graduate School:	Lehigh University Penn State
Certification:	Education Specialist, Elementary School Counselor Instructional II, Elementary Administrative I, Principal
Assignment:	Guidance Counselor, Alburtis & Jefferson Schools
Experience:	1991-2011: East Penn SD (Teacher & Guidance Counselor) 2011-Present: Northwestern Lehigh SD (Elementary Principal)
Salary:	\$84,887 (Year 16+, Col. M +36)

Temporary Professional Employee Appointment

Name/Address:	Kimberly Exaros 2007 Sunrise Drive, Allentown 18104
Education Level:	B. S. Degree (2008)
Undergraduate School:	Penn State University
Certification:	Instructional I, Elementary
Assignment:	Grade 4 Teacher, Alburtis School Vacancy created by J. Tanner resignation
Experience:	2011-Present: East Penn SD (FTS)
Salary:	\$47,944 (Year 3, Col. B)

Name/Address:	JoAnn Welsko
---------------	--------------

Education Level: 2666 Barley Drive, Macungie
 B. A. Degree (1991)
 M. A. Degree (1996)
 Undergraduate School: Wilkes University
 Graduate School: Kutztown University
 Certification: Instructional I, English 7-12
 Assignment: Language Arts Teacher, LMMS
 Vacancy created by P. Bhowmick resignation
 Experience: 8/2011-Present: East Penn SD (FTS)
 12/2010-6/2011: Northampton Area SD
 Salary: \$56,494 (Year 3, Col. M)

Name/Address: Jennifer Cudzil
 5128 Foxcroft Drive, Schnecksville 18078
 Education Level: B. S. Degree (2008)
 M. S. Degree (2012)
 Undergraduate School: Bloomsburg University
 Graduate School: Wilkes University
 Certification: Instructional I, Elementary; Special Education
 Assignment: Autistic Support, Wescosville School
 New Position and subsequent transfers
 Experience: 11/2012-6/2013: East Penn SD
 8/2009-6/2012: Easton Area SD
 Salary: \$57,296, Year 5, Col. M

Name/Address: Jennifer Hanssen
 4283 Elm Drive, Allentown 18103
 Education Level: B. S. Degree (2010)
 Undergraduate School: Kutztown University
 Certification: Instructional I, Elementary
 Assignment: Grade 4 Teacher, Wescosville
 Transfer of M. James to Elementary Curriculum Coordinator
 Experience: 11/2011-6/2013: East Penn SD (FTS)
 Salary: \$47,944 (Year 3, Col. B)

Full Time Substitute Teacher Appointment

Name/Address: Nicole Haller
 1060B Cold Stream Circle, Emmaus
 Education Level: B. S. Degree (2012)
 Undergraduate School: Kutztown University
 Certification: Instructional I, Elementary
 Assignment: Grade 6, LMMS
 Opening created by S. Shankweiler leave
 Experience: 8/2012-Present: East Penn, Allentown, Parkland, per diem sub.
 Salary: \$47,344 (Year 1, Col. B)

Leave as Per Collective Bargaining Agreement

Employee: Maureen Webb
 Wellness/Fitness Teacher, LMMS
 Effective: 8/20/13-6/30/14

Administrative Assistant Appointments

Name/Address	Assignment	Salary
Laura Groh 6378 Carmel Drive, Macungie	Emmaus HS Vacancy created by A. DeSandis resignation	\$25,100, 35 hrs./wk.
Tara Tolson 6959 Lincoln Drive, Macungie	Food Service Department Vacancy created by D. Morth retirement	\$25,100, 35 hrs./wk.

Custodial Appointment

Gary Greer 342 Race Street, Catasauqua 18031	EHS, 2 nd Shift	\$18.94/hr., 40 hrs./wk.
---	----------------------------	--------------------------

Chief School Physician – Exhibit 4

That Dr. Robert Barnes, D. O., 723 Chestnut Street, Emmaus be retained as Chief School Physician effective July 1, 2013-June 30, 2013 for a retainer of \$6,000 in accordance with the attached Agreement.

Annual Academic Positions – Exhibit 5

2013 Summer School Teachers – Exhibit 6

Maintenance Transfers – Exhibit 7

Extended School Year Appointment

Tracy Buttillo

Educational Conferences – Exhibit 8

That the East Penn Board of School Directors approve the estimated expenses for the individuals attending the educational conferences listed on Exhibit 8.

-Laura Witman, Assistant Principal at Emmaus HS, effective not later than August 15, 2013 (Exhibit 3A)

Appointment of Professional Employee

Name/Address:	Randall Cuthbert 6186 Valley Forge Drive Coopersburg, PA 18036
Education Level:	B. S. Degree (1992) M. E. Degree (2000)
Undergraduate School:	Duke University
Graduate School:	Beaver College
Certification:	Instructional II, Mathematics
Assignment:	Mathematics Teacher, Emmaus HS B. Legutko retirement and subsequent transfers
Effective:	August 20, 2013
Experience:	9/2005-Present: Pennridge SD 9/99-6/2004: Central Bucks SD 1997-99: Pennridge SD (Part-Time)
Salary:	\$80,275 (16+ Year, Col. M)

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

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

4. Educational Conference Approval

Motion by Earnshaw, Seconded by Bacher

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

Conference Title:	Common Core Now, Boston, MA
Date(s):	August 12-13, 2013
Attending:	Dennine Leschinsky, IST Teacher, Alburtis School
Estimated Cost:	\$1601.21 (School Improvement Funds)

Dr. Seidenberger said this is a national conference being attended by one of the outstanding IST teachers. He reported that the conference topics include assessment and analysis of student work, examining Math practices, and teachers learning how to call on students to apply complex reasoning to issues and challenges, etc. Common Core does require critical thinking skills which happens to be part of the district's Mission Statement. He reiterated that until the district receives information that we are no longer involved in Common Core the school districts will be moving in that direction. This conference is being paid for through federal School Improvement Funds. Mr. Stolz commented on whether this was a "Rah, Rah Conference" for Common Core which Dr. Seidenberger immediately dismissed. Ms. Leschinsky will be learning more practical levels of measurement and what makes a sound and effective assessment piece. Common Core is a major shift in the organization. Dr. Seidenberger said he was attending an AASA Conference later in the week where Dr. Charlotte Danielson will be a guest speaker. He will bring back some ideas from her. Mr. Stolz wanted to know what Title I funds are used for and Dr. Seidenberger responded that it was for teacher training. After further discussion, the following motion was presented:

Motion by Stolz, Seconded by Donches

RESOLVED, That the teacher attending the Common Core Now seminar be required to make a presentation in public to the Board after attending the conference.

In response to this motion, Dr. Seidenberger said it was more appropriate for the administration to make a presentation than having a teacher being singled out. He felt a written report would be sufficient. Ms. Heid felt a written report and material is sufficient and, if there are questions, then we could give them to the Board Secretary. She did not feel it was fair to put someone in this position. Ms. Fuller said it would be fair to expect that as the new curricula is being implemented the Board will be hearing about it thoroughly. She felt the questions being asked would in time be answered. She felt it was a bit much to ask an Alburtis teacher coming back from a conference to make a presentation for the Board. She will be sharing the information with her fellow teachers and hearing more about it from administration. Mr. Ballard did not think it was good policy to embroil the teaching staff in controversy. He felt the administration should interface with the public on issues of public concern. Mr. Stolz and Ms. Donches did not see any reason why the teacher should not be doing the presentation for the Board. Dr. Seidenberger pointed out that Common Core Standards are not a curriculum but Standards and Guidelines. Mr. Earnshaw noted that this conference is about educational strategies and not about the Common Core itself. He said it does not require data collection but is a framework of learning objectives that can and are adopted by states and passed on to districts to form a curriculum around them. He further talked about Chapter 4 regulations, Race to the Top, and No Child Left Behind. He said a written report would be sufficient and a presentation to the Board should be done by the administration.

This resolution was defeated by the following roll call vote:

Nay: Bacher, Ballard, Earnshaw, Fuller, Heid, Rhodes-----6

Aye: Donches, Policano, Stolz-----3

The Board returned to the original motion:

Motion by Earnshaw, Seconded by Bacher

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

Conference Title: Common Core Now, Boston, MA

Date(s): August 12-13, 2013

Attending: Dennine Leschinsky, IST Teacher, Alburtis School

Estimated Cost: \$1601.21 (School Improvement Funds)

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

Aye: Bacher, Ballard, Earnshaw, Fuller, Heid, Rhodes-----6

Nay: Donches, Policano, Stolz-----3

5. 2013-14 Ticket Pricing for Sports – Exhibit 9

Motion by Fuller, Seconded by Earnshaw

RESOLVED, That the East Penn Board of School Directors approve the ticket pricing and admission fees for the sports listed on Exhibit 9.

Ms. Donches moved to amend the motion:

Motion by Donches, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors approve the ticket pricing and admission fees for the sports listed on Exhibit 9 and that all board members and East Penn employees pay the full admission price.

Ms. Donches wanted to know if there was any information about the number of employees who use their badges and the revenues lost. She noted on the budget the revenues for boys basketball and football. Dr. Seidenberger said the amounts are estimates. Mr. Earnshaw said he had no problem with paying his own admission fee and explained that he attends the games because his daughter is in the band and he chaperones. He talked about the positive influence of having teachers and administrators present and the response of the students to seeing their teachers and assistant principals supporting their events. He felt it was "pennywise and pound very foolish." He would not support the amendment. Dr. Seidenberger also pointed out the positive influence of celebrating students' achievements, noting that admissions cover expenses. He said there are other things that can be done other than charging the staff. Dr. Bacher agreed that they would want to encourage faculty. Mr. Ballard commented that it is important to get as many administrators and school board members to support the school. This practice has been in effect for over 18 years and there has never been any suggestion of any significant loss of revenue. He said the facilities are provided for the public and there should be enough security personnel and staff on hand to be sure we have control over our property. Ms. Donches said she was not aware that staff was available for control. Dr. Seidenberger said he was not aware of any staff member at the high school who would not intervene if there was an issue. Ms. Donches went on that she was curious as to whether there was any data on the number of employees using their badge for admission or an estimate of revenue lost. Dr. Bacher interjected that he could not seriously see why the Board was spending time on this issue and wanted to Call the Question.

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

Mr. Stolz proposed the following motion:

Motion by Stolz, Seconded by Donches
RESOLVED, That all school board members and district employees be required to pay the student ticket price.

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

The Board returned to the original motion:

Motion by Fuller, Seconded by Earnshaw
RESOLVED, That the East Penn Board of School Directors approve the ticket pricing and admission fees for the sports listed on Exhibit 9.

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

5. 2013-14 East Penn School District Budget

1. 2013 Homestead and Farmstead Resolution

Motion by Earnshaw, Seconded by Bacher
RESOLVED, by the Board of School Directors of East Penn School District, that homestead and farmstead exclusion real estate tax assessment reductions are authorized for the school year beginning July 1, 2013, under the provisions of the Homestead Property Exclusion Program Act (part of Act 50 of 1998) and the Taxpayer Relief Act (Act 1 of 2006), as follows:

1. Aggregate amount available for homestead and farmstead real estate tax reduction. The following amounts are available for homestead and farmstead real estate tax reduction for the school year beginning July 1, 2013:

a. Gambling tax funds. The Pennsylvania Department of Education (PDE) has notified the School District that PDE will pay to the School District during the school year pursuant to Act 1, 53 P.S. § 6926.505(b), as a property tax reduction allocation funded by gambling tax funds, the amount of \$1,756,238.80.

b. Philadelphia tax credit reimbursement funds. PDE has notified the School District that PDE will pay to the School District during the school year pursuant to Act 1, 53 P.S. § 6926.324(3), as reimbursement for Philadelphia tax credits claimed against the School District earned income tax by School District resident taxpayers, the amount of \$37,163.68.

c. Aggregate amount available. Adding these amounts, the aggregate amount available during the school year for real estate tax reduction is \$1,793,402.48.

2. Homestead/farmstead numbers. Pursuant to Act 50, 54 Pa. C.S. § 8584(i), and Act 1, 53 P.S. § 6926.341(g)(3), the County has provided the School District with a certified report listing approved homesteads and approved farmsteads as follows:

a. Homestead property number. The number of approved homesteads within the School District is 15,889.

b. Farmstead property number. The number of approved farmsteads within the School District is 26.

c. Homestead/farmstead combined number. Adding these numbers, the aggregate number of approved homesteads and approved farmsteads is 15,915.

3. Real estate tax reduction calculation. The school board has decided that the homestead exclusion amount and the farmstead exclusion amount shall be equal. Dividing the aggregate amount available during the school year for real estate tax reduction of \$1,793,402.48 by the aggregate number of approved homesteads and approved farmsteads of 15,915, the maximum real estate tax reduction amount applicable to each approved homestead and to each approved farmstead is \$112.69.

4. Homestead exclusion calculation. Dividing the paragraph 3 maximum real estate tax reduction amount of \$112.69 by the School District real estate tax rate of 16.1259 mills (.0161259), the maximum real estate assessed value reduction to be reflected on tax notices as a homestead exclusion for each approved homestead is \$6,988.00, and the maximum real estate assessed value reduction to be reflected on tax notices as a farmstead exclusion for each approved farmstead is \$6,988.00.

5. Homestead/farmstead exclusion authorization – July 1 tax bills. The tax notice issued to the owner of each approved homestead within the School District shall reflect a homestead exclusion real estate assessed value reduction equal to the lesser of: (a) the County-established assessed value of the homestead, or (b) the paragraph 4 maximum real estate assessed value reduction of \$6,988.00. The tax notice issued to the owner of each approved farmstead within the School District shall reflect an additional farmstead exclusion real estate assessed value reduction equal to the lesser of: (a) the County established assessed value of the farmstead, or (b) the paragraph 4 maximum real estate assessed value reduction of \$6,988.00. For purposes of this Resolution, "approved homestead" and "approved farmstead" shall mean homesteads and farmsteads listed in the report referred to in paragraph 2 above and received by the School District from the County Assessment Office on or before May 1 pursuant to Act 1, 53 P.S. §6926.341(g)(3), based on homestead/farmstead applications filed with the County Assessment Office on or before March 1. This paragraph 5 will apply to tax notices issued based on the initial tax duplicate used in issuing initial real estate tax notices for the school year, which will be issued on or promptly after July 1, and will not apply to interim real estate tax bills.

6. Homestead/farmstead exclusion authorization – interim real estate tax bills.

No homestead or farmstead exclusion will apply to any interim tax bill except an interim tax bill applicable to a property that includes an approved homestead or approved farmstead listed in the report received by the School District from the County Assessment Office on or before May 1, but not included in the tax assessment reflected in the July 1 tax bill for the property. In most cases, the assessment of approved homesteads and approved farmsteads will be reflected in July 1 tax bills. However, in any case when there is an approved homestead or an approved farmstead that is not included in the assessment reflected in the July 1 tax bill, and when an interim real estate tax notice is issued later based on an interim assessment including the approved homestead or approved farmstead, the interim tax notice shall reflect a homestead or farmstead exclusion real estate assessed value reduction calculated under paragraph 5, except that the paragraph 4 maximum real estate assessed value reduction will be prorated in the same manner as the real estate tax is pro rated. Assuming the interim tax notice reflects taxation as of July 1, as will occur in most such cases, the full amount of the paragraph 4 maximum real estate assessed value reduction will apply. In the extraordinary case where the new interim tax assessment is effective after July 1, the paragraph 4 maximum real estate assessed value reduction will be pro rated in the same manner as the real estate tax reflected in the interim tax bill is pro rated.

2013-14 Budget - Final Adoption

RESOLVED, That the East Penn Board of School Directors adopt the 2013-14 budget that was tentatively adopted on May 13, 2013, and revised; and,

Be it further

RESOLVED, That the East Penn Board of School Directors, Lehigh County, Commonwealth of PA, hereby authorize expenditures totaling \$129,974,853 as set forth therein; and,

Be it further

RESOLVED, That the East Penn Board of School Directors levy a tax of 16.1259 mills per dollar of assessed valuation on real estate, and the following taxes be levied under Act 511:

A one-half percent (.5%) earned income tax, and, a one percent (1%) real estate transfer tax (District only receives .5%)

Be it further

RESOLVED, That the Senior Citizen Real Estate Tax Rebate Program be continued for the 2013-14 year with the same eligibility income guidelines as the previous year's program.

Dr. Seidenberger explained that putting together a budget is a collaborative team process. Each person who is charged with developing a budget does so by looking to the future and not the past. He thanked Debbie Surdoval, Business Manager; Jim Frank, Assistant Business Manager; and Lynn Glancy, Director of Operations, for putting together the budget book. He thanked the Business Office Staff for their work. Referring to the Taxable Assessment Classification Comparisons with Other Districts Chart, he noted that 81% of the property in East Penn is residential and only 9% is commercial. East Penn does not have a large commercial tax base. Anything that can be done to foster growth should be done without increasing growth in enrollment. He then referred to the Cost Per Student Comparisons with Other Districts in 2010-11 where East Penn is ranked at 275 out 500 districts, and he noted

that we did receive a letter from the Secretary of Education commending the district. Dr. Seidenberger highlighted the goals he had established for the budget. (The goals can be found on the district web site.) He noted that there was input from Central Office Staff, Supervisors, Principals, Assistant Principals, Curriculum Coordinator, Custodial/Maintenance Staff, teachers, instructional aides, administrative assistants, LCTI staff, IU staff, and LCCC staff. He reminded the Board that as of today (June 24), there is no state budget and no information on charter school reform or the pension issue. The district has no control over the pension rate that is established by the state. There is no new state aid for special education. The TIF has not yet been approved. Sequestration will impact the district due to decreased federal funding in the Title programs. Every budget is a new budget. He noted that 66% of major accounts have an increase of 1% or less. Common Core has caused the district to spend funds. He pointed out that East Penn has avoided consternation and acrimony. He recognized the administrators who have had a part in preparing this budget. He emphasized that they take their responsibility very seriously and noted that the actual process starts in September. These people are working with situations and data that is current.

In the 2013-14 budget, there is no tax increase. The district will be hiring six new professional staff members – 4 of the 6 are for special education are not optional. One biology teacher is needed for the high school to fit the enrollments. All programs remain intact. The district will stay the course with STEAM and Instructional Rounds. This budget invests in staff development and in technology. He cited the experience of being a visitation site for the NSBA Technology Visit. There is still focus on energy savings. This budget will also give flexibility for future planning. Dr. Seidenberger noted that of the non-salary and benefits accounts, 11 out of 20 show a decrease from the previous year. The total decrease in those accounts amounts to \$1,774,103.

Referring to the concepts/guiding internal principles, Dr. Seidenberger stated that the administration manages a budget and spending is not automatic even if the item is included in the budget. Decisions are based on situations and needs and circumstances may change. The administration values flexibility and having resources to address unexpected problems. He said the district is fiscally conservative and prudent in its spending and aspires to be excellent stewards of public funds. The mission is to be educationally sound. The challenges that face the district involve no real fiscal path from the state government, sequestration, new residential development, and the increase in special education students. As an example, Dr. Seidenberger shared that 3 special education students registered last week and the combined non-budgeted tuition fees will exceed \$160,000. He said refinancing in 2013-14 is not a sure thing and the debt service will increase by approximately \$500,000 in the 2014-15 budget. There is no firm information on the Jaiindl development and the Gehman Road project. We have contractual, benefits, pension and transportation obligations that are challenges in the 2014-15 budget. Since the June 10 Board Meeting, 7 students have registered at Macungie School, 6 at Shoemaker School, and 3 at Willow Lane. One of the new students at Macungie School is a grade 5 student and, if more students register, we may have to add another grade 5 teacher.

Commenting on the 2014-15 budget, Dr. Seidenberger said the index will still be low and cap the district's ability to raise revenue to the \$1,750,000-\$2,000,000 range if needed. Any cuts to the proposed final budget will only dig a fiscal hole that must be filled first in an unsettled environment. The possibility of needing more staff in the 2013-14 budget is a possibility but a stronger possibility in the 2014-15 budget.

Dr. Seidenberger said it is always nice to have third party sources saying the district is doing a good job. The Standard & Poor's rating came out on June 14 and it indicated that East Penn's financial performance is strong; management has been conservative; they consider the district's fiscal practices standard; fund balance and reserves are strong; and debt is moderate. Standard & Poor's affirmed the credit rating as AA with a stable outlook.

Ms. Donches presented the attached list of her Suggested Budget Reductions. She said her cuts maintain all programs and staff, maintain budgetary reserve, are conservative and do not cut the fund balance. The information is based on five years of historical data. She said she analyzed the budget functions and objects to better understand where the spending could possibly be curtailed. Mr. Ballard asked how she determined "excess money in the budget." She said it was the difference between the budget and actual expenses minus the budgetary reserve. She clarified that it would be fund balance. The accounts that she analyzed consisted of the accounts for Regular Education, Support Service Pupil Personnel, Support Services Administration, Pupil Health, Maintenance, Research/IT/IS/HR, and Student Activities and major object accounts under each function. The slides consisted of an individual breakdown of each of the accounts listed on her original chart. Her total budget reductions amounted to \$841,906.

Following Ms. Donches presentation, Dr. Seidenberger pointed out that she had seen all the people on staff who developed his budget and what he was disappointed in was that at no time during this process did she sit down to even ask what was in these accounts. He asked Ms. Donches if she knew what was in the Student Activities Account under Equipment for \$2,000 that she eliminated. He explained that there was \$250,000 of electronic equipment in the EHS pool and the district has been maintaining a maintenance program for a long time. It was for diving boards and touch pads for the pool. When a cut is made unilaterally, he said it is a mark of disrespect for the people who put the budget together. He pointed out that Ms. Donches made a cut of \$258,000 in the 1100 Regular Education (500-Other Purchased Services) but she did not know what was in the account. Dr. Seidenberger informed her that the account contains all the charter school students, special education students who are mainstreamed, and students who are in residential placements. The district does not have a choice in these situations. What the \$258,000 represents is dropping 28 charter school students. He questioned how we would explain to 28 parents that they would not be funded. He strongly pointed out that Ms. Donches was making cuts to accounts that she did not know what items were covered because she did not talk to anyone in administration. He felt he was in an awkward position of responding to a board member's presentation when you were not sure of what those recommendations entail. Continuing with his explanations, Dr. Seidenberger cited 2100-500, where there has been increases in postage and mileage for employees who travel between buildings, people who plan out social services, and guidance services. He noted 2300-300, the district now has EIT tax collection

commissions. The draft did include EIT commissions since Berkheimer is collecting this tax. He talked about special education legal cases. In account 2400-400, he asked Ms. Donches if she knew how old audiometers were in the district. Currently, they are 15 years or older. We are required to give hearing examinations. He said the administration goes over these accounts with the people involved and does not assume because someone did not spend an amount it is not needed. He said he questioned sending the message to spend the budget down during a year of no tax increase. Another account where Ms. Donches made a substantial reduction was 2600-600. Dr. Seidenberger said this account includes maintenance supplies and all utilities for heating and air conditioning. For the past two years, the area has experienced mild winters and the budget was lowered from what was there in 2008-09 through 2011-12. He explained that the energy savings have been great but a change in the weather can affect that budget. This also includes basic cleaning supplies. He would not recommend a \$160,000 cut. He could not endorse any of her reductions because an \$841,000 cut creates a hole that must be filled next year with a possible increase of 1 million in revenues next year. In 2011-12, the district spent \$184,000 which was budgeted for the district cyber program and the objective is get more students to return to the VLN program. There was already an \$11,000 cut in that budget. Referring to the 1100-400 account that includes all instructional equipment repair, those allocations are on individual school budgets and the administration would have to go back and negotiate with the principals because these stretch over multiple accounts. There is already a reduction in this budget, noting that the budget is not static and every once in a while something cannot be repaired and has to be replaced. He told Ms. Donches that under her proposal there is the assumption that everything is static when it is not. Mr. Mohn explained the technology accounts and that he would be looking at replacing computers from 2004 and next year 2005. The 2400-300 account includes contracted services for health, medical and dental services for students. These are all required services. Dr. Seidenberger noted that the poverty/homeless numbers in the district are increasing. Mr. Glancy explained that the Maintenance, Purchased Services account, is used for additional maintenance and repairs on the buildings that were done last year and, actually money was moved into that account. Dr. Seidenberger reiterated that funds had been budgeted in accounts based on circumstances that they evaluated. Mr. Glancy said it is more prudent to budget for a hard winter than a mild one. The 2600-700 Maintenance Account is for equipment such as snowblowers, mowers, vacuum cleaners, etc. This area has a large decrease budget to budget and is budgeted at less than what was spent in four of the last five years.

In conclusion, Dr. Seidenberger said he recognized the work that Ms. Donches had done but it was not based on anything real because she did not know what was requested but the fact to make a unilateral decision on what the district needs and does not need is a concern to him and his staff. Mr. Stolz proposed the following motion:

Motion by Stolz, Seconded by Donches

RESOLVED, That the Board suspend the rules and vote on each individual budget item proposed.

This resolution was defeated by the following roll call vote:

Nay: Bacher, Ballard, Earnshaw, Fuller, Heid, Rhodes-----6

Aye: Donches, Policano, Stolz-----3

Ms. Fuller indicated her support for the budget as presented. She pointed out that the approved Homestead/Farmsteads indicate there are 15,915 taxpayers. In Ms. Donches previous budget reduction sheet that showed a savings of \$911,000, the tax savings per household would be \$37.24, maybe less for the current amount. Based on the conversations heard today, Dr. Seidenberger and his staff have been good stewards. As Dr. Seidenberger said, just because there is money in the budget it is not necessarily spent. She suggested that the average taxpayer would gladly pay the \$37.00 to make sure that the next time there is an influx students or special needs students are enrolled that there be flexibility. Mr. Earnshaw pointed out the \$258,000 cut for charter schools. The state deducts the cost from the district's subsidy. He noted the private residential placements and special needs students, pointing out that these are programs that must be offered. He said right there \$258,000 simply cannot be cut. He criticized the cutting method by Ms. Donches. He did not support these arbitrary cuts. He was surprised that the district is just replacing computers from 2004 and 2005, noting that his firm has gone from a three year replacement schedule to a four year replacement for computers. He said these are conservative budgets and he has confidence in the budget. He was concerned about spending down the fund balance and he hopes revenues will increase. Dr. Bacher said he supported the administration's budget, adding that what he has seen in the district, the administration does run a tight fiscal ship. Mr. Stolz said he was pleased to see a no increase budget. He asked Dr. Seidenberger how did he manage to have a 5 million dollar increase in the budget. In response, Dr. Seidenberger said that 1.7 million dollars was cut and the revenues have increased to some degree. They did put \$300,000 for the state in the budget but we are still behind 1.8 million dollars. Dr. Seidenberger agreed with Mr. Earnshaw's point that this budget does make use of the fund balance but it is one of the reasons that the district does control spending. Dr. Seidenberger pointed out the Standard & Poor's report. Dr. Seidenberger reflected on what has been done over the years such as wage freezes and stopping spending which resulted in 2 million dollars. Mr. Stolz brought up the costs for Common Core. Dr. Seidenberger said the costs are in training time. Dr. Seidenberger further noted that the \$153,000 for textbook replacement would be taking place anyway and are not being driven by Common Core. Mr. Stolz asked if administrative pay raises are in the budget. Dr. Seidenberger responded that there were reasonable funds budgeted. Mr. Stolz asked if the proposed TIF funds were in the budget. Dr. Seidenberger said there are zero dollars in the budget for the TIF. In response to further questions, Dr. Seidenberger explained that he does not always control all the pieces of the puzzle. The TIF would make a difference but it would not make a difference in this budget. He would suggest that perhaps it should be in a separate account. Dr. Seidenberger noted the revenue from one of the warehouses. Dr. Seidenberger mentioned the development being built in Alburtis and how this would impact the district. He said he may have to come back to the Board in the fall for a demographic study. Mr. Stolz brought up the subject of the Wednesday afternoon dismissal.

Mr. Ballard talked about a course he took in propaganda, reminding the audience that it was at the time of the Cold War when the country was combating Communism. People needed to understand how the Communist takeover was going to be fueled by propaganda. He studied a whole section on propaganda and the techniques. It helped when he was on the Debate Team and received formal training. He said propaganda starts out with the usual small stuff. You want to demonize your opponent. Mr. Stolz' blog talks about the Educrats or you label Fund Balance as excess funds. Putting out the false idea that there is excess money out there that is floating around as excess for anything. Two of the strong techniques were how do you approach an opponent and get them off of their game and the strategy used in the propaganda sense was the ambush. You try to present to your opponent some new set of facts or some new thought or some new process when they have not had a chance to look at the material ahead of time and they have no idea what you are talking about and you are attempting to make them look foolish by producing this stuff at the last minute when they have no chance to analyze it, rebut it, or anything else. In this particular situation, I feel we have been ambushed. This is the last possible meeting without advertising a special meeting that we can have to approve the budget and we find out about proposed cuts to the budget factually only in this meeting despite the requests to provide rationalizations and justifications two weeks ago. We did not get them. There was only a smattering of data indicating that there would be some presentation on this data. No rationale and nothing that can be reviewed ahead of time – just bare account numbers and dollar numbers thrown out at the last possible minute. There were figures coming out on a Blog at the last possible minute – not sent to the Board, not discussed with the Board, not discussed with the administration. This was a classic propaganda ambush. In response to a protesting Mr. Stolz, Mr. Ballard asked him to keep his comments to himself. There was nothing going on about attacking a board member. We are talking about a presentation to the Board and whether he liked the comments or not Mr. Stolz was going to hear them. Mr. Ballard said there is another propaganda technique that keeps getting thrown up in front of him and he described this version of the Big Lie. This was defined in 1925 by a person that you might have heard about who wrote a book called Mein Kampf and his name was Adolph Hitler and he defined it as a lie so colossal that no one would believe that someone would have the impudence to distort the truth so famously. Mr. Ballard said what we have is the start of the presentation of the Big Lie that there are \$900,000 or a million dollars' worth of cuts in this budget and that we are depriving the taxpayers of their funds by having this excess that we could have returned to the taxpayers – This is the Big Lie. You have heard that many of the so called supposed cuts are illegal. You cannot do them. People can be fined and go to jail for making those kinds of cuts. When you have a zero-based budget it does not matter what the previous year's was you budget for what you are spending this year and you have to justify it this year and provide facts this year. It does not matter a bit what happened last year. In fact, most of the categories we talked about do not go from year to year in some kind of orderly progression. They just go to wherever they happen to be. If we have to replace certain equipment this year, it is what we have to do this year and what is justified. You do not go on the basis of what happened in the past because as you recall from any of you who do investing there is big statement made at the bottom of the Prospectus that the historical results are no guarantee of future success. There is a reason for that. So what do we have – statements that we have historically over budgeted; no basis in fact for that other than funds were not expended. As anyone will tell you, correlation does not imply causation. You cannot say the reason why these expenditures were not up to the budget was because we historically over budgeted. There is no proof of that. Calling a reduction savings is another misuse of the terms that are out there. Why do I believe there is an ambush? Why do I believe that there is a Big Lie? Well, with all this historical data we saw a spread sheet come out that was handed out at the last meeting. I requested the spread sheet and the backup information and got nothing. Those numbers are historical and they have been going on for weeks and months. Why could we not have them so everyone had the same data to look at it and maybe there was something in there reasonable we could agree to it? No, this was an ambush attempt. I do not like to see public policy being decided by ambush. I am tired of those kinds of tactics. If the principles are so noble, then you do not need to do that kind of activity. You should be able to put your ideas out in the public forum and make the case and convince others. This is not a game; you do not score points - political or otherwise. You are dabbling in the lives of people, both the staff and the public, affecting them in their wallets, quality of education, affecting them in many ways. This is a serious business and we do not conduct ambushes. The fact is that we could not get this information ahead of time for the Board to consider and in particular for the administration to consider. Where is the consideration that we have a hard working staff that has put in hundreds of hours to get this budget straightened out. We can't have the courtesy to give them an advanced copy of our thoughts so they can come back with their thoughts and ideas – that is not discourse; that is ambush. Putting people in an untenable position with no facts behind them so your pseudo facts look better – that is an ambush. He noted that 1.7 million dollars is the amount from taxes next year subtract the \$500,000 that might be used up for debt service and then subtract \$840,000 for cuts/excess funds (The Big Lie) there is only \$160,000 left. It is putting us in a budget situation that is more untenable than before.

He talked about the alternative budget strategy being exactly the kind of thing that was presented and is sponsored by the PA School Boards Coalition/Leadership for Liberty. This particular situation of coming up with last minute pseudo cuts labeled excess funds saying this information is out there because it was not spent last year is a tactic being pushed by this group. I am sorry but if it looks like a snake, hisses like a snake, and bites like a snake then it is a snake in the grass as far as I am concerned. Mr. Ballard said he was literally incensed that the Board had to go through this kind of "crap" in a school district of the quality of East Penn. If you have an idea, then you bring it forth but to hide it under a rock and then spring it on people is an ambush. You come to the administration and say "I think we could save money by doing this," and you can argue with them and if they do not agree then you can say I argued with them and they knew about it and I am bringing it up and put it out in the public to see if it gets any more traction. That is reasonable. Springing surprises, and putting things on the last day, the last hour, and the last minute for budget approval is an ambush. Putting out a statement that there was this hidden money in the East Penn budget that the Educrats failed to give back to taxpayers is the Big Lie. This should be a collegiate group supporting and preserving public education and trying to do the best for all our constituencies, not just taxpayers. Mr. Ballard concluded that they would not want to see him in full debate mode. He requested that if the Board wants to continue in a reasonable fashion to fashion the policies and the future of this district that they do it on the basis of being open and honest and transparent. Mr. Stolz took exception to Mr. Ballard's remarks. He said Ms. Donches presented her first draft cuts two weeks ago. Mr. Stolz did not want to be associated with Leadership for Liberty.

Mr. Ballard talked about a course he took in propaganda, noting that you demonize the opponent. He talked about the techniques involving the Big Lie and how you approach the opponent and get them off their game. He referred to this as the ambush. He translated this into the situation that happened this evening with the budget and proposed cuts to the budget. He said this was a classic propaganda ambush. He described his version of the Big Lie as being the budget reduction cuts that had been proposed and the portrayal of historical over budgeting. He said that public policy should not be decided by ambush. If the principles are so noble, then you do not need to do that kind of activity. He said this is not a game but there are real lives involved. He asked where is the consideration for the staff who have worked endless hours on the budget. He talked about the alternative budget strategy being exactly the kind of thing that was presented and is sponsored by the PA School Boards Coalition/Leadership for Liberty. He did not think that this was the way business should be conducted in a school district the caliber of East Penn. This should be a collegiate group supporting and preserving public education and trying to do the best for all our constituencies, not just taxpayers. He requested that if the Board wants to continue in a reasonable fashion to fashion the policies and the future of this district that they do it on the basis of being open and honest and transparent.

Ms. Donches made the following motion:

Motion by Donches,
RESOLVED, That her budget reductions as outlined be part of the budget.

The motion failed for lack of a second.

Ms. Donches said she had a lot of respect for the staff and the work they do. The reason she did not talk to the staff is because she believes public business should be conducted in the public. She commented that there is no Budget and Finance Committee to talk about these things. This is the public forum that this Board has. She also claimed that she does not get the information she requires and returned to the issue of the check registers and 16 digit account codes. She did not care if no one else wanted the information – she wanted it and claimed it would be very helpful to her. She maintained that she did not get a straight answer about the fund balance and how it affects the district's ratings for bonds. She said she spent hours and days on her spreadsheets to understand this information. She said she put together her presentation and then the administration changed it on Thursday. She said she was relieved to hear Dr. Seidenberger express concern about the budget because the district is a government agency and it should be concerned about every dollar.

Dr. Seidenberger responded that Ms. Donches answered her own question about why we maintain a healthy fund balance because we maintain viability and flexibility and we live up to the expectations of the citizens and parents in this community. He talked about the stress on him with the budget. He said that it almost sounded as though he interfered with her budget process. He said he wanted to make this clear. Ms. Donches went out and created something on your own and he made changes that are done normally. He pointed out that it is his responsibility to create the budget, while her role is to ask questions about the budget. He was not going to apologize for doing his job. He said she was always welcome to contact him. He said there is a matter of respect and she could have asked questions. He did not enjoy being put in a spot where he had to remind her that a \$2,000 item is a big deal to a lot of folks. He had to call to find out about the cut and that is not the position he should have been put in. Mr. Earnshaw said he would encourage board members to ask questions. He said the Board represents the entire citizenry in East Penn, not just taxpayers. Mr. Policano thanked Dr. Seidenberger and Ms. Donches for their efforts. He felt she had opened up what goes on in the budget for the public. He thanked Dr. Seidenberger for a zero increase budget. Mr. Stolz also appreciated Ms. Donches' hard work. He said that he could not support some of the cuts that involved equipment, supplies, and pupil health. He thought it had been an informative discussion. Dr. Bacher said that the account numbers she mentioned have nothing to do with the budget. Ms. Donches thanked Mr. Policano for his comments about bringing out the public. She wanted to know the percent of fund balance. It was noted that it is 8% of undesignated fund balance.

The Board returned to the original motion.

The resolution was duly adopted by the following roll call motion:

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

6. Business Operations

1. Approval of Bill List

Motion by Earnshaw, Seconded by Policano

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 was abstaining because she does not get the information she requires.

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

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

2. Treasurer's Report

Motion by, Seconded by

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

SECAP Finance Lease Agreement & State & Local Fair Market Value Lease – Exhibit 10

RESOLVED, That the East Penn Board of School Directors approve the SECAP Finance Lease Agreement & State & Local Fair Market Value Lease for a Connect 3000+ with WOW Power Stacker 70 lb. scale with in-view accounting for 63 months at \$695/month.

Note: This is for the District mail machine with postage meter.

Record of Investments

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

Investment Vehicle:	ESSA Bank CD-Mem. Fund
Purchase Date:	June 1, 2013
Maturity Date:	June 30, 2013
Term:	30 days
Rate:	0.25%
Amount:	\$105,138.13

Disbursement of Funds – Exhibit 11

RESOLVED, That the East Penn Board of School Directors authorize the payment of funds from Capital Reserve Fund and 33-2010 Series A GOB as described in Exhibit 11.

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

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

6. Ratification of Food Crafters Contract – Exhibit 12

Mr. Stolz proposed the following motion:

Motion by Stolz, Seconded by Donches

RESOLVED, That action on the Food Crafters Contract be deferred to July 8.

This resolution was defeated by the following roll call vote:

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

Motion by Earnshaw, Seconded by Policano

RESOLVED, That the East Penn Board of School Directors ratify the tentative Collective Bargaining Agreement and the Memorandum of Understanding with the Food Crafters Association/ESP/PSEA/NEA of the East Penn School District for the 2013-2016 school years as presented.

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

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

Abstention: Stolz-----1

7. Announcements

Monday, June 24 6:45 p.m.-Executive Session (Personnel, Negotiations, Legal Matters)
7:30 p.m.-Board Meeting

Summer Board Meetings (Business Casual)

Monday, July 8 7:30 p.m.-Board Meeting
Monday, August 12 7:30 p.m.-Board Meeting
Monday, August 26 7:30 p.m.-Board Meeting

8. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 11:05 p.m.

Cecilia R. Birdsell, Board Secretary