

ORDER OF BUSINESS

1. Call to Order; Pledge of Allegiance

President Francee Fuller 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: C. H. Ballard, A. Earnshaw, F. Fuller, E. Gannon, C. Jones, S. Kowalchuk, M. Prinzing, T. Richwine, J. Stolz

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

Treasurer: Gary Reigal

Board Secretary: Cecilia R. Birdsell

Superintendent of Schools: Dr. Thomas L. Seidenberger

Press Present: Loretta Fenstermaker, East Penn Press Reporter
Sarah Fulton, Morning Call Reporter

2. Requests to Address the Board-None

3. Approval of Minutes

Motion by Ballard, Seconded by Earnshaw

RESOLVED, That the East Penn Board of School Directors approve the minutes for the June 23, 2008 meeting.

Mr. Earnshaw complimented and thanked Miss Birdsell for the minutes that included a lot of public comment from the audience. He felt she had captured the content and the tenor of the meeting.

This resolution was unanimously adopted by voice vote.

4. Public Financial Management-Bond Refinancing

Mr. Scott Shearer of Public Financial Management reviewed the attached Bond Sale Document. This was an internet competitive bond sale and the successful bidder was Sovereign Securities LLC and the savings to the district amounted to \$176,021.45. There are very few bond issues being done in Pennsylvania because of the volatility of the market. Mr. Ballard thanked PFM for their service to the district, noting they have saved taxpayers millions of dollars with these refinancings. In response to Ms. Fuller, Mr. Shearer indicated that the turmoil in the market has not affected Pennsylvania school district debt and that most of these transactions are bank qualified. East Penn received another Triple A rating from Moody's.

Mr. Jonathan Cox, Rhoads and Sinon, reviewed the attached resolution. The following motion was introduced:

Motion by Ballard, Seconded by Earnshaw

RESOLVED, That the East Penn Board of School Directors authorized and directed issuance of its General Obligation Bonds, Series AA of 2001 in the original aggregate principal amount of \$9,845,000 as described in the attached resolution.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine----8

Nay: Stolz-----1

Board President Francee Fuller emphasized that by the Board taking this action they had saved taxpayers \$176,021.45.

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

Dr. Seidenberger reported that school districts in Lehigh County are looking at developing their own Cyber Charter School. The districts are committed to examining the proposal that would add flexibility to district curriculums and have a cost saving. In the area of technology, the district is

equalizing technology in the elementary classrooms and there is going to be a migration of the operating system from Novell to Microsoft. There was a successful administrative retreat where out of the nine Strategic Planning Goals, the staff will be concentrating on three that will drive the action in the district next year. The staff development courses and department meetings are taking place around the district throughout the summer.

1. Personnel

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

Personnel

-Doug Povilaitis, Health & Wellness/Fitness Teacher at Emmaus HS, effective July 9, 2008

(Exhibit 1)

-Ramona Romanik, Book Repair, effective July 18, 2008 (Exhibit 2)

-Karen Heffelfinger, Health Room Aide at Wescosville School, effective July 7, 2008 (Exhibit 3)

Appointment of Professional Employee

Name/Address:	Adelaide Peters 419 Old Philly Pike, Kempton 19529
Education Level:	B. A. Degree (2001) M. A. Degree (2004)
Undergraduate School:	Juniata College
Graduate School:	Miami University (Oxford, Ohio)
Certification:	Instructional II, Social Studies
Assignment:	Social Studies, Emmaus HS Vacancy created by T. Husser retirement
Effective:	8/26/08
Experience:	8/04-6/08: Philipsburg-Osceola SD 1/04-6/04: Kutztown Area SD
Salary:	\$51349 (Step E, Year 5, Col. M)

Appointment of Temporary Professional Employees

Name/Address:	Allison Brooks 2905 Highland Street, Allentown 18104
Education Level:	B. A. Degree (1997) M. A. Degree (2002)
Undergraduate School:	George Washington University
Graduate School:	University of Miami (Coral Gables, FL) DeSales University (certification credits)
Certification:	Instructional I, Spanish
Assignment:	Spanish, Emmaus HS Vacancy created by J. Torres resignation
Effective:	8/26/08
Experience:	2/08-6/08: Pennridge SD 2003-06: Fort Lauderdale & Miami, FL
Salary:	\$50,130 (Step A, Year 1, Col. M)

Name/Address:	Daniel Kukitz 5764 Wina Circle, Coopersburg 18036
Education Level:	B. A. Degree (2002)
Undergraduate School:	Penn State University Kutztown University (certification credits)
Certification:	Instructional I, Communications
Assignment:	English, Eyer MS Vacancy created by M. Matelan retirement
Effective:	8/26/08
Experience:	2/07-1/08: Quakertown SD

11/04-6/06: Tachikawa Language Center;
Yamato International School
Salary: \$42,600 (Step A, Year 1, Col. B)

Full-Time Substitute Teacher Appointment

Name/Address: Jamye Keiser
1748 Quarry Road, Coopersburg 18036
Education Level: B. A. Degree (2000)
M. Ed. Degree (2003)
Undergraduate School: Temple University
Graduate School: Arcadia University
Certification: Instructional I, Special Education, N-12
Assignment: Special Education, LMMS
Opening created by K. Boligitz leave
Effective: 8/26/08
Experience: 9/04-Present: Lifepath Inc.
8/02-9/04: Carson Valley School
Salary: \$42,600 (Step A, Year 1, Col. B)

Lower Macungie MS Co-Curricular Advisors

Jennifer Davenport	Band Front	\$552.00
Marisa Perez	Yearbook	\$1325.00
	National History Day	\$276, Club A
Rett Fisher	Web Design	\$883.00
	Greenhorn.net	\$1049, Club C
Jane Shingler	Builders Club	\$1049, Club C
Kathy Thomas	Student Council-Co-Advisor	\$662.50
Deidre Thorp	Student Council-Co-Advisor	\$662.50
Anthony Simons	Band Director	\$3091.00
Kelly Weaver	National Jr. Honor Society	\$524.50, Club C
Janet Spence	National Jr. Honor Society	\$524.50, Club C
Nicole Stanchock	PJAS	\$276, Club A
Matthew Laub	PJAS	\$276, Club A
Brett Landrum	PJAS	\$276, Club A
Patrick Hanlon	PJAS	\$276, Club A
Thad Smith	National History Day	\$276, Club A
Robert Sawicki	National History Day	\$276, Club A
Patrick Campbell	National History Day	\$276, Club A
David Bosse	National History Day	\$276, Club A
Rafael Perez	Boys Basketball Coach	Volunteer

Extended School Year Program Additions

Andrea Hajducko, Speech Robin Dottor, Aide

Summer School Program Addition

Dave Iobst Driver Education

Department Chair - Health Services

Ann Johnson

Teacher Transfer

Employee: Kelly Weaver
From: Grade 8, English, LMMS
To: Grade 7, Communications Applications, LMMS

Educational Conferences - Exhibit 4

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

2008-09 Ticket Pricing for Sports

See Exhibit 5

Appointment of Professional Employee

Name/Address: Kristin Buckner
582 Brighton Street, Bethlehem 18015
Education Level: B. S. Degree (2002)
M. Ed. Degree (2005)
Undergraduate School: Bloomsburg University
Graduate School: Lehigh University
Certification: Instructional II, Elementary
Assignment: 8/02-Present: Allentown SD
Vacancy created by retirement of T. Goszka and subsequent transfers
Effective: 8/26/08
Experience: 8/02-Present: Allentown SD
Salary: \$51,969 (Step G, Year 7, Col. M)

Name/Address: Kenneth Jordan
225 Jubilee Drive, Stockertown 18083
Education Level: B. S. Degree (1996)
M. S. Degree (2001)
Undergraduate School: College Misericordia
Graduate School: College Misericordia
Certification: Instructional II, Elementary, Supervisor of Curriculum & Instruction
Assignment: Grade 5, Macungie School
Vacancy created by D. Tempest retirement and subsequent transfers
Effective: 8/26/08
Experience: 8/02-Present: Southern Lehigh SD
1/98-8/02: East Stroudsburg SD
Salary: \$60,669 (Step K, Year 11, Col. M)

Appointment of Temporary Professional Employees

Name/Address: Kathryn Heffelfinger
3517 Country Club Road, Allentown 18103
Education Level: B. S. Degree (2004)
M. A. Degree (2005)
Undergraduate School: Loyola College
Graduate School: Northeastern University
Certification: Educational Specialist I, School Psychologist
Assignment: School Psychologist, Emmaus HS
New Budgeted Position
Effective: 8/26/08
Experience: 8/07-Present: Catasauqua SD
Salary: \$53,300 (Step B, Year 2, Col. M +24)

Name/Address: Kelly McConahy
1131 Sleepy Hollow Road, Pennsburg 18073
Education Level: B. M. Degree (2008)
Undergraduate School: West Chester University
Certification: Instructional I, Music
Assignment: Music, LMMS
Effective: 8/26/08
Experience: None
Salary: \$42,600 (Step A, Year 1, Col. B)

Name/Address: Megan Tucker
2847 Edgemont Drive, Allentown 18103
Education Level: B. M. Degree (1992)
Undergraduate School: Wilkes University
Graduate School: American Kodaly Institute

Certification:	Gallaudet University
Assignment:	Instructional I, Music
	Music, LMMS
	Vacancy created by G. LaSalle retirement and subsequent transfer
Effective:	8/26/08
Experience:	9/07-Present: Southern Lehigh SD
	9/03-9/07: Bryn Mawr School
	9/95-6/03: Hartford County, MD
Salary:	\$44,439 (Step J, Year 10, Col. B)
Name/Address:	Ashley Zimmer
	120 Orthodox Drive, Richboro 18954
Education Level:	B. S. Degree (2007)
Undergraduate School:	Kutztown University
Certification:	Instructional I, Citizenship
Assignment:	Social Studies, Emmaus HS
	Vacancy created by D. Bower retirement
Effective:	8/26/08
Experience:	11/07-6/08: East Penn SD (FTS)
Salary:	\$42,900 (Step B, Year 2, Col. B)

Principal Transfer

Principal:	Dr. Ronald Renaldi
From:	Jefferson School
To:	Alburtis School
Effective:	Immediately

Ms. Fuller called attention to the ticket pricing for sports program, noting that senior citizens with a Golden Age Card can enter for free. Mr. Prinzing questioned why the indoor season tickets were \$40.00 and the outdoor sports were \$20.00. Mr. Ramella indicated that there are only five outdoor games but there are 12 indoor games. Dr. Seidenberger indicated that the receipts do not cover the expenses. Mr. Richwine clarified that the revenue from these programs does not show up in the regular budget but in the athletic budget.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz--

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2. Approval of Strategic Plan Vision Statement; Mission Statement; and Belief Statements

Dr. Seidenberger said with the deadline for submission for the Strategic Plan being late in August the administration felt the district would be missing the opportunity to publicize the information for the 2008-09 school year. Mr. Earnshaw said he liked the Vision and Mission statements for this plan better than the previous statements. Mr. Richwine felt the Vision Statement was more accurate than the current vision by the state and federal government. Ms. Fuller asked for a motion and then allowed discussion to continue.

Motion by Ballard, Seconded by Earnshaw

RESOLVED, That the East Penn Board of School Directors approve the Strategic Plan Vision Statement, Mission Statement, and Belief Statements as follows:

Vision Statement

The East Penn School District will empower students to maximize their individual potential and become lifelong learners and contributors to a global society.

Mission Statement

The East Penn School District will provide a learning environment in which students become problem solvers, collaborators and critical thinkers.

Belief Statements

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.**
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.**
5. **We believe a commitment to continuous improvement is essential to achieve the mission of the East Penn School District.**
6. **We believe the collaboration between the home, the school district, and the community has a direct correlation to the quality of the educational system and the experience of each student.**
7. **We believe a strong foundation of experiences leads to constructively contributing citizens who understand the effects of their actions.**
8. **We believe that a strong and effective education system is essential to both the survival and prosperity of a democratic society.**
9. **We believe that the East Penn School District must manage financial assets in an efficient and effective manner that is fiscally responsible to all members of the community.**

Mr. Stolz said he was impressed that a statement dealing with maximized individual potential that was included but he objected to the "global society statement." This philosophy leads to outsourcing jobs and it is a concern of his. He also said the statement about a "strong and effective education system" should be more in line with the PA Constitution that calls for a "thorough and efficient system of education." As a member of the Steering Committee, Ms. Kowalchuk said the global society statement was discussed and it was looked at as being all-encompassing from the local level on up. The Committee did not want to limit it and disregard the local community. Mr. Jones questioned the use of "Belief Statements" and felt it was somewhat of a religious connotation. He suggested using other words such as Principle/Value Statements. Dr. Seidenberger responded that it is the state's nomenclature. Ms. Fuller indicated that the Committee felt the Belief Statements were principles on which the district can build. Dr. Seidenberger said what needs to be done now is to add clarifying/exemplar statements. He said the recommendations could be taken back to the Steering Committee. Ms. Gannon suggested under #4 that instead of "providing an excellent program" the language should be "promoting excellence."

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

Aye: Ballard, Earnshaw, Fuller, Gannon, C. Jones, S. Kowalchuk, M. Prinzing,
T. Richwine-----8
Nay: Stolz-----1

6. Facilities

1. Willow Lane - Tabled at the June 9, 2008 Meeting

Motion by Richwine, Seconded by Ballard

RESOLVED, That the East Penn Board of School Directors remove from the table the original motion that was tabled at the June 9 Board Meeting.

Original Tabled Motion for Willow Lane

Motion by Richwine, Seconded by Ballard

RESOLVED, That the East Penn Board of School Directors table the issuance of "Notice of Intent to Award Contracts" to the contractors listed below and in the amounts listed who are the lowest responsible bidders meeting specification for the Willow Lane Elementary School Project.

General Contractor

Perrotto Builders LTD
426 Warren Street
Reading, PA 19601

Base Bid	\$14,248,000
Accepted Alternates	(\$456,100)

Total Contract Award \$13,791,900

Accepted alternates: GC: 1,3A,4,8, 9,10, 13A, 17, 19, 20, 21, 25, 26, 28, 30, 31, 41

NOTE: All other alternates not listed above be rejected.

HVAC Contractor

Worth & Company, Inc.
6263 Keller Church Road
Piperville, PA 18947

Base Bid	\$2,622,000
Accepted alternates	(\$5,700)
Total Contract award	\$2,616,300

Accepted alternate HC 1

NOTE: All other alternates not listed above be rejected.

Plumbing Contractor

JBM Mechanical, Inc.
3273 Bun Club road
Nazareth, PA 18064

Base Bid	\$1,112,000
Accepted alternate	(\$1.00)
Total Contract Award	\$1,111,999

Accepted alternate PC 1

Electrical Contractor

Wind Gap Electric, Inc.
125 West Seventh Street
Wind Gap, PA 18091

Base Bid	\$2,849,700
Accepted alternates	\$ 4,750
Total Contract Award	\$2,854,450

Accepted alternates EC 1, 3A, 4

NOTE: All other alternates not listed above be rejected.

Summary:

Total contract cost with alternates

	\$20,374,649
Base bid no alternates	\$20,831,700
Total alternates accepted	(\$457,051)

Be it further

RESOLVED, That the East Penn Board of School Directors authorize submittal of PLANCON G project accounting based on bids to the Department of Education per Exhibit 14.

Be it further

RESOLVED, That the Notice of Intent to Award Contracts are issued contingent upon submittal and approval of the required documents to the

Department of Education (PLANCON G), and required approvals from other state and local agencies with the appropriate parties being authorized to sign the documents, submittal and approval of the required bonds, Certificates of Insurance, and the required documents from the contractors as specified in the bid instructions and materials, and execution of a contract as required in the bid instructions and materials, all of the aforementioned being completed to the satisfaction of the District Solicitor.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, M. Prinzing,

T. Richwine-----8

Nay: Stolz-----1

2. Contract Awards

Dr. Seidenberger said that the consultants were available to answer the questions of board members regarding the project. Mr. Ballard asked about the bid evaluation and why the bids came out the way they did and the actual causes.

Owners' Representative Robert Whartenby from URS Corporation said he talked to all of the contractors and part of the issue was the energy budget because they did not know how to assess it. One critical aspect is the increase of materials such as asphalt. He indicated labor has increased by 7% and the increase from the time the Alburtis School was built is 24%. There has been an increase of 18% compared to what was included on the Plancon documents. He explained the complexities of the site costs and the involvement and requirements by the Department of Environmental Protection. He relayed his personal experience with previous projects and the increases that are experienced that require extensive overruns. DEP is doing this to public sector projects to try to make an example. The Best Management Practice Handbook requires that a civil engineer or designer must provide a minimum of 3 BMPs. What has been happening is that DEP has forced public service projects to push novel ideas. Mr. Whartenby said that the first obligation is to the client but unfortunately when it comes to the DEP and other governmental agencies the project is at the end of the design phase. Mr. Ballard questioned the overrun in the construction expense. He asked if there were any statements as to how things could have been done differently that would have lowered the uncertainty or change. Mr. Whartenby explained the various cost saving measures that would have lowered costs but did not have any relevancy to the project. The site is pretty restrictive, noting there is nothing extravagant with the amount of parking, the landscaping or pathways. It is a "vanilla product" and there is nothing in there that is an exorbitant cost. In his professional opinion, there is nothing in the project that could mitigate the cost.

Mr. Ballard asked about the AIA Code of Ethics dealing with misleading clients. He asked how being professionals in the business this increase could only be found after the bids were in. Mr. Whartenby said he would not speak on behalf of the architect but, at the time of the bid, in terms of what was shown on Plancon at that juncture in a school that size and bringing in the 2 million dollars for site work was not unheard of and the numbers were not misrepresented. He believes the economy was the major influence and the risk factor regarding the contractors. Mr. Whartenby said he would not even venture talking about ethics. Mr. Bachl from W2A said the question sounds like an ethical breach with respect to the school. Their motivation from the beginning was to design a particular project that met all the requirements of the district. There was nothing presented that was intentionally done to mislead the Board of Directors. He has never had an allegation with respect to ethics. Mr. Bachl reiterated that he wanted to assure the Board that the information presented was not intended to mislead the district and that he wholeheartedly disagreed with any allegation of ethical misconduct. Mr. Dave Drake from W2A said there was no motivation to mislead the Board. The costs were based on respectable cost estimating and industry standards. Mr. Ballard said they told the Board the project could be brought in for the amount estimated. Mr. Drake said that the site costs went out of sight. Mr. Bachl also pointed out that the project was to be bid in January 2008, not in May. The bidding climate was an entirely different situation in May. Mr. Drake said the district was aware of the difficulties in the approvals for the project. It was not a secret, especially in the area of site work. There was unprecedented escalation in costs during the last five months.

Mr. Jones said he understood where Mr. Ballard was coming from and indicated he was offended by the accusations of ethical issues. He explained the projections on simplistic growth and markets that are unpredictable. He said a market is a combination of millions of people's opinions and market changes are based on new information. He concluded that that he did appreciate their work and that they had done a fair job. Mr. Earnshaw said he rejected any insinuation of unethical behavior on the part of the professionals involved in this project. He said if anyone could have predicted the cost of steel, gas, oil and

basic commodities they would be professional investors. The insinuation that the architects should have known what would be required by governmental agencies is beyond the reasonableness standard. They design to what the standards say and when the government agencies require more than they do it and to insist otherwise is unfair. He also indicated that vendors are invalidating their contracts because of the increases. Mr. Earnshaw said he appreciated the efforts of the professionals and he was embarrassed by what he heard this evening.

Mr. Prinzinger said the Board should step back and take a look at why it was originally proposed. His information was that it was to address future home building. Ms. Fuller said the Alburtis building was built four years ago and now has portables and the kindergarten students were pulled out of their buildings to attend Lower Macungie Elementary School that had to be reopened. It was in response to current need and projected need. He said that it was his understanding that the building was done to address housing projects that the Township has not approved. Ms. Fuller corrected this information by saying the Township has approved several hundred units. Mr. Prinzinger pointed out that spending four million dollars for a smaller building with a higher square foot cost was illogical. He asked Mr. Reigal how much costs were being carried over each year for debt. Mr. Reigal said it looks like the district would be required to borrow an additional 15 million dollars, adding that another 10 million dollars has been approved. It would represent about a .6 mil increase. The district borrowing capacity right now is 35 million dollars and there would still be 20 million dollars for potential projects. Mr. Prinzinger asked if the district could afford to build this building. Mr. Drake said the enrollment projections shows growth in live births. Ms. Kowalchuk asked how much more it would cost. Mr. Reigal responded that it would cost .2 mills. Mrs. Kowalchuk also pointed out that there had been many problems with the municipalities. She, too, indicated that the market is volatile and the increases are unpredictable. She asked about redesigning the building and the time period. Mr. Bachl said it could be redesigned by taking off a quadrant or floor. The benefit of doing that is very risky and there might be costs incurred that the district did not have now. The length of time for the approval process, coupled with the design process, could be several months. Ms. Kowalchuk asked if there was any design that would not require going through the approval process. Mr. Bachl did not think there could be shortcuts in the approval process.

Ms. Gannon said she did not think that eliminating the top floor would slow down the process. Mr. Drake said that concept was reviewed but it would require changes in the classroom space on the lower floors as well as some of the common areas. Ms. Gannon talked about the PDE projections and the actual enrollments. She was wondering if the building was appropriately sized. Mr. Whartenby pointed out the negatives to undersizing the school when there is so much proposed development in the area. He emphasized that while the projections are for five years, the building is being built for 40 years into the future. Ms. Gannon commented on the perceived need for a new high school and spending funds on a larger than necessary elementary school.

Mr. Stolz said it sounded as though building the school without the third floor was a question of it being less than pretty. Mr. Drake took exception to that statement by saying that the building would have to be redesigned because the third floor is primarily classroom space. He said it would distort the building and other auxiliary spaces. Mr. Stolz asked about keeping the same footprint with a school with less capacity and asked if it was doable. Mr. Drake replied that it was a risky situation but it could be tried. Mr. Richwine said he did not see where the reasons to build the building have changed. He pointed out that there are four portable classrooms at Alburtis and over 400 students at Lower Macungie ES, adding this school was never meant to be a long term solution so there are over 500 students who need a permanent home. The discussions about the size are one of the difficulties the Board has faced right along. There may be a lull in the building but there are over 2000 approved lots. A larger school would give the district greater flexibility. He also pointed out that the space would be needed if the state moves toward a mandatory full day kindergarten program. The district has to plan for a lot of possibilities because of the time it takes to go through the planning, bidding, and building process. He said he did not think there was a different situation, concluding that he would support approval.

Mr. Earnshaw reiterated the number of students in portables, complaints from parents about substandard spaces, and the fact that the high school utilization chart shows there are empty classrooms in the high school, and music and art being taught off a cart. There are no empty classrooms at the elementary level. He repeated many of the thoughts that had been expressed about downsizing the building, pointing out that most of the increases had been for site costs. He talked about the additional transportation costs that have been incurred to bus students from around the district to the kindergarten classes at Lower Macungie Elementary School. He also pointed out that by the time the project is done we may be at capacity. He concluded that in the long run we will save taxpayers money by approving the bids and moving ahead with the project.

Mr. Ballard asked if the client for an architectural contract is the Board who hires the architect or is the district. Solicitor Fisher verified that the Board is the client. Mr. Ballard pointed out that for several meetings over the course of two years it was repeatedly stressed that we did not want this project

to exceed the figures that we were given. He did not believe that could be in dispute. The references made tonight were to the fact that the district knew, not the Board. He continued that there had been Board meetings previous to the bid opening and there had been no information about the increases in the construction industry. He felt there was sufficient information about the industry that should have been shared and there was no request to try to speed up the process with the municipal approvals. He did not know whether he should hold this bad treatment of the Board against the project. In three to five years, Upper Milford Township is going to come on line and that will bring more students so the district will not be wasting taxpayers' money with this building. There are more flexibility and temporary solutions for the high school than we do for the elementary level. He said he was sorry if people misinterpreted his motivation for concern.

Mr. Jones said one of things that the architectural firm could have done was manage expectations more effectively. Mr. Drake said that unfortunately they have to set an estimate at a very early point in the project. He apologized to Mr. Ballard because two months ago they had a draft letter to send to the district because of the issues involved (infiltration because of water on the site, removing silt from the site, sprinkler system) but the letter was not finished and sent because they were so far along in the project and decided to go to bid and then see how the bids were received. Mr. Stolz said he had been to a few elementary schools where the district needs to do something. One of his first concerns was the overcrowding in the high school hallways and cafeteria. He said if the bids were approved then we are limiting the borrowing capacity to do anything and that it will increase the debt to 160 million dollars. He urged board members to not approve the bids and come up with a project that is at the appropriate budget. He indicated he would not support the motion. Mr. Prinzinger felt the issue should have been presented to the Board earlier. Mr. Earnshaw said he originally stated that the project must come in at budget but there was no way to predict the various economic factors (rising material and energy costs, etc.). He noted that the district gets about 17 million dollars a year in extra borrowing capacity. Mr. Reigal said that by 2012 (projected date for new high school); if the district does not do any further borrowing, there will be approximately 68 million dollars. Mr. Reigal further explained that the district would not borrow that amount in one year. Ms. Fuller asked if the bids need to be accepted as is, using Mr. Ballard's suggestion to not finish all the classrooms but maintain the capacity for future classrooms. Solicitor Fisher said the bids must be accepted the way they are and then the district would go back to the contractor to complete change orders. He cautioned against following that concept because the district is not in a good bargaining position. Mr. Fisher said he could not talk about the design but if the footprint is touched or something on the plan is changed then you will have to go back for some type of approval but the bare minimum would be two to three months. To start the entire process over again, Mr. Fisher estimated it would take as long as 18 months. Ms. Fuller quoted construction cost figures that have escalated; concluding that resizing the building will only result in a smaller, expensive building. She was also informed by a local real estate agent that even though there is less activity, people are still buying and selling homes and East Penn is a desirable destination. She indicated she would be voting in favor of the motion.

In conclusion, Mr. Whartenby said he had been tracking bids since the Willow Lane bids were opened and the construction costs have increased 1.25% compared to last year when it was ranging .6. He also noted that he had received information from a firm that manufactures music stands and they indicated, due to the market, they were increasing prices 4% as of July 14.

Motion by Earnshaw, Seconded by Kowalchuk
RESOLVED, That the East Penn Board of School Directors authorize the issuance of
"Notice of Intent to Award Contracts" to the contractors listed below
and in the amounts listed who are the lowest responsible bidders
meeting specification for the Willow Lane Elementary School Project.

General Contractor

Perrotto Builders LTD
426 Warren Street
Reading, PA 19601

Base Bid	\$14,248,000
Accepted Alternates	(\$456,100)
Total Contract Award	\$13,791,900

Accepted alternates: GC: 1,3A,4,8, 9,10, 13A, 17, 19, 20, 21, 25, 26, 28, 30, 31, 41

NOTE: All other alternates not listed above be rejected.

HVAC Contractor

Worth & Company, Inc.
6263 Keller Church Road
Piperville, PA 18947

Base Bid	\$2,622,000
Accepted alternates	(\$5,700)
Total Contract award	\$2,616,300

Accepted alternate HC 1

NOTE: All other alternates not listed above be rejected.

Plumbing Contractor

JBW Mechanical, Inc.
3273 Bun Club road
Nazareth, PA 18064

Base Bid	\$1,112,000
Accepted alternate	(\$1.00)
Total Contract Award	\$1,111,999

Accepted alternate PC 1

Electrical Contractor

Wind Gap Electric, Inc.
125 West Seventh Street
Wind Gap, PA 18091

Base Bid	\$2,849,700
Accepted alternates	\$ 4,750
Total Contract Award	\$2,854,450

Accepted alternates EC 1, 3A, 4

NOTE: All other alternates not listed above be rejected.

Summary:

Total contract cost with alternates

	\$20,374,649
Base bid no alternates	\$20,831,700
Total alternates accepted	(\$457,051)

Be it further

RESOLVED, That the East Penn Board of School Directors authorize submittal of PLANCON G project accounting based on bids to the Department of Education per Exhibit 6; and,

Be it further

RESOLVED, That the Notice of Intent to Award Contracts are issued contingent upon submittal and approval of the required documents to the Department of Education (PLANCON G), and required approvals from other state and local agencies with the appropriate parties being authorized to sign the documents, submittal and approval of the required bonds, Certificates of Insurance, and the required documents from the contractors as specified in the bid instructions and materials, and execution of a contract as required in the bid instructions and

materials, all of the aforementioned being completed to the satisfaction of the District Solicitor.

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

Aye: Ballard, Earnshaw, Fuller, Jones, Kowalchuk, Richwine-----6

Nay: Gannon, Prinzing, Stolz-----3

Plancon Approvals, Sub-Division Improvements Agreement; and Rejection of Prime Contract Bids

Motion by Earnshaw, Seconded by Kowalchuk

RESOLVED, That the East Penn Board of School Directors approve PLANCON F, Bid Opening Notification, (Exhibit 7), post bid opening notification for submission to the PA Department of Education; and,

Be it further

RESOLVED, That the East Penn Board of School Directors approve PLANCON H, Project Financing (Exhibit 8) for submission to the PA Department of Education; and,

Be it further

RESOLVED, That the East Penn Board of School Directors approve the Sub-Division Improvements Agreement with Lower Macungie Township for the Willow Lane Project. (Final review to be completed by the Solicitor.); and,

Be it further

RESOLVED, That the Single Prime Contracts received at bid opening on May 21, 2008 be rejected.

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

Aye: Ballard, Earnshaw, Fuller, Jones, Kowalchuk, Richwine-----6

Nay: Gannon, Prinzing, Stolz-----3

7. Other Educational Entities

-Carbon Lehigh Intermediate Unit

T. Richwine

Ms. Fuller reported that Mr. Richwine had been elected President of the IU Board. Mr. Richwine said there was the formal election of the rest of the Board and several were new and one was returning after a two year hiatus. The Board approved the contract between the IU and the Education Association. They reviewed the 2007-08 goals dealing with the Emergency Management Plan. The Transportation Department has been realigned as a result of last year's study. During the last 18 months, there has been an increase of 758 students using IU services and East Penn has 313 students who are receiving services, an increase from 252 in 2006.

-Lehigh Career & Technical Institute

A. Earnshaw
F. Fuller
S. Kowalchuk
T. Richwine

Mr. Earnshaw reported that the JOC recognized retiring employees and staff who have perfect attendance. They also recognized 2 staff members - Cyndi Barkley and Jodi Blose. Mr. Earnshaw announced that the student-built house had been sold and noted that aging features had been incorporated into the design. He talked about the customized training program that can be used by business in the evenings. It has helped to defray costs from the sponsoring districts.

8. Legislative

C. Ballard

Mr. Ballard reported that there was publicity about extra education funding; however, the East Penn School District is receiving \$38,000 less because of cuts in special education. The Governor has signed Act 32 of 2008 that amends the Local Tax Enabling Act. Mr. Reigal said from his interpretation of the legislation Lehigh County will be going to one tax collector. There would be a need to have

representation the Board represented on a committee and the expenses will probably be paid by school districts. There is another bill on the Governor's desk that would eliminate the rights of school districts to appeal individual property assessments. Mr. Ballard felt that the Legislature should have forced reassessment on every county in the state to get away from the inequity. He noted that there are more Keystone Opportunity Zones and some committee action over the summer. Dr. Seidenberger reported that there is now a requirement for insurance companies to reimburse parents \$37,000 for autism services. He also noted that the funds for Classrooms of the Future were cut. Mr. Ballard mentioned that HR 803 is a bill that would require school districts to provide training for the playing of Taps. He reminded board members about submitting items for consideration/amendments to the PSBA Platform.

Mr. Stolz said Representative Karen Beyer's bill for cyber charter schools was "going down in flames." Mr. Ballard responded that the bill could not get out of committee. It is still a live bill. Mr. Stolz said he had been criticized by Ms. Beyer regarding the tax increase in light of the Legislature's increase. Mr. Ballard said the reimbursement number is sent out in February and did not change. Mr. Reigal explained that there had been a 4.3% increase that had been anticipated and included in the budget. Mr. Richwine and Mr. Reigal talked about the old formula and increases based on previous years. Dr. Seidenberger said the Governor's budget had a 1.7% cut in special education.

9. Business Operations

1. Approval of Bill List

Motion by Ballard, Seconded by Earnshaw

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

Approval of Investments

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

INVESTMENT	DATE	DATE OF				
<u>VEHICLE</u>	<u>PURCHASED</u>	<u>MATURITY</u>	<u>TERM</u>	<u>RATE</u>	<u>AMOUNT</u>	
Harleysville Nat. Bank	03/10/08	06/10/10	27-mos.	2.90%	\$287,037.67	
Harleysville Nat. Bank	06/20/08	06/20/09	12-mos.	2.20%	\$1,107,859.74	

Note - These CD's are held as collateral on construction.

Approval of Athletic Bids - Exhibit 9

RESOLVED, That the East Penn Board of School Directors approve the attached contracts for athletic equipment as presented in Exhibit 9.

Disbursement of Funds - Exhibit 10

RESOLVED, That the East Penn Board of School Directors authorize the expenditure of funds from 2004 A issue and 2007 EGA Issue as listed on Exhibit 10.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine-----8

Nay: Stolz-----1

Mr. Jones asked about CD rates and the FDIC limits. Mr. Reigal said the investments are guaranteed and these, in particular, provide a line of credit. Mr. Stolz questioned items on the athletic equipment list that did not appear to be complete and questioned a \$1600 item. It was ascertained that another item was Wilson tennis rackets. It appeared that the fields did not disclose the complete description of the items listed. When he did not receive clarification, he said he felt he had made his point.

10. Announcements

Monday, July 14

7:30 p.m.-Board Meeting, Board Room
(Negotiations, Personnel)

Monday, August 11

7:30 p.m.-Board Meeting, Board Room

11. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 10:00 p.m.

Cecilia R. Birdsell, Board Secretary

ORDER OF BUSINESS

1. Call to Order; Pledge of Allegiance

President Francee Fuller called the meeting to order at 7:30 p.m. in the Board Room located at 800 Pine Street, Emmaus, followed by the Pledge of Allegiance.

Board members present: C. H. Ballard, A. Earnshaw, F. Fuller, S. Kowalchuk, M. Prinzing,
T. Richwine, J. Stolz
Board members absent: E. Gannon, C. Jones
Solicitor: Marc S. Fisher, Esq., Worth, Magee & Fisher
Treasurer: Gary Reigal
Board Secretary: Cecilia R. Birdsell
Superintendent of Schools: Dr. Thomas L. Seidenberger

Press Present: Loretta Fenstermaker, East Penn Press Reporter
Pat Lester, Morning Call Reporter

2. Requests to Address the Board-None

3. Approval of Minutes

Motion by Ballard, Seconded by Kowalchuk
RESOLVED, That the East Penn Board of School Directors approve the minutes for the July 14, 2008 meeting.

This resolution was unanimously adopted by voice vote.

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

1. Personnel

Dr. Seidenberger reported that East Penn had been the recipient of a High Schools for the Future Grant in the amount of \$188,000, plus \$30,000 for a technology coach. He thanked the individuals who took the time to complete the application. The original amount funded by the state was 90 million dollars but the state budget was then cut back to 45 million dollars. There will be an additional round of funding next year. Lt. Governor Katherine Baker Knoll is asking the federal government to support technology in education. Director of Technology Michael Mohn said five-six full carts will be ordered. Dr. Seidenberger commended Mr. Mohn's efforts. Dr. Seidenberger invited board members to the New Teacher Orientation Program on August 19 and the District Staff Day on August 26. The keynote speaker on August 26 will be Marc Prensky an acclaimed speaker, writer, consultant futurist, visionary, and inventor. He will be speaking at 9:15 and then at 10:45 will be interacting with six East Penn students. Everyone is welcome to attend. Ms. Kowalchuk asked how many computers are on each cart. Mr. Mohn responded that each cart holds 25 computers. The coach will be at the high school. Mr. Richwine asked how many positions needed to be filled. Director of Personnel Leslie Daniel said that, at this time, there are 2 assistant principal vacancies at the high school; a part-time French teacher, health/wellness teacher at the high school; a literacy coach; and a speech teacher.

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

Resignations

-Rebecca Beidelman, Assistant Principal at Emmaus HS, date to be determined (Exhibit 1)

-Gregory Puckett, Assistant Principal at Emmaus HS, effective August 22, 2008 (Exhibit 2)

-Jane Zientera, Speech Teacher, effective date to be determined (Exhibit 3)

-Hope DeIaco, Teacher Aide at Emmaus HS, effective August 7, 2008 (Exhibit 4)

- Brenda Boyler, Teacher Aide, effective August 1, 2008 (Exhibit 5)
- Cheryl Leclerc, Teacher Aide at Jefferson School, effective immediately (Exhibit 6)
- Arlene Inman, Teacher Aide at Emmaus HS, effective immediately (Exhibit 7)
- Susan Fackler, Health Room Aide at Shoemaker School, effective immediately (Exhibit 8)
- Barbara McKenna, Health Room Aide, effective immediately (Exhibit 9)
- Suzanne Erbe, Teacher Aide at Wescosville School, effective immediately (Exhibit 10)
- Debra Homa, Teacher Aide at Emmaus HS, effective immediately (Exhibit 11)
- Joseph Brauchle, Maintenance Staff, effective immediately (Exhibit 12)
- Ashley Zimmer, Social Studies Teacher at Emmaus HS, effective immediately (Exhibit 13)

Dismissal from Employment

- Paul Magargal, Teacher Aide at Emmaus HS, effective immediately

Leaves as per Collective Bargaining Agreement

<u>Employee</u>	<u>Effective</u>
Susan Bauer Grade 6, Eyer MS	8/26/08
Jessica Silfies Grade 4, Shoemaker School	8/26/08
Julie Hammel Math, Eyer MS	8/26/08-11/17/08

Professional Employee Appointments

Name/Address:	Karen Brion 6496 Carmel Drive, Macungie
Education Level:	B. A. Degree (1994)
Undergraduate School:	University of Pittsburgh
Graduate School:	Moravian College (Certification Credits)
Certification:	Instructional II, Elementary
Assignment:	Grade 5, Lincoln School Vacancy created by N. LaBarre resignation
Effective:	8/26/08
Experience:	1/00-Present: Bethlehem Area SD
Salary:	\$52,316 (Step I, PC Col., Year 9)

Name/Address:	Evangeline Wildonger 5166 Briarwood Drive, Macungie
Education Level:	B. S. Degree (1979)
Undergraduate School:	East Stroudsburg University
Graduate School:	Marywood College (Master's Equivalency)
Certification:	Instructional II, Speech Correction
Assignment:	Speech New Position not filled in 2007-08
Effective:	8/26/08
Experience:	8/79-Present: IU 20
Salary:	\$71,552 (Step P, Year 18+, Col. PC)

Temporary Professional Appointments

Name/Address: Melissa Moxley
 6800 Hunt Drive, Macungie
 Education Level: B. A. Degree (2001)
 M. Ed. Degree (2007)
 Undergraduate School: Penn State University
 Graduate School: Cedar Crest College
 Certification: Instructional I, Social Studies
 Assignment: Social Studies, Emmaus HS
 Vacancy created by D. Bower retirement;
 Ashley Zimmer resignation
 Effective: 8/26/08
 Experience: 8/07-Present: Allentown SD
 Salary: \$50,430 (Step B, Year 2, Col. M)

Full-Time Substitute Teacher Appointments

Name/Address: Caitlin Carney
 2011 Majestic Overlook Drive, Bethlehem 18015
 Education Level: B. S. Degree (2006)
 M. Ed. Degree (2008)
 Undergraduate School: Lehigh University
 Graduate School: Lehigh University
 Certification: Instructional I, Elementary
 Assignment: Grade 5, Shoemaker School
 Opening created by J. Silfies leave
 Effective: 8/26/08
 Experience: None
 Salary: \$42,600 (Step A, Year 1, Col. B)

Name/Address: Ashley Cassel
 Box 85, Paupack, PA 18451
 Education Level: B. S. Degree (2008)
 Undergraduate School: Kutztown University
 Certification: Instructional I, Elementary, Special Ed
 Assignment: Special Ed, LMMS
 Opening created by K. Hillegass leave
 Effective: October 3, 2008
 Experience: None
 Salary: \$42,600 (Step A, Year 1, Col. B)

Name/Address: Nancy Cleff
 3248 Sequoia Drive, Macungie
 Education Level: B. A. Degree (1980)
 Undergraduate School: Cedar Crest College
 Certification: Instructional II, Elementary
 Assignment: Grade 3, Shoemaker School
 Opening created by K. Smith leave
 Effective: 8/26/08
 Experience: 1/05-9/07: East Penn SD (FTS)
 9/84-6/86: Allentown Diocese
 9/80-6/81: Scranton Diocese
 Salary: \$43,820 (Step E, Year 5, Col. B)

Name/Address: Marissa Fox
 4641 Canterbury Drive,
 Education Level: B. S. Degree (2007)
 Undergraduate School: Kutztown University
 Certification: Instructional I, Elementary
 Assignment: Grade 4, Macungie School
 Opening created by C. Dugan leave
 Effective: 8/26/08
 Experience: 2/08-6/08: East Penn SD
 Salary: \$42,600 (Step A, Year 1, Col. B)

Name/Address: Chandra Gossai

2325 Livingston Street, Allentown 18104

Education Level: B. A. Degree (2008)
 Undergraduate School: Muhlenberg College
 Certification: Instructional I, Elementary
 Assignment: Grade 1, Alburtis School
 Opening created by C. Hamscher leave
 Effective: 8/26/08
 Experience: None
 Salary: \$42,600 (Step A, Year 1, Col. B)

Name/Address: Rebekah Menk
 1430 Mark Drive, Lansdale 19446

Education Level: B. S. Degree (2008)
 Undergraduate School: Kutztown University
 Certification: Instructional I, Elementary
 Assignment: Grade 5, Shoemaker School
 Opening created by M. Dawson leave.
 Effective: 8/26/08
 Experience: None
 Salary: \$42,600 (Step A, Year 1, Col. B)

Name/Address: Tracy Millheim
 2286 N. Pewter Drive, Macungie

Education Level: B. S. Degree (2007)
 Undergraduate School: Kutztown University
 Certification: Instructional I, Elementary
 Assignment: Grade 2, Wescosville School
 Opening created by C. Yenser leave
 Effective: 8/26/08
 Experience: 8/07-6/08: Quakertown SD (per diem substitute)
 Salary: \$42,600 (Step A, Year 1, Col. B)

Name/Address: Lisa Wolff
 1979 Goldenrod Drive, Macungie

Education Level: B. A. Degree (1983)
 Undergraduate School: Lehigh University
 Graduate School: DeSales University (Certification Credits)
 Certification: Instructional I, Elementary
 Assignment: Grade 4, Lincoln School
 Opening created by H. Moser leave.
 Effective: 8/26/08
 Experience: 2/08-6/08: Quakertown SD
 Salary: \$42,600 (Step A, Year 1, Col. B)

Remedial Assistant Appointment

Name/Address: Darlene Bishop
 6054 Blue Church Road, Coopersburg 18036

Effective: To be determined
 Salary: \$13.00/hr., 25 hrs./wk.

Appointment of Chief School Physician

That Dr. Robert A. Barnes, 723 Chestnut Street, Emmaus be appointed as Chief School Physician from July 1, 2008 to and including June 30, 2009 and as outlined in Exhibit 14.

Approval of Non-Bargaining Unit Salaries –Exhibit 15

That the East Penn Board of School Directors approve the 2008-09 salaries and fringe benefits for the non-bargaining unit employees, effective July 1, 2008.

Change in Employment Status/Transfers

Employee	From	To
Shaun Murray	Miscellaneous Support Staff	Act 93-Assistant Activities Director

Michael Mondovich	PT Custodian	FT Custodian (Opening created by J. Brauchle Resignation)
Linda Dunnette	Spec Ed, Lincoln School	Spec Ed., Jefferson School

Staff Assistant/Instructional Assistant (See Exhibit 16)

Food Services Department Assignments (See Exhibit 17)

Co-Curricular Advisors (See Exhibit 18)

2008-09 Per Diem Substitute List

See Exhibit 19

Julie Cavaliere, Food Services Department

2008-09 Bus Driver List

See Exhibit 20

Appointment of Head Teachers: Extended School Year: Web Design: Book Repair

See Exhibit 21

Educational Conferences (Exhibit 22)

That the East Penn Board of School Directors approve the expenses for the individuals attending the educational conferences listed on Exhibit 22.

Resignation

-Dan Ruth, Tech Assistant, effective immediately (Exhibit 13A)

General Leave

Employee:	Elizabeth Parise, Remedial Assistant
Effective:	2008-09 School Term

Principal Transfer

Principal:	Cheryl Wetzel
From:	Principal, Lower Macungie Elementary School
To:	Principal, Jefferson School

Staff Assistant/Instructional Assistant Changes in Hours

See Exhibit 16A

Temporary Professional Employee Appointment

Name/Address:	Payal Bhowmick 6727 Pioneer Drive, Macungie
Education Level:	B. S. Degree
Undergraduate School:	Temple University
Certification:	Instructional I, English
Assignment:	English, Lower Macungie MS Vacancy created by C. Jones resignation & subsequent transfers
Effective:	8/26/08
Experience:	None
Salary:	\$42,600 (Step A, Year 1, Col. B)

Full-Time Substitute Teacher Appointment

Name/Address: Timothy McCutchan
123 Whispering Hills Court, Effort 18330
Education Level: B. A. Degree
M. A. Degree
Undergraduate School: Lehigh University
Graduate School: Lehigh University
Certification: Instructional I, Social Studies
Assignment: Social Studies, Eyer MS
Opening created by S. Boyle Military Leave
Effective: 8/26/08
Experience: None
Salary: \$42,600 (Step A, Year 1, Col. B)

Substitute for Remedial Assistant

Name/Address: Christina Burroughs
2175 Goldenrod Drive, Macungie
Assignment: Substitute for B. Parise Leave
Salary: \$11.00/hr., 25 hrs./wk.

These resolutions were duly adopted by the following roll call vote:
Aye: Ballard, Earnshaw, Fuller, Kowalchuk, Prinzing, Richwine, Stolz-----7
Absent: Gannon, Jones-----2

5. Legislative C. Ballard

1. Appointment of Voting Delegates for the Legislative Policy Council

Motion by Ballard, Seconded by Earnshaw
RESOLVED, That the East Penn Board of School Directors appoint the following individuals as the voting delegates for the PSBA Legislative Policy Council on October 16, 2008:

Charles H. Ballard Francee Fuller Alan Earnshaw

This resolution was duly adopted by the following roll call vote:
Aye: Ballard, Earnshaw, Fuller, Kowalchuk, Prinzing, Richwine, Stolz-----7
Absent: Gannon, Jones-----2

Mr. Ballard reported that the State Legislature is on recess. He was part of the PSBA Legislative Platform Committee and the actions taken for the PSBA platform will be in a future issue of the School Leader News. The Report of the Labor Relations Task presented to the PSBA Board of Directors will be forwarded to board members. Every property tax suggestion is in the Finance Committee of the House. Dr. Seidenberger said there are policies that will need to be adopted as a result of the Omnibus Bill dealing with bullying/harassment and he will let the Board know well in advance of a first reading.

6. Business Operations

1. Approval of Bill List

Motion by Earnshaw, Seconded by Kowalchuk
RESOLVED, That the East Penn Board of School Directors approve the bill list, including the addenda, and that the Treasurer be authorized to issue checks and vouchers in the amounts indicated.

Special Disbursements - Exhibit 23 and Exhibit 23A

RESOLVED, That the East Penn Board of School Directors authorize the expenditures from the Capital Reserve Fund and 2007 EGA Issue as outlined on Exhibits 23 and Exhibit 23A.

Approval of Plancon H: Project Refinancing - Exhibit 24

RESOLVED, That the East Penn Board of School Directors approve Plancon H: Project Refinancing for the General Obligation Bonds, Series of 2008.

Bid Award-Grand Piano - Emmaus HS

RESOLVED, That the East Penn Board of School Directors award the contract for a Schimmel Grand Piano to John JK. Zeiner & Sons in the amount of \$55,320.00.

Approval of Addendum No. 2 to the URS Contract for Willow Lane
(Exhibit 25)

RESOLVED, That the East Penn Board of School Directors approve Addendum No. 2 to the URS Contract as described in Exhibit 25.

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

Aye: Ballard, Earnshaw, Fuller, Kowalchuk, Prinzinger, Richwine-----6

Nay: Stolz-----1

Absent: Gannon, Jones-----2

Mr. Richwine questioned Mr. Stolz about why he had voted negatively. Mr. Stolz responded that he had expressed his concern about various expenditures and he will vote negatively on a regular basis about paying the bills. Mr. Richwine asked if he had asked about the expenditures. Mr. Stolz felt he had brought them up but they were brushed off. Mr. Richwine said when people vote "no" they should outline what they are voting against. He said if there are individual items in question then Mr. Stolz should bring them up.

Ms. Fuller said she was glad to see that the piano had been purchased and noted the fund raising efforts that have been made over the years.

7. Announcements

Monday, August 11 6:30 p.m.-CLEAR Session (Personnel, Negotiations, & Confidential Matters)
7:30 p.m.-Board Meeting

Tuesday, August 19 New Teacher Orientation Day

Tuesday, August 26 District Staff Development Day

Monday, August 25 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 7:50 p.m.

Cecilia R. Birdsell, Board Secretary

ORDER OF BUSINESS

1. Call to Order; Pledge of Allegiance

President Francee Fuller 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: C. H. Ballard, A. Earnshaw, F. Fuller, E. Gannon, C. Jones, S. Kowalchuk, M. Prinzing, T. Richwine, J. Stolz

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

Board Secretary: Cecilia R. Birdsell

Board Treasurer: Gary Reigal

Superintendent of Schools: Dr. Thomas L. Seidenberger

Press Present: Sarah Fulton, Morning Call Reporter

Loretta Fenstermacher, East Penn Press Reporter

2. Requests to Address the Board-None

3. Approval of Minutes

Motion by Ballard, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors approve the minutes for the August 11, 2008 meeting.

This resolution was unanimously adopted by voice vote.

4. Consideration of Proposed Resolution for the Emmaus Bond Pool LOC Substitution

Mr. Glenn Williard from Public Financial Management explained that the school district has several loans with the Emmaus General Authority. There are three from 1989 that are called credit loans that are only there in the event that an original loan would need to be paid. The resolution deals with replacing the bank that currently holds those credit loans. Originally the loans were held by an Irish bank called DEPFA and they indicated in the spring that they no longer wished to hold these bonds and they expire on November 3. There needs to be a mandatory tender of the Emmaus General Authority Bonds which are then replaced with the U.S. Bank bonds. A copy of the presentation by Mr. Williard is attached to the minutes of this meeting. In response to a question from Mr. Ballard, Mr. Williard explained the process for this substitution. Mr. Prinzing asked if the district was on a variable rate for the old bonds. Mr. Williard responded that these are long term loans and the average rate is 3.75% and, from an asset stand, the district has all the cash in the budget invested. Mr. Prinzing asked if fixed rates would also go up and Mr. Williard indicated that would probably be the case. Mr. Prinzing asked if it would be advantageous to go with the variable rate at this point. Mr. Williard said it is a good asset/liability match to have some investments with a variable rate but not all of them. Mr. Williard clarified that the fixed rate is between 4%-5%.

Mr. Jonathan Cox from Rhoads & Sinon explained the attached resolution. The following motion was presented:

Motion by Ballard, Seconded by Earnshaw

RESOLVED, That the East Penn Board of School Directors authorize the incurrence of nonelectoral debt by the issuance of its General Obligation Notes for the purpose of evidencing the school district's reimbursement obligation to U. S. Bank National Association as described in the attached resolution.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----9

Ms. Fuller emphasized that this action does not include any new indebtedness.

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

1. Personnel

Dr. Seidenberger said there was an outstanding opening for the 2008-09 school year. He thanked the custodial/maintenance staff for making every building pristine. With tonight's appointments, the district has filled all available positions. The only problem was with a few of the kindergarten bus runs and those problems have been solved. The enrollment is up 139 students; more in kindergarten and in

Grade 12. The administration will be looking at class sizes with the Kindergarten classes being somewhat elevated. At the next Board Meeting, there will be a resolution authorizing LCCC to purchase 44.9 acres from Kids Peace for 1.6 million dollars. There is a 15 year right of first refusal in the agreement. The EPEA is hosting a social before the September 22 Board Meeting. Dr. Seidenberger indicated that he had met with representatives of the Seven Generations Charter School. They will be presenting information at the October 27 Board Meeting. The school is slated to open in September 2009 and will house K-4 students. They will add additional grades as the school moves forward. He noted that he also received a letter from Thomas Paine Charter School and they intend to market in this area even though they are in the Northampton area. He noted that Teacher Sean Boyle will be on military leave to Iraq.

Motion by Earnshaw, Seconded by Gannon

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

Mr. Prinzing asked about the status of webcasting. Dr. Seidenberger indicated that the district did not have the expertise in house. Mr. Ballard called for a point of order since the webcasting was a report and not part of the motion.

Resignations

- Kyle Shellaway, Chemistry Teacher at EHS, effective August 13, 2008 (Exhibit 1)
- Tiffany Eberhart, Special Education Teacher at EHS, effective date to be determined (Exhibit 2)
- Timothy McCutchen, Social Studies Teacher (FTS) at Eyer MS, effective August 18, 2008 (Exhibit 3)
- Jan Smith, Instructional Support Assistant at LMMS, effective immediately (Exhibit 4)
- Lucy McLeod, Administrative Assistant at Eyer MS Library, effective August 27, 2008 (Exhibit 5)
- Merry Kackos, Teacher Aide at LMMS, effective immediately (Exhibit 6)
- Donna Ruch, Health Room Aide, effective immediately (Exhibit 7)
- Rebecca Gilbert, Teacher Aide at Emmaus HS, effective immediately

Leave as per Collective Bargaining Agreement

Employee: Tracy Maley
Art Teacher, Emmaus HS
Effective: September 10, 2008

Military Leave

Employee: Sean Boyle
Social Studies, Eyer MS
Effective: On or about September 14, 2008 (1 year)

Appointment of Professional Employee

Name/Address: Patrick Birns
120 Meadow Brook Road, Matamoras 18336
Education Level: B. S. Degree (1996)
M. Ed. Degree (2003)
Undergraduate School: East Stroudsburg University
Graduate School: East Stroudsburg University
Effective: 8/26/08
Certification: Instructional II, Health/Physical Ed
Assignment: Health/Wellness, Emmaus HS
Vacancy created by D. Povilaitis resignation
Experience: 9/98-8/08: Delaware Valley SD
9/97-6/98: Bethlehem Area SD
Salary: \$65,042 (Step L, Year 12, M +12)

Name/Address: Brian Harkness
1033 N. 17th Street, Allentown 18104
Education Level: B. S. Degree (1991)
M. S. Degree (2005)
Undergraduate School: Mansfield University

Graduate School: Wilkes University
 Effective: 8/26/08
 Certification: Instructional II, Chemistry
 Assignment: Chemistry, Emmaus HS
 Vacancy created by resignation of K. Shellawy
 Experience: 9/97-Present: Central Bucks SD
 9/93-8/97: Reading SD
 Salary: \$72,504 (Step O, Year 16, M)

Appointment of Temporary Professional Employees

Name/Address: Rebecca Beitler
 1213 State Street, Mertztown 19539
 Education Level: B. S. Degree (2002)
 M. S. Degree (2004)
 Undergraduate School: Bloomsburg University
 Graduate School: LaSalle University
 Effective: To be determined
 Certification: Instructional I, Speech & Language Impaired
 Assignment: Speech Language
 Vacancy created by J. Zientara resignation
 Experience: 8/04-7/05: St. Lucie County, FL
 8/05-7/07: Brevard County, FL
 8/07-Present: Upper Perkiomen SD
 Salary: \$51,349 (Step E, Year 5, Col. M)

Name/Address: Shannon Fraser
 8120 Hamilton Blvd., Breinigsville 18031
 Education Level: B. A. Degree (1993)
 M. Ed. Degree (2000)
 Undergraduate School: California State University
 Graduate School: West Chester University
 Effective: 9/2/08
 Certification: Instructional I, French, Spanish
 Assignment: .6 Part-Time French, Emmaus HS
 Vacancy created by M. Pattishall and subsequent transfer
 Experience: 12/97-6/98: East Penn SD (Spanish)
 1/99-6/99: Council Rock SD
 1/07-6/07: Saucon Valley SD
 9/07-6/08: Parkland SD
 Salary: \$30,438 (Prorated .6 @ \$50,730); Step C, Year 3, Col. M

Full-Time Substitute Teacher Appointment

Name/Address: Brent Harris
 183 1/2 North 7th Street, Lehighton 18235
 Education Level: B. S. Degree (2008)
 Undergraduate School: Kutztown University
 Effective: 8/26/08
 Certification: Instructional I, Citizenship
 Assignment: Social Studies, Eyer MS
 Opening created by S. Boyle's Military Leave
 Experience: None
 Salary: \$42,600 (Step A, Year 1, Col. B)

Name/Address: Kelly Horn
 4938 Steuben Road, Nazareth 18064
 Education Level: B. S. Degree (2008)
 Undergraduate School: Millersville University
 Effective: 8/26/08
 Certification: Instructional I, Elementary
 Assignment: Kindergarten, Lower Macungie ES
 Opening created by T. Desiderio transfer
 Experience: None

Salary: \$42,600 (Step A, Year 1, Col. B)

Custodial Appointment

Name/Address: Joseph Mondovich
6 E. Berger Street, Emmaus
Effective: 8/28/08
Assignment: Custodian, LMES (PT Evenings)
Vacancy created by J. Brauchle resignation and subsequent transfers.
Salary: \$18.38/hr., 20 hrs./wk.

Remedial Assistant Appointment

Name/Address: Patricia Zody
5523 Princeton Road, Macungie 18062
Effective: Pending
Assignment: Remedial Assistant, LMMS
Salary: \$13.00/hr., 25 hrs./wk.

Name/Address: Katie McCormack
2458 Lantern Lane, Macungie 18062
Effective: 9/2/08
Assignment: Title I - Wescosville School
New budgeted position funded by Title I
Salary: \$13.00/hr., 25 hrs./wk.

Health Room Aide Appointment

Name/Address: Michelle Dunleavy
6437 Larch Lane, Macungie 18062
Effective: 9/2/08
Assignment: Health Room Aide-Jefferson/Alburtis Schools
Vacancy created by B. McKenna resignation
Salary: \$16.85/hr., 32 hrs./wk.

Name/Address: Tammy Weigner
2337 Bordeaux Drive, Macungie
Effective: 9/2/08
Assignment: Health Room Aide-Shoemaker School
Vacancy created by S. Fackler resignation
Salary: \$16.85/hr., 32 hrs./wk.

Staff Assistants

Name/Address: Anthony Campanell
1411 Warba Drive, Orefield 18069
Effective: 9/2/08
Assignment: Staff Assistant/Hall Monitor, EHS
Vacancy created by R. Wider transfer
Salary: \$12.01/hr., 30 hrs./wk.

Name/Address: Maria Molchan
332 W. Second Street, Alburtis 18011
Effective: 9/9/08
Assignment: Staff Assistant, EHS
Vacancy created by L. Peluso transfer
Salary: \$12.01/hr., 30 hrs./wk.

Name/Address: Shaista Qazi
5555 Stonecroft Lane, Allentown 18106
Effective: 9/9/08
Assignment: Wescosville School
J. Smith resignation
Salary: \$12.01/hr., 12.5 hrs./wk.

Name/Address: Jane Sullivan
 3911 Maulfair Place, Allentown 18103
 Effective: 9/3/08
 Assignment: Eyer MS, One-on-one
 New Position
 Salary: \$12.01/hr., 32.5 hrs./wk.

Mentor Teachers for New Teacher Induction Program

Gena Beky	Steven Kutz
Brandi Blose	Deborah Mathieu
Steven Braglio	Sarah McDonald
Lisa Breiner	Carrie Mish
John Cari	Timothy O'Connor
Virginia Coleman	Melissa Palmer
Francine Confer	Jason Palmer
Rita Cortez	Jennifer Phillips
Susan Dieser	Heather Repko
Elizabeth Dobbs	Lori Sheipe
Anne Finnegan	Nancy Smartschan
Ellen Held	April Snyder
Lori King	Kathleen White

Additions to the 2008-09 Substitute List - Exhibit 8

2008-09 EHS Athletic Department Coaching Staff - Exhibit 9

Josh Fick Football Coach, Volunteer

Co-Curricular Advisor

Joanne Richards	Ski Club, LMMS	\$552.00, Club B
Bonne South	Web Master, Alburtis	\$552.00

Transfer of Instructional Staff Assistant

Employee: Maureen Tyson
 From: Macungie, Instructional Staff Assistant, 31.5 hrs./wk.
 To: Eyer MS, Instructional Staff Assistant, 32.5 hrs./wk.

Change in Employment Status-Food Services Department

Employee: Anita Wible, Food Services Department
 From: 3.5 hrs./day, Macungie
 To: 1.0 hrs./day, Jefferson; 3.5 hrs./day, Macungie

Food Service Hour Changes - Exhibit 10

Approval of IU Teacher for After-School Meetings

Nora Deppen \$32.00/hr.

Educational Conference Approval - Exhibit 11

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

-Sonia Morales, Food Services Department, effective immediately (Exhibit 7A)

-Mechelle Keller, Technology Assistant, effective immediately (Exhibit 7B)

Appointment of Assistant High School Principals

Name/Address: Mark Caccavo
 1612 Salem Lane, Quakertown 18951

Education Level: B. S. Degree (1996)
M. Ed. Degree (1998)
Undergraduate School: Delaware Valley College
Graduate School: Wilkes University
Effective: To be determined
Assignment: Assistant Principal, Emmaus HS
Vacancy created by G. Puckett resignation
Certification: Administrative II, Secondary Principal, Data Processing, Marketing, Office Technology, Bus/Computer Info Tech
Experience: 7/06-Present: Bethlehem Area SD
8/01-7/06: Bethlehem Area SD (Coordinator, ISS Program)
6/96-8/01: Bethlehem Area SD (teacher)
Salary: \$85,000, Plus Act 93 benefits

Name/Address: Thomas Mirabella
161 Dogwood Drive, Bernville 19506
Education Level: B. A. Degree (1991)
M. Ed. Degree (2001)
Undergraduate School: DeSales University
Graduate School: Lehigh University
Effective: September 23, 2008
Assignment: Assistant Principal, Emmaus HS
Vacancy created by R. Beidelman resignation
Certification: Administrative II, Secondary Principal, Social Studies
Experience: 6/01-Present: Principal, Central Catholic HS, Reading
6/00-6/01: Assistant, Principal, Central Catholic HS, Reading
9/91-6/00: Bethlehem Catholic HS, Teacher
Salary: \$85,000, Plus Act 93 Benefits

General Leave of Absence

Employee: Ashlee Matelan
Instructional Assistant, Wescosville School
Effective: 9/8/08-11/10/08

2008-08 Additions to the Per Diem Substitute List

See Exhibit 8A

Amy Bower, Food Services Carol Shook, Food Services

Appointment of Instructional Staff Assistant

Name/Address: Laurie Logerman
7031 Lincoln Drive, Macungie
Effective: September 9, 2008
Assignment: Instructional Staff Assistant, Macungie School
Vacancy created by K. Schaffer transfer and Schmidt resignation.
Salary: \$12.01/hr., 20.5 hrs./wk.

Transfer of Instructional/Staff Assistants

See Exhibit 8B

Change in Employment Status

Employee: Michele Federov
From: .6 French, EHS
To: 1.0 French, EHS

Appointment of Athletic Trainers Provided by OAA Contract

Edward Zellner, Emmaus HS
Jamie Dunn, Emmaus HS
Angela Formaz, Eyer/Lower Macungie Middle Schools

Teacher Transfer

Teacher: Krystal Scheller, Special Education
From: Lower Macungie MS
To: Eyer MS

Educational Conferences

That the East Penn Board of School Directors approve the expenses for the following individuals attending the educational conferences listed:

Conference Title: PATTAN: Effective Behavior Management, Harrisburg
Date(s): September 10-11, 2008
Attending: Mark Neth, School Psychologist, Shoemaker School
Darlene Kale, Learning Support Teacher, Emmaus HS
Tammy Nassry, Autistic Support Teacher, Emmaus HS
Cost: \$352.00

Approval of Elwyn Institute - Exhibit 12

RESOLVED, That the East Penn Board of School Directors approve the Agreement with the Elwyn Institute as described in Exhibit 12.

Note: Contract has been reviewed by Solicitor Fisher.

Mr. Earnshaw pointed out that there is again an increase in enrollment. Dr. Seidenberger said he is concerned about the growth in the kindergarten numbers. Looking at the number of grade 12 students and next year's incoming ninth grade, there are a 100 less students. Mr. Earnshaw said there is usually an influx of students from the private and parochial schools for Grade 9 as well. Mr. Jones asked if the kindergarten numbers also include outside kindergarten programs. Dr. Seidenberger said the kindergarten numbers are for East Penn only. Mr. Richwine thought the district was exceeding the guidelines for 20 students per class at the primary level. Mr. Richwine questioned whether the district would have room to set up additional classes and how would a teacher be hired. Dr. Seidenberger responded that there would be room; however, specialist teachers would then have to become mobile. Mr. Ballard pointed out that there is an increase of 39 students from June 2008. He noted that the trend does seem to be continuing upward. The problems with space will continue until the Willow Lane School is built. Ms. Fuller announced that the district enrollment is currently 8,104 students.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzinger, Richwine,
Stolz-----9

Emmaus HS Principal Dave Piperato introduced the two new assistant principals, Thomas Mirabella and Mark Caccavo. T Mr. Brian Harkness, who is the new Chemistry teacher at the high school, was also present. Ms. Fuller thanked Mrs. Leslie Daniel, Director of Personnel, for her hard work.

Director of Technology Michael Mohn, addressing the webcasting issue, said his team would be able to work with the company regarding webcasting. There is an existing website where the video could be posted. Mr. Ballard asked if there had been any testing of the server to support this video. Mr. Mohn said the streaming video had not been tested. The district does have the ability to stream the video on line but not live. It was his understanding that it would be a broadcast at a later time. It was not the understanding that this would be done live. Mr. Earnshaw said the proposal was for capturing the meetings then broadcasting. He talked about the demand on the system and how it would impact on the district during the day when there is heavy student use. Mr. Mohn said there is 100 meg/second from IU 21 and we are using about 50% of that for the day. Mr. Earnshaw pointed out that the cost was approximately \$5,000. There would be staff time involved in setting up the equipment and getting the capture ready to go and then processing time. Mr. Mohn said he would attending the meeting to run the equipment and then someone in IT would do the processing. There would be some potentially extended time for disc storage and capacity must be considered. Mr. Earnshaw said that with some of the rancor caused about how the Board is spending funds this project is not part of the educational mission or

required by law and he did not see it as a benefit to students. He would not support spending district money on this project or support moving it forward. Mr. Prinzing disagreed and indicated that there are segments of the population that do not have the ability to come to a meeting. Mr. Stolz said many of the people who were accused of rancor also supported this initiative. He felt this was moving toward a truly open and transparent government. He concluded that when he ran for the Board he made it an issue and a lot of folks agreed with it. He felt it was a relatively small expenditure. Mr. Ballard said he felt he made it to the meeting with his difficult schedule and other people can make it as well. The Emmaus Borough Council website had less than 200 hits on their broadcast over the time that the service had been installed. Dr. Seidenberger said that when he had talked to Borough representatives they were receiving 50-60 hits a week. They kept the Borough meetings up for about a week. Mr. Ballard further stated that spending \$5,000 for this proposal when there are debates over far less amounts that have direct educational benefit to serve students and residents is not a wise expenditure of resources at this time. Ms. Fuller said she would not want a resolution at this time but would recommend that if there is a desire to explore this further that the item be put on the next agenda. Ms. Kowalchuk said she could support that recommendation and requested the documentation again and be sure the bid was still good. Mr. Jones asked if there was any way to gauge interest from the public. This is a cost that does not support the mission of the district. He felt the minutes were fairly detailed and he did not see someone watching a three hour pod cast to capture what was said, adding it was unrealistic for the vast majority of people who value their time. Mr. Earnshaw said that after it came up he went to the Borough website and did not find it riveting. He also did not find the quality to be all that useful. He said that Miss Birdsell does an outstanding job capturing the flavor and the content of what happens at a Board meeting. Ms. Gannon agreed, adding that the minutes are very complete. She did not see the benefit of watching the meeting. She indicated that if there is a hot topic people will attend the meeting rather than watching it on a web cam. She could support putting it on a future agenda. Ms. Fuller asked if there was consensus to put this proposal on the agenda for the next meeting. Mr. Earnshaw suggested that the Board should wait until the vendor can update the quote and then put it on a future agenda. The future meetings are September 22 and October 13.

6. Strategic Plan

Dr. Denise Torma
Mr. Greg Nolan

1. Approval of the Strategic Plan

Motion by Earnshaw, Seconded by Stolz

RESOLVED,

That, as recommended by the East Penn Strategic Planning Steering Committee, the East Penn Board of School Directors approve the Strategic Plan for submission to the PA Department of Education.

Ms. Fuller thanked Mr. Nolan and Dr. Torma for their hard work. Ms. Kowalchuk, who was a member of the last three Strategic Planning Steering Committees, thanked Dr. Torma and Mr. Nolan for their organization of the meetings. It was productive and there were good discussions. She also suggested that there be an Executive Summary of the plan.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-9

2. Goal Setting

President Francee Fuller asked board members to let her know times when they would be available to reschedule the goal setting session that had been cancelled in July. She reviewed the background for setting this session, indicating it was not to be a decision making meeting. A date was identified and then a board member had a problem with the process so the session was not held. She found that it was disappointing that the board members did not come forth five or six weeks prior to the meeting. She asked for the Board to advise her on how to handle the session by either incorporating the session into a board meeting or having a separate session in the Board Meeting and advertising it. Residents would be welcome to attend. Mr. Earnshaw said when the Board was looking for a superintendent there was an off-site meeting with a facilitator to outline the traits of what they would be looking for in a superintendent. This worked well and an excellent superintendent was hired. The meeting was held on a Saturday and it was open to the public. Ms. Kowalchuk indicated her support for a separate meeting. She felt it was important for the Board to meet in such a session. Mr. Ballard stated that when you are having a meeting to discuss solely how the board will operate as opposed to a meeting to make decisions the meetings do not have to be open public meetings. There was nothing legally wrong with the meeting that had been scheduled and he found it highly objectionable that the meeting was cancelled because of giving in to a form of tyranny that he found objectionable in the public arena. Mr. Prinzing said he had no issues with finding another time nor did he have a problem with the previous meeting. He

said Mr. Stolz was the only board member who objected to the previous meeting and he asked Mr. Stolz what he felt the Board should do. Mr. Stolz said that as long as it is open to the public he did not have an objection and he felt the other meeting was a violation of the Sunshine Law. He had not given it much thought until up to the time of the meeting. He said he consulted people who had certain legal experience, including another solicitor of a governing body, who said it would be a violation of the Sunshine Law, including someone who is a blogger. He had no objections as long as the meeting is advertised in advance and open to the public. He said public input should be allowed. Ms. Gannon said the time frame should be limited. She had been through a number of sessions and there are always good intentions but there is never a lot of follow-up. She was somewhat reluctant to go through the process again. Mr. Jones had problems with a Saturday since parents are involved in their children's activities. He suggested that a Sunday be considered. Mr. Earnshaw suggested an evening starting at 6:30 p.m. to accommodate work schedules. Ms. Kowalchuk suggested that there be a focus to the meeting and advance information be sent out asking for at least three priorities to avoid spending time brainstorming. Mr. Richwine said he did not care if the session was a public meeting or not but he found it objectionable that Mr. Stolz is always talking about open and transparent government and he had two months to bring up the subject of this being a possible violation of the Sunshine Law. The Board did not know of this objection until the day of the meeting. Mr. Stolz says he is for openness yet the night before the goal-setting session was held there was a board meeting and he waited until after the meeting when board members had left to bring it to the attention of the President or Superintendent. Mr. Richwine further stated that the Morning Call knew about it and bloggers knew about his objection but not the Board. He said Mr. Stolz is hypocritical when he talks about openness and, in Mr. Richwine's opinion, Mr. Stolz is the most underhanded and sneaky board member he has met in his thirteen years on the Board.

Ms. Fuller asked board members and administrators to let her know what dates they are unavailable and she was proposing a weeknight session that would run about 3 1/2 to 4 hours.

7. Facilities

1. Extension of Agreement for Willow Lane Elementary School - Exhibit 13

Motion by Earnshaw Seconded by Gannon

RESOLVED, That the East Penn Board of School Directors approve the Time Only Extension Agreement for Willow Lane Elementary School with the four prime contractors as outlined on Exhibit 13.

Mr. Carl reported on the process for putting all the Agreements in place and it has taken longer than expected. They are waiting for a PennDOT permit that was submitted through Lower Macungie Township where it was refused. PennDOT refused it so it had to be resubmitted through the Township again. All agreements are now in place. Mr. Ballard said the need for the extension is that the start of the project has been delayed and the start of the school has been delayed by approximately ten weeks. Mr. Carl said that from the start the project was delayed. This Agreement extends this for an additional 30 days and in return the completion date has been extended. The building would not be opened in September 2009. Mr. Prinzing asked if the delay would make any change in the dollar amount. Mr. Carl responded that there is no dollar cost involved.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-9

2. Informational: PLANCON F: Construction Documents (Exhibit 14)

The East Penn School District has been notified that the PA Department of Education has approved the PLANCON F: Construction Documents and that this document and appended materials be entered into the minutes of this meeting.

8. Other Educational Entities

-Carbon Lehigh Intermediate Unit

T. Richwine

Mr. Richwine reported that Project Connect was presented an award from Rural Opportunities Inc. for their work with the Carbon County Head Start program. The Board reviewed surveys that were sent to parents indicating that they appeared to be satisfied with the services provided. The Board also finalized the purchase of the new building through borrowing a 6.2 million dollar loan that consolidated all the debt from the Transportation Center to the new facility in Schnecksville. It will save the IU and members district approximately \$89,000/month.

Mr. Earnshaw reported that there were a lot of personnel actions taking place and called attention to the adult workforce programs that are available. Students who graduate from LCTI are able to be employed in top quality jobs in manufacturing and other trades. The programs are offered to adults on a profit-making basis and then the funds are used for equipment and operating costs. Mr. Earnshaw commended the school for the outstanding programs.

9. Business Operations

1. Approval of Bill List

Motion by Ballard, Seconded by Stolz

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

Approval for Performance Pathways Master Subscription Agreement (Exhibit 15)

RESOLVED, That the East Penn Board of School Directors approve the Performance Pathways Master Subscription Agreement as outlined on Exhibit 16.

In response to a question from Ms. Kowalchuk, Dr. Seidenberger explained the difference between this and eSchoolPlus which is a student data management system. This is a data assessment system that will allow better assessments of students by teachers and administrators. This will be used for all grade levels and will allow the district to create charts, sort data, and look at student's real time. There are two other components being reviewed that deal with curriculum and internal assessments. Dr. Seidenberger thanked Director of Technology Michael Mohn and his staff for being frugal with the budget that provided funds for this project. Mr. Earnshaw clarified that this will allow the district to upload PSSA information that can be shared by teachers across the district. This will help the district provide targeted instruction for students. Dr. Seidenberger said this will allow the district to look at individual students and then be more able to meet their needs. This is part of the technology budget that was approved. Ms. Gannon asked if the system had been piloted and if there is any difficulty in implementing the system. Dr. Seidenberger said there may be the possibility of some error but following the pre-implementation meeting with the company the staff was impressed with how they help school districts gather data.

Fund Disbursements - Exhibit 16 & 16A

RESOLVED, That the East Penn Board of School Directors authorize the expenditures from the Capital Reserve Fund and 2007 EGA Issue.

General Fund Budget Transfers - Exhibit 17

RESOLVED, That the East Penn Board of School Directors approve the General Fund budget transfers needed for the June 30, 2008 post-audit.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-9

10. Announcements

Monday, September 8

6:00 p.m.-Board Tour of Eyer MS

7:30 p.m. - Board Meeting, Board Room

Week of September 15

Constitution Week

September 18

7:00 p.m.-Shoemaker/Wescosville Meet the Teachers Night

8:30 p.m.-Alburtis Meet the Teacher Night (Grades 3, 4, 5)

7:00 p.m.-Parents' Night, Emmaus HS

Monday, September 22

7:30 p.m.-Board Meeting, Board Room

11. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 8:50 p.m.

Cecilia R. Birdsell, Board Secretary

ORDER OF BUSINESS

1. Call to Order; Pledge of Allegiance

President Francee Fuller 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: C. H. Ballard, A. Earnshaw, F. Fuller, C. Jones, S. Kowalchuk, P. Prinzing,
J. Stolz
Board Members Absent: E. Gannon, T. Richwine
Solicitor: Marc S. Fisher, Esq., Worth, Magee & Fisher
Treasurer: Gary Reigal
Board Secretary: Cecilia R. Birdsell
Superintendent of Schools: Dr. Thomas L. Seidenberger
Press Present: Loretta Fenstermacher, East Penn Press Reporter
Sarah Fulton, Morning Call Reporter

2. SGA - Emmaus High School - Neil Merchant, Junior, Representative to the Board

SGA Representative Neil Merchant reported on the various activities that will take place during Homecoming Week. He thanked Mr. Carl, the Emmaus Fire Inspector, and EHS principal Dave Piperato for allowing the bonfire that is scheduled after the Homecoming Parade. Activities that are planned throughout the week include Western Day, All Out School Spirit Day, Powder Puff Football Game, Homecoming Parade, Homecoming Dance, and a Pep Rally. SGA sponsored a tailgate picnic before the football game with Nazareth. He indicated that the football team is doing very well this year with a 4-0 record.

3. Requests to Address the Board

Mr. Budd Coates, 424 Ridge Street, Emmaus requested that the Board consider a new high school all weather track. He indicated that the current track is over 50 years old and does need to be replaced. It no longer allows students to prepare for competitions and meets are relocated to rival facilities. Mr. Coates pointed out that practice sessions are lost due to inclement weather. He said an all weather track similar to the ones of league competitors and, at the state level, would cost approximately \$1,000,000. He emphasized that its use would not be limited to the athletes but could also be open to the community. He noted that all students are included on the track teams, unlike other teams where students must face tryouts. Mr. Coates said parents of students involved in other sports are supportive of this proposal as well. He concluded that a majority of the community wants to improve its facilities and its surroundings. Right now there is an opportunity to share the cost of an all weather track by using corporate support, non-profit support (Poole Wildlife Sanctuary), and Emmaus Borough support.

Miss Lindsey Graybill, 2154 Autumn Ridge Road, Macungie and Captain of the Girls Cross Country Team indicated one of the reasons why an all weather track would be beneficial is due to the inclement weather conditions that affect practices and meets. The surface is uneven after it rains and this can cause injuries to athletes. Also, the JV teams do not get the same track experience as other schools. The team has a lot of pride in running for Emmaus and to show their love for the sport they would like to get a new all weather track.

Mr. Tom Luff, 821 Keystone Avenue, Emmaus Captain of the Boys Cross Country Team reiterated the concerns about inclement weather and the effect on the cinder track that makes it more dangerous. The sprinters must use the track at Lehigh University and the jumpers are affected as well. There is a disadvantage for athletes in meets and invitations.

Mr. Wesley Barrett, 610 North Second street, Emmaus echoed everything that was said about the need for a track. He talked about his experience and the passion of the team. It is not a team that cuts people and it is a great way to become more involved in the community. This track has been discussed since he was running in high school in 1999. He would like to see this project come to fruition. He digressed and spoke about the webcast recommendation. As a Borough Council member, he has not experienced any negatives and felt it was a positive thing to do.

Mr. Ambrose Burfoot, 709 N. Seventh Street, Emmaus spoke about community health and the benefits of an all weather track for the community. He spoke about the obesity problem in the United States and the affect on junior high and high school students. Walking is a three generation activity that could lead to a community health program. He cited the work of Dr. Steven Blair who contends that every American walking 30 minutes a day would wipe out the obesity problem. All of the major medical

professionals have come together to promote this service. Emmaus is a wonderful walkable community. He said a high school track is an organized effort for walking. It is safe and secure and would be a place to bring people together. He concluded that "if you build this community facility, they will come."

Ms. Fuller asked how many people in the audience were in support of the track and a majority of the audience raised their hands.

Mr. Otto Slozer, 121 E. Elm Street, Emmaus complained about the letter he received as well as two other people (John Hinkle and Joe Hilliard) in response to his request for "financial records for the last five years related to the Rainy Day fund any other surplus accounts held by the East Penn School District. This request includes statements, account balances at statement dates, investment accounts and interest earned." He read the response that they received seven days later that states "There is no account (Rainy Day) by that name in East Penn's accounting system." He felt the response raised several questions. One would assume that the public can take responses by board members and the administration at face value and questioned whether there was deception when they referred to the reserve as a rainy day fund. If you are referring to reserves as a rainy day fund, then where are the reserves. He said under public right to know the citizens have a right to access records and that is what he intends to do. Ms. Fuller said that this is not an interactive presentation.

Mr. Ballard said an all weather track simply refers to an asphalt surface that is put on the track. It is not an all weather track that would be under cover.

4. Approval of Minutes

Motion by Kowalchuk, Seconded by Ballard

RESOLVED, That the East Penn Board of School Directors approve the minutes for the September 8, 2008 Board Meeting.

This resolution was unanimously adopted by voice vote.

5. Purchase of Land from KidsPeace-Lehigh Carbon Community College

Motion by Stolz, Seconded by Earnshaw

RESOLVED, That in accordance with Section 2.2 of the Rules, Regulations and Procedures for Lehigh Carbon Community College, the East Penn Board of School Directors hereby approves purchase of 100 acres more or less located adjacent to the College from KidsPeace Corporation for a cost of \$1,680,000.00 plus applicable Closing Costs, provided the College secures the funds or financing without local sponsor contribution and the purchase is approved by the PA Department of Education and the College's sponsors in accordance with Section 2.2 of the Rules, Regulations and Procedures for Lehigh Carbon Community College.

East Penn Representative Ann Thompson on the LCCC Board of Trustees was present to answer any questions from the board members. Mr. Ballard clarified that this motion is granting authority for LCCC to expend this money as part of their capital account. Mrs. Thompson said that half of the assessed value will be paid by Harrisburg and the other half will be paid from the Capital Project Funds which are annually transferred from the Capital Net Income of Noncredit Training and Workforce Training Programs. This additional land will help with the parking issue. Ms. Kowalchuk asked if there was going to be a prorated cost to the districts if approved. Mrs. Thompson said there is no cost to the home districts at all. Ms. Kowalchuk asked what other programs are planned for the development of the Land. Mrs. Thompson said that there are no other plans just to acquire the property for the future. It was mentioned that at some point there may be consideration for establishing a technical college. Mr. Earnshaw said this purchase of land is a reasonable price and does include some green space as well. There are no concrete plans for using this property. It will not cost the district anything extra.

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

Aye: Ballard, Earnshaw, Fuller, Jones, Kowalchuk, Prinzing, Stolz-----7

Absent: Gannon, Richwine-----2

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

1. Personnel

Dr. Seidenberger said he would set up a meeting with the track people to discuss the specifics of cost and timing. There are board policies in place for community partnerships and gifts. He indicated that he would be one of the presenters for the October 2 PSBA Workshop on Superintendent Evaluation to be

held in Berks County. Board members and Dr. Seidenberger will be attending the same presentation on October 7 where Dr. Donohue from Parkland School District will be doing the presentation for Lehigh County. He has a power point presentation that he will make available to those who cannot attend. It does talk about the importance of goal setting as well. He called attention to the activities being planned by the SGA. Dr. Seidenberger has met with SGA representatives to open the lines of communication. He said the kids are sharp and want to make the high school a better place.

Referring to the all weather track, Mr. Ballard said he would like to see a range of options from the minimum to the maximum. Mr. Ballard complimented Mr. Carl, noting his stalwart service to the district, adding he will be sorely missed. Mr. Carl worked under trying circumstances at times to get a building that had been under construction ready for the students. He performed this task in a manner that would have been daunting for someone else. Mr. Ballard suggested that all his numbers and email be obtained before he leaves for FL.

Mr. Jones asked that Dr. Seidenberger include contact information in any correspondence with the all weather track supporters. Mr. Jones asked for a legal opinion from Mr. Fisher about the level of involvement that a board member may have in helping with the sponsorship of the all weather track. Dr. Seidenberger said he would like to look at a variety of options on how this track can come about.

Ms. Kowalchuk said she would like to thank Mr. Carl for all the work that has been done and his work ethic and she will miss him.

Motion by Earnshaw, Seconded by Ballard

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

Retirement/Resignations

-James Carl, Supervisor of Maintenance, effective December 31, 2008
(Exhibit 1)

Ms. Fuller said she was sorry to see the retirement of Jim Carl who has worked with East Penn for his entire professional life.

-Kenneth Jordan, Grade 5 Teacher at Macungie School, effective September 9, 2008
(Exhibit 2)

-Manfred Bleiker, Custodial/Maintenance Staff at Shoemaker School, effective January 5, 2009 (Exhibit 3)

-George Sabol, Custodial/Maintenance Staff, effective January 5, 2009 (Exhibit 4)

-Jacqueline Spain, Staff Assistant at Shoemaker School, effective immediately
(Exhibit 5)

Appointment of Substitute Principal, Lower Macungie Elementary School

Name:	Tara Desiderio
Effective:	8/26/08
Undergraduate School:	Bloomsburg University
Graduate School:	Lehigh University
Certification:	Administrative I, Principal (K-12)
Salary:	\$53,094, plus \$600/pay retroactive to 8/26/08 Step F, Year 6, M +12

Appointment of Instructional/Staff Assistants

Name/Address:	Ardyth Yorgey 5771 Buckeye Road, Macungie 18062
Assignment:	Jefferson School, Autistic Support New budgeted position
Salary:	\$12.01/hr., 31.5 hrs./wk.

Name/Address:	Deborah Miller 2671 Thistle Road, Macungie 18062
Assignment:	Instructional Assistant, Macungie School

Effective: Vacancy created by J. Toy resignation & subsequent transfers
September 23, 2008
Salary: \$12.01/hr., 31.5 hrs./wk.

Name/Address: Jacqueline Kleis
4290 SW Ascot Circle, Allentown 18103

Assignment: Staff Assistant, Emmaus HS
Vacancy created by R. Gilbert resignation and subsequent transfers

Effective: September 23, 2008
Salary: \$12.01/hr., 23 hrs./wk.

Appointment of Health Room Aide

Name/Address: Jessica Harrington
4772 White Oak Circle, Emmaus

Assignment: Health Room Aide, Macungie School
Vacancy created by resignation of D. Ruch

Effective: September 23, 2008
Salary: \$16.85/hr., 32 hrs./wk.

Additions to the 2008-09 List of Per Diem Substitutes

James Gavin, Guest Teacher	Gretchen Restino, Elementary
Steven Neikam, Elementary	Jayne Bartlett, English
Christine Pierce, Elementary	Jennifer Wylie, Art
Susan Winzer, Spec. Ed/English	William Hughes, Spec. Ed/Social Studies

Alicia Trinkle, Instructional/Staff Assistant

Appointment of Grade Level Teacher

Carrie Naworynski, Kindergarten

Change in Employment Status

Employee	From	To
Sue Doney	PTFSA-Eyer, 4.5 hrs./day	EHS, 4.75 hrs./day
Kathy Weitner	Staff Assistant, EHS, 23 hrs./day	EHS, 28.5 hrs./day
Dana Johnson	Staff Assistant, EHS, 22.5 hrs./wk.	EHS, 23 hrs./day
*Mary Munley	Staff Assistant, LME, 12.5 hrs./wk.	LME, 22.5 hrs./wk.

*Temporary for Student Assistance

Educational Conferences - Exhibit 6

That the East Penn Board of School Directors authorize the expenses for the individuals to attend the educational conferences listed on Exhibit 6.

Co-Curricular Advisors

See Exhibit 7

Contracts for Student Services

RESOLVED, That the East Penn Board of School Directors authorize the following contracts between the East Penn School District and the contractors listed below:

Contractor	Services	Salary
Becky Fedio	American Sign Language Tutoring to parents of deaf blind child.	\$32.00/hr., 3 hrs./wk.
Tanya Fedorak	American Sign Language Tutoring	\$32.00/hr., 3 hrs./wk.

to parents of deaf/hearing impaired child

Gayle D. Aquino	Provide orientation and mobility services and vision support to deaf blind child at the PA School for the Deaf, Philadelphia	\$100/hr., 2 hrs./month and 1.5 hrs. of consultation as determined by the IEP
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This resolution was duly adopted by the following roll call vote:

Aye: Ballard, Earnshaw, Fuller, Jones, Kowalchuk, Prinzing, Stolz-----7

Absent: Gannon, Richwine-----2

3. Webcasting

Motion by Prinzing, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors approve the proposal for webcasting the meetings of the East Penn Board of School Directors at a cost not to exceed \$5,800.

Mr. Earnshaw said in the proposal from the vendor that a computer would have to be purchased. Dr. Seidenberger said a computer could cost less than \$1,000 but there may be a functional computer that could be used in the district. The electrical connections are available in house and there should not be any permit costs involved. He asked how many people download the minutes. He indicated that he was not convinced this was a wise use of district resources. Mr. Prinzing said there are a number of districts across the United States that do pod casting. He said that all of the responses from these districts have been positive. They did this to promote openness and greater transparency. None of the districts have received any negative input, only positive. He indicated his support for the initiative, adding there is minimal cost. Ms. Kowalchuk thanked Mr. Prinzing for his information. She commented that he it may be a leap to say if we don't support this project the Board is not for open government. She did not think the proposal was necessary at this time and would not support it. Mr. Stolz questioned whether there was \$300,000 in the reserves adding that the cost for pod casting could be taken out of those funds. He said it was important for every member of the community to watch the meetings and the district's expenditures "like a hawk." He said anyone paying into the district has the right to know what is going on. He said some families are afraid to come and speak out because they think their children will be blacklisted. He said board members who oppose webcasting probably are not for open government. Mr. Stolz commented on Mr. Slozer's request. He concluded that the Board did not have much interest in open government and just wanted everything to continue as it is. Mr. Ballard responded that linking this to open government can be compared to a person looking down from a high hill to everyone who is down below thinking they have a better view of what is going on. He said pod casting this meeting will do little for people speaking out. If they do not speak out at a meeting, then they will not be pod cast anywhere. The board members are open and there are times when people are interested in an item and come to the meeting. It is not clear that spending \$6,000 and an ongoing staff expense is worth it. No one has contacted him and he was not sure who was campaigning for pod casting among the public other than people who are being stimulated to do so. He said there is room in the audience to come and listen and he is not sure why he would expend \$6,000 in public funds to immortalize his or someone else's statements. He said he would not be in support of this unless he would see more public support. He would not support the motion.

Mr. Earnshaw said it is a false dichotomy to say if you are against this you are not in favor of open government. He indicated that he was a big proponent for open government, pointing out that at the beginning of this meeting just about every seat was full. The people came and expressed their interest and then left. It is a big commitment to be involved in local government. Having a web cast is not going to improve involvement and engagement. Mr. Earnshaw said he remained opposed to this proposal. He did not think it was a wise use of district funds. Mr. Prinzing said that from where he sat he saw the Board talking about fiscal responsibility when this is the same Board that raised taxes by the maximum allowed by law during the worst economy since the Great Depression. He commented that 2 million dollars has been added to the reserve and the Board is arguing over \$6,000. He said it is for the good of the public. He criticized some of the things that are on the website that he thought had ongoing costs and little merit. He said that one of the board members from a district that had pod casting brought up the convenience of watching the board meeting when a member was absent. The board member felt that they got a "feel" for the discussion rather than just reading the minutes. Another board member said their Board Secretary uses it to clarify minutes. Mr. Prinzing talked about the track supporters who indicated some members of the community had contacted them and were told not to attend the meeting. He concluded that he thought it was ludicrous that the Board was having this debate over such a miniscule amount of money for something that is so positive to the community.

Mr. Jones said he thought Mr. Prinzinger's remark about it being beneficial to board members was the best reason because not too many people are interested in watching the program. He was not comfortable with the remark that it was a miniscule amount of money. If every decision was made on that argument, the budget would be overspent. He said it comes down to what the citizens value and his commitment is clearly to the taxpayers. He talked to people who thought it was a great idea but he did not think it was mission critical. There are some board members who see this as a lower priority. Mr. Jones further pointed out that there is another ulterior motive since Mr. Prinzinger and Mr. Stolz made a campaign promise around this proposal and they want to keep their word but he respected that position. Mr. Jones concluded that it was important to respect all of the opinions and that no one on the Board was against open government. Ms. Fuller said she made a good faith effort to view the Emmaus Borough Council on line and she could not get past the first 15 minutes. She then went to the minutes for that meeting and was glad to report that it was stated in the minutes that the Emmaus Borough has a very good relationship with the school district. She also questioned how many people who would be interested in this proposal would have the internet access. Ms. Fuller reiterated that she, too, took umbrage with the statements that this is not an open Board. The Board takes great pains to be open and above board. There are two reputable newspapers that report the Board's proceedings. She called the question to end debate. The motion failed based on the following roll call vote:

Aye: Ballard, Fuller, Jones, Kowalchuk-----4
 Nay: Earnshaw, Prinzinger, Stolz-----3

Mr. Earnshaw clarified the difference between a surplus and the budgetary reserve account. Funds cannot be expended unless they are properly budgeted and he explained the budget process. He also pointed out that the Board must pass a balanced budget (expenditures and revenue are equal). Over the course of the year, the revenue and expenditures fluctuate. By prudent administration, the expenditures have not exceeded the revenue. There is no "rainy day" fund but we do have a budgetary reserve that is budgeted at 5% according to board policy. It is not a separate bank account. The accounts are very public records. Mr. Earnshaw said there is not this huge surplus that people carry on about. Mr. Stolz questioned Mr. Ballard about supporting the proposal if more of the general public came out. Mr. Ballard said he would weigh how much public support there is for anything. Mr. Stolz asked if there was any more public support would a board member change their vote. Mr. Stolz asked Mr. Ballard how many PSBA meetings he goes to in a year on taxpayers' funds. As a representative of the Board, Mr. Ballard responded that he probably goes to three or four and the cost is determined by the registration and whether overnight accommodations are needed. The purpose of the meetings is to represent the interests of the Board and as a voting delegate for the Legislative Policy Council. Mr. Stolz asked how that helps the educational program. Mr. Ballard replied that the Pennsylvania School Boards Association representatives lobby state government for programs that support education. Mr. Stolz asked if PSBA was a special interest group. Mr. Ballard responded that the Board is considered a special interest group as well. Mr. Stolz queried that the district has 150 million dollars in debt, 6 million dollars in fund balance, and he questioned the motives of the rest of the board members when they support a maximum amount of increase but when it comes to \$5800 the purse strings are closed. His summarized by saying the Board was not for open government and public oversight and he felt it was insulting to suggest otherwise. Mr. Ballard rebutted the comments by Mr. Prinzinger for his criticism of certain links on the web site to other websites and the statement that the Board raised taxes to add 2.5 million dollars to the reserves is baloney. The budgetary reserve is a fund that is put in place to cover emergency expenditures or failures in revenue. Everything that is in a budget is an estimate. The bond rating agencies look at that number to see if it is feasible and one of their evaluation tools is fiscal prudence. Mr. Ballard told Mr. Stolz if he had read the statements he would know that East Penn's rating is reflected by the budgetary reserve. If you want to be short sighted and pay more for bonds, you will wind up fiscally irresponsible. He told Mr. Stolz that he could make all the semi political statements he wanted to enhance his political career but it was obvious that Mr. Stolz knew nothing about finance and how to be fiscally prudent in an organization that spends 110 million dollars annually. There must be a different knowledge base other than what one would use for a personal budget. He cited the many areas that are not adjustable and ignorable. Mr. Ballard said he is not afraid to give anyone an answer when asked. Again, addressing his comments to Mr. Stolz, he told him he was not making any headway with resolving any issue by simply calling people names and accusing people of being against the taxpayers. The board members are simply trying to make prudent decisions for what is good for the school district. Mr. Ballard concluded that many of the things that are right to do are not always popular.

Mr. Earnshaw made a motion to end debate that was then seconded by Ms. Kowalchuk. The motion was duly adopted by the following roll call vote:

Aye: Ballard, Earnshaw, Fuller, Jones, Kowalchuk-----5
 Nay: Prinzinger, Stolz-----2

The motion for webcasting was defeated by the following roll call vote:

Nay: Ballard, Earnshaw, Fuller, Jones, Kowalchuk-----5
 Aye: Prinzinger, Stolz-----2

7. Facilities

1. Eyer MS Change Orders

Motion by Ballard, Seconded by Earnshaw
 RESOLVED, That the East Penn Board of School Directors approve the following
 change orders:

General Contractors

Safeco Insurance Company of America

G-12

-Provide Fire-Rated Glazing in Doors E-250 & E-251	\$4,812.00
-Delete VCT flooring & Vinyl Base Rm 220	(\$572.21)
-Replace additional 300 S.F. area of existing wood flooring in H-103A and H-103B	\$9,427.00
-Provide new 4" underlayment for VCT flooring in Dark Room H-107	\$ 300.00
Total	\$13,966.79

G-13

Reduce Unit Price Sum in the amount of	(\$33,480.00)
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Electrical Contractor

Wind Gap Electric, Inc.

E-7

-Provide data drop for main ATC Panel	\$ 220.00
-Provide 208V outlet for 2nd Floor Copier	\$ 677.08
-Furnish and install survice raceway H-103 A & B	\$1078.15
-Furnish and install 220 volt receptacle for science fume hood	\$ 519.33
-Furnish and install shunt trip breaker for kitchen gas valve	\$1009.66
-Furnish and install two poer connections for hair dryers	\$ 399.00
-Furnish and install additional light fixture/range outlets	\$1625.00
Total	\$5528.22

E-8

-Provide speakers and volume control in cafeteria courtyard	\$3134.00
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E-9

-Reduce Unit Price Sum in the amount of	(\$12,075.00)
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Campus Roadway Improvements

RESOLVED, That the East Penn Board of School Directors approve the Macungie
 Campus roadway improvements with Imperial Excavating & Paving,
 LLC, Allentown, PA

CO-R-01

Raise inlet to the East entrance to Eyer off Buckeye Road one foot and provide
 approximately 100 ft. of additional 4" diameter underdrain to tie into the existing catch
 basin to the west of the entrance

Total Change \$ 4,000.00

CO-R-02

Adjust contract sum for energy and material cost increases for excavation, grading/sub Base, line striping/pavement marking/signs/traffic control, and mobilization.

Total Change \$ 6,834.50

Adjust contract sum for energy and material cost increases for paving \$24,145.00

Total Change Order \$30,979.50

Note: The above delay and increases were do to PPL building a pole line along Buckeye Road in front of Eyer MS and the moving of telephone, cable and power services and removal of the old telephone poles so our road work could continue.

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

Aye: Ballard, Earnshaw, Fuller, Jones, Kowalchuk, Prinzing, Stolz-----7

Absent: Gannon, Richwine-----2

3. Bid Opening Report - New Athletic Fields at Wescosville Elementary School
(Informational-Exhibit 8)

8. Legislative

C. Ballard

Mr. Ballard reported that there are only seven days left in the Legislative calendar. The House state Government Committee amended and approved SB 467 that would amend the Sunshine Act to increase the maximum penalty for a first violation from \$100 to \$1,000 plus the costs of prosecution. The penalty for a second or subsequent violation would be \$2,000. The fines apply to any government officials who willfully violate provisions of the Sunshine Act. He commented on the fact that board members are not paid and the complications of making it a court issue. PSBA is trying to amend the bill to consider a reduction in the fine for an unpaid position. Mr. Ballard talked about the obsession by people who feel they cannot trust public officials. HB 1277 would create a potential statewide health plan for school employees. The bill establishes a 20 member Public School Employees' Benefit Board, charged with surveying school districts regarding their employee healthcare plans and using the information gathered to determine whether or not a statewide healthcare plan is warranted. Mr. Ballard commented on the previous bill that would create a Commission. The current structure would have two representatives from the administration, four legislators, ten union representatives and four school board representatives. Under this bill, it means that 75% majority of the board is required. There are amendments being proposed and he urged board members to contact legislators to discuss how there should be a fair representation. He noted that Philadelphia is exempt from the current bill. Mr. Ballard talked about the Hay Report that had been conducted on this issue. There are some minor issues but it is not anticipated anything will happen before the next Legislature.

9. Business Operations

1. Bill List Approval

Motion by Earnshaw Seconded by Ballard

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

Group V Facility Rental Requests

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

Lower Macungie MS Auditorium, Locker Rooms

<u>Organization</u>	<u>Times of Use</u>	<u>Rental Fees</u>
Allegro Dance Studio	5/28 & 30, 2009	\$370/hr. Rental Fee (Aud)
4030 Chestnut Street, Emmaus		\$70.00/hr. Rental Fee (LR)

\$36.61/hr., Custodial Fee
\$36.61/hr., Stage
Manager Fee
\$22.00/hr/ Security Fee

Patricia Bostick Dance Center 5/27 & 6/10, 12, 13, 2009 \$370/hr.Rental Fee (Aud)
6004 Pennfield Ct., Allentown \$70.00/hr.Rental Fee (LR)
\$36.61/hr., Custodial Fee
\$36.61/hr., Stage
Manager Fee
\$22.00/hr/ Security Fee

Emmaus HS-Classroom

Prepare Test Preparation & Testing 9/25; 10-2, 16, 23, 30, \$16.00/hr., Rental Fee
2250 West Union Street 2008
Allentown 18104

Special Funding Disbursements (Exhibit 9)

RESOLVED, That the East Penn Board of School Directors authorize the
expenditures from the Capital Reserve Fund and the 2007 EGA issue
as outlined on Exhibit 9.

These resolutions were duly adopted by the following roll call vote:
Aye: Ballard, Earnshaw, Fuller, Jones, Kowalchuk, Prinzing, Stolz-----7
Absent: Gannon, Richwine-----2

10. Announcements

Monday, September 22	6:30 p.m.-EPEA Social for Board, Staff Dining Room 7:30 p.m.-Board Meeting, Board Room
Tuesday, September 23	7:00 p.m. - District PAC Meeting, Conference Room B 7:00-8:30 p.m.-Alburtis Meet the Teacher, Grades 1 & 2
Wednesday, September 24	7:00 p.m.-Eyer MS & Macungie Meet the Teacher
Thursday, September 25	7:00 p.m.-EHS Guidance Information Night
Wednesday, October 2	7:00 p.m.- LMMS Meet the Teacher Night
Thursday, October 9	All Schools and Offices Closed
Monday, October 13	Employee Development Day-No School for Students 7:30 p.m.-Board Meeting, Board Room

Mr. Prinzing noted that the EHS Football Team has done well so far (3-0) and is listed on the Honorable Mention List as a Class 4A on the Morning Call website. Mr. Stolz wanted to know how many board members attended the "little soiree" with the teachers union this evening. Ms. Fuller said they enjoyed small talk and tea and water. Mr. Stolz wanted to know how this was not a violation of the Sunshine Law. Ms. Fuller retorted that there was no public business conducted and, if Mr. Stolz would attend something once in a while, he would know that. Mr. Stolz said he was in Media hearing Senator McCann and Governor Palin speak. He suggested that the district's check register be put on the website similar to what was done by Governor Palin in Alaska. Mr. Ballard and Mr. Earnshaw both pointed out that the bill list is attached to the agenda. Miss Birdsell added that the check register is available for anyone to come in and review.

Ms. Kowalchuk asked about the Charter School information and when there would be information concerning the track. Dr. Seidenberger said a representative group from the Sevensgenerations Charter School will be addressing the Board at the October 27 meeting. The Charter School application must be accepted by November 15. There is quite a bit of documentation that must be presented with the application. Dr. Seidenberger will be meeting with the track people and try to get a handle on the range of costs and engineering requirement. He is hoping that the information will be available in a month.

11. Adjourn

There being no further information 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 Francee Fuller called the 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: C. H. Ballard, A. Earnshaw, F. Fuller, E. Gannon, M. Prinzing, T. Richwine, J. Stolz
Board Members Absent: C. Jones, S. Kowalchuk
Solicitor: Marc S. Fisher, Esq., Worth, Magee & Fisher
Treasurer: Gary Reigal
Board Secretary: Cecilia R. Birdsell
Superintendent of Schools: Dr. Thomas L. Seidenberger
Press Present: Loretta Fenstermacher, East Penn Press Reporter

2. Student Recognition - Governor's Schools of Excellence

Dr. Thomas Seidenberger and Board President Francee Fuller commented on the competitiveness to be accepted into these programs and presented certificates to the students who were present in recognition of their performance in the Governor's Schools of Excellence. Emmaus HS Principal Dave Piperato provided the background information on how students are selected.

-Monica Kang	Arts
-Jennifer Lee	Arts
-Angela Hsieh	Social Sciences
-Paul Rigge	Social Sciences
-Alice Chang	Teaching
-Stephanie Liu	Teaching

The students received a round of applause.

3. SGA Report - Neil Merchant

SGA Representative Neil Merchant reported that Homecoming Week was a great success. He thanked the administration, EHS faculty, parent volunteers, and the all people who were involved in helping the students with the various activities. The junior class won the Power Puff Football Game. He thanked Andy Scott who provided the Hummers for the parade. He reported on the Senior Breakfast and the Pep Rally. The EHS football team won the Homecoming game 69-6. They had one of the best turnouts ever for the Homecoming Dance with music provided by Wesley Works. There is nothing major coming up in the next few weeks. They may be having a tailgate party prior to the Parkland game.

4. Requests to Address the Board-None

5. Approval of Minutes

Motion by Ballard, Seconded by Stolz
RESOLVED, That the East Penn Board of School Directors approve the minutes for the September 22, 2008 Board Meeting.

She noted that the Board operates under Roberts Rules and board members should address the chair and refrain from personal comments.

This resolution was unanimously adopted by voice vote.

6. Ratification of the Collective Bargaining Agreement with the East Penn Education Association - July 1, 2009-June 30, 2013

Motion by Ballard, Seconded by Earnshaw
RESOLVED, That the East Penn Board of School Directors approve the tentative collective bargaining Agreement with the East Penn Education Association as proposed with summary information per the attachment, subject to the solicitor's Approval. And authorize the appropriate personnel to affix their signatures thereto.

Mr. Earnshaw thanked the members of the East Penn Education for their work, noting it is productive to have such a collaborative relationship with the Association. It speaks highly of the professionalism of the staff. He also appreciates the outstanding job that they do in teaching the children of the district. Mr. Prinzing questioned the addition of the Boys and Girls LaCrosse Team for JV and varsity. He said the group representing this team said they would be fundraising to support the team and what kind of support could the district expect from the Booster Club. Dr. Seidenberger said they will not be supporting the salaries. Mr. Prinzing said he was pleased to see the insurance co-

pay. Mr. Ballard said coaches are paid by the district to exercise control over the process. The club had donated their equipment in support of the team. Mr. Ballard complimented the Association and their representatives for understanding their role in the process and the many complex issues that the Board must consider. Mr. Stolz said that in the presentation by the LaCrosse Club they did promise reimbursement for expenditures related to LaCrosse. They just wanted approval to make it a varsity support. Mr. Stolz said he would not support the 4.9% because of the economy and the fact that taxpayers cannot stand another tax increase. Mr. Richwine said the LaCrosse Club did not offer to pay for everything. They would donate the club's equipment and typically the fund raising is to defray costs but not for salary. As employees of the district, the coaches would be covered under the teachers' contract. The total cost of the contract is 4.4% averaged over four years. The 4.9% was offset by the increase in the sharing of medical costs.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Prinzing, Richwine	6
Nay: Stolz	1
Absent: Jones, Kowalchuk	2

Ms. Fuller thanked Director of Business and Fiscal Affairs Gary Reigal and Director of Personnel Leslie Daniel for their assistance in the process.

7. REPORT OF THE SUPERINTENDENT OF SCHOOLS-Dr. Thomas L. Seidenberger

1. Personnel

Motion by Gannon, Seconded by Earnshaw

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

Dr. Seidenberger reported that the students who participated in the Governor's Schools of Excellence will also be participating in a program at the IU on October 20. He is making the rounds to the various PTOs to solicit input about redistricting. There are no solutions or proposal at this time but parents' input will be considered when the process begins. The Willow Lane School will begin in the next two to three weeks. He thanked Mr. Carl for his role in helping with the students and the bonfire. The index for next year is 4.1% and a full financial report will be given to the Board before the holidays.

President Fuller said they were sorry to see the retirements for two long-standing employees - Gary Reigal and Leslie Daniel. She said they have been wonderful assets. Mr. Ballard echoed the compliments, noting Mr. Reigal followed a stalwart Business Manager Richard A. Miller. Mr. Reigal won the Oscar for best Financial Director in Hard Times, adding that his candor and forthrightness have kept the Board on top of issues. Ms. Daniel has been on the firing line for years dealing with bus issues and she has many battle scars to show for it. Both individuals have given the full measure of service to East Penn and Mr. Ballard has enjoyed working with them. Mr. Earnshaw said he appreciated their service, noting they have made it a lot easier to make the hard decisions and wished them well in their retirement. Ms. Gannon said they will be definitely missed and it was a pleasure to work with them. She, too, extended her warm wishes for their retirement. Mr. Richwine expressed his good wishes. He also complimented Mr. Carl for his service and wished him well. He said over the years individuals are replaced with other good people but at the time, you wonder how you will survive. He concluded they would be hard to replace.

Retirements/Resignations

- Gary Reigal, Director of Business & Fiscal Affairs, effective (Exhibit 1)
- Leslie Daniel, Director of Personnel, effective (Exhibit 2)
- Tami Fenstermaker, Staff Assistant in Pupil Services, effective immediately (Exhibit 3)
- Betsy A. Hughes, Remedial Assistant at Wescosville School, effective immediately (Exhibit 4)
- Gail Cannon, Head Teacher at Jefferson Elementary School, effective immediately (Exhibit 5)
- Julianne Smith, Autistic Support Teacher at Jefferson School, effective date to be determined (Exhibit 5A)

Leave as Per Collective Bargaining Agreement

Employee: Kristina Wall
Grade 1 Teacher, Shoemaker School
Effective: October 14, 2008

Professional Employee Appointment

Name/Address:	Kevin Remaly 2650 Anthony Court, Easton 18045
Education Level:	B. S. Degree (1995) M. Ed. Degree (1998)
Undergraduate School:	SUNY, Buffalo
Graduate School:	Lehigh University
Effective:	To be Determined

Assignment: Special Education, Emmaus HS
(Vacancy created by T. Eberhart resignation)
Certification: Instructional II: Ment/Phys Handicapped
Experience: 9/98-Present: Bethlehem SD
Salary: \$60,669 (Step K, Year 11, M)

Temporary Professional Employee Appointment

Name/Address: Jasmyn Kandel
1834 Majestic Drive, Orefield 18069
Education Level: B. A. Degree (2002)
M. A. Degrees (2005 & 2008)
Undergraduate School: Boston College
Graduate School: San Diego State
Columbia University
Effective: To be determined
Assignment: Title I Literacy Coach
(contingent on continued funding)
Certification: Instructional I: Elementary, Reading Specialist
Experience: 9/08-Present: Northampton Area SD
8/03-6/06: Delmar (CA) SD
Salary: \$55,345 (Step D, Year 4, M +36)

Full-Time Substitute Teacher Appointment

Name/Address: Heather Brusseler
1199 Eagle Street, Wescosville 18106
Education Level: B. A. Degree (2007)
Undergraduate School: Western Governors University, Salt Lake City, Utah
Effective: October 14, 2008
Assignment: Grade 6, Eyer MS
(Opening created by S. Bauer leave.)
Certification: Instructional I: Elementary/Early Childhood
Experience: 1/08-Present: East Penn SD (per diem substitute)
Salary: \$42,600 (Step A, Year 1, B)

Administrative Assistant Appointment

Name/Address: Tami Fenstermaker
1034 Pennsylvania Avenue, Emmaus
Assignment: Eyer MS Library
Vacancy created by L. McLeod resignation.
Effective: To be determined
Salary: \$24,300, 35 hrs./wk.

Staff Assistant Appointments

Name/Address	Assignment	Salary
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Staff Assistant Appointments

Name/Address	Assignment	Salary
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Gabriella Panebianco 2560 Mill Creek Road, Macungie	Emmaus HS (Inman resignation/subsequent transfers)	\$12.01/hr., 16 hrs./wk.
Celeste Chryn 6430 Sauerkraut Lane, Macungie	Wescosville School H. Delaco resignation/ (subsequent transfers)	\$12.01/hr., 12.5 hrs./wk.
Lauren Engler	Shoemaker School J. Spain resignation	\$12.01/hr., 12.5 hrs./wk.

Instructional Assistant Appointment

Name/Address	Assignment	Salary
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Mamta Malik 7431 Woodstone Circle, Macungie	Eyer MS K. Kleckner replacement	\$12.01/hr., 32.5 hrs./wk.
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Mentor Appointments

Kendra Bergman, Grade 3, Alburtis

Nicole Swatsky, Grade 2, Wescosville School

Remove: Kate White, Grade 3, Alburtis

Head Teacher Appointment

Megan Sly-Schueck, Lower Macungie Elementary School

Additions to the 2008-09 Per Diem Substitute List

Paula Mahala, Elementary

Sue Edelman, Food Services Department

Julie Caviere, Instructional/Staff Assistant

Janet Warren, Instructional/Staff Assistant

General Leave of Absence

Employee:

Victoria McCowan

Instructional Assistant

Effective:

10/6/08-1/4/09

Reference:

Board Policy 539, General Leave of Absence

Change in Instructional/Staff Assistant Hours

Employee	From	To
Allison Hughes (IA)	31.5 hrs./wk., Shoemaker	30 hrs./wk., Shoemaker (IA)
David Schaeffer (IA)	30 hrs./wk., Shoemaker	31.5 hrs./wk., Shoemaker (IA)
Nancy Connor (SA)	18.5 hrs./wk., Lincoln	21.5 hrs./wk., Lincoln (SA)
Margaret Ritter (IA)	31.5 hrs./wk., Shoemaker	18.5 hrs./wk., Lincoln (S)

Co-Curricular Advisors

Lynn Champlin

Debate Club, Eyer MS

\$30.67/session, Club A

Emmaus High School Advisors (See Exhibit 6)

Fall 2008 Community Education Instructors

See Exhibit 7

Appointment of School Physicians

See Exhibit 8

Educational Conferences - Exhibit 9

That the East Penn Board of School Directors approve the expenses for the individuals attending the educational conferences listed on Exhibit 9.

Approve Independent Contractor Agreement (Exhibit 14)

That the East Penn Board of School Directors approve the Independent Contractor Agreement with George L. Grim who shall provide services in accordance with applicable psychology standards and as outlined in the attached Agreement.

Note: Solicitor Marc Fisher has reviewed the Agreement.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Prinzing, Richwine, Stolz-----7

Absent: Jones, Kowalchuk-----2

8. Facilities

1. Rejection of Bids for New Athletic Fields at Wescosville School

Motion by Ballard, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors reject all bids received on September 15, 2008 for the new athletic fields at Wescosville School; and,

be if further

RESOLVED, That the East Penn Board of School Directors continue the approval process for the vacating of Liberty Lane and lot consolidation along with all required approvals from other state and local agencies with appropriate parties being authorized to sign the documents, all of the aforementioned and being completed to the satisfaction of the Solicitor.

Mr. Richwine asked if the district was still alright with existing sites for practice and games. Dr. Seidenberger indicated that the district will continue with the same arrangements that we had in the past.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Prinzing, Richwine, Stolz-----7

Absent: Jones, Kowalchuk-----2

9. Other Educational Entities

-Carbon Lehigh Intermediate Unit

T. Richwine

Mr. Richwine reported that the IU Board honored Lisa Lux as the Annie Sullivan Award winner. Also recognized were the Campers of the Year in the G and B Club for disabled students - Megan Stanley and Tyler Brown. He explained the program and the experiences that the students have in the program. He noted that the Governor's Schools participants will be honored next week. He pointed out that East Penn is always well represented. We were one of the districts who always participated and encouraged students to apply and get accepted. Every Governor's School selects one student to give a brief presentation on what was covered by the school. Ms. Gannon had two students participate and Mr. Ballard indicated that his daughter participated as well. His daughter is currently an Associate Professor at Boston University Hospital in Internal and Fetal Medicine.

-Lehigh Career & Technical Institute

A. Earnshaw
F. Fuller
S. Kowalchuk
T. Richwine

Mr. Earnshaw reported that LCTI is working on the Strategic Planning process and the focus will be on student achievement and accountability. They will be compiling information on the number of students who are employed in their chosen field or went on to post secondary education or military careers. They will be also surveying employers to see how well LCTI students are doing in the work place. There will also be a focus on giving students more options for college credits. He said one of the challenges is the image that the school has as a vocational institution. The administration will be building profiles on successful students so that they can see how students have progressed with their education.

10. Legislative

C. Ballard

Mr. Ballard reported the statewide health care plan appears to be dead at this time. The Senate has called for a study of the proposal. There is discussion about increasing the fines for Sunshine Law violations. Mr. Ballard received a letter from Representative Reichley that indicates this will probably not be considered at this time. The General Assembly approved an assessment bill that the Governor will probably veto. Anti-idling legislation has been passed for diesel power. He reported that HB 120 would require principals to conduct exit interviews for all students who withdraw from a public or charter school or who are illegally absent for ten days or more. School districts would be authorized to impose a civil penalty in accordance with truancy laws if the parent or guardian does not complete the interview. PDE and the State Board of Education have approved the consolidation of two schools districts in Beaver County - Center and Monaca School Districts. The board adopted revised state academic standards in Reading, Writing, Speaking & Listening and Mathematics. The revisions now will be published in the *Pennsylvania Bulletin* and sent to the Education Committees and IRRC for final approval. Meanwhile, work is continuing to review and revise the other academic standards in the areas of science and technology; environment and ecology; history, civics and government; economics; and geography. The Board also continues to try to develop a state graduation competency exam despite the fact that both Houses of the State Legislature have told them to drop the issue and to not spend the funds. IRRC has approved the Chapter 16 changes and regulations for Special Education for the Gifted. Mr. Ballard shared a description of a school building (Battle Creek Center High School) from 1909 and the building he graduated from in 1964.

11. Business Operations

1. Approval of Bill List

Motion by Ballard, Seconded by Gannon

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.

Approval of Investments (Exhibit 10)

RESOLVED, That the East Penn Board of School Directors approve the attached record of investments.

Facility Rental

RESOLVED, That the East Penn Board of School Directors grant permission for Coral's Academy of Dance, 1107 South Tenth Street, Emmaus, PA to use the Eyer MS Auditorium on Saturday December 13, for two free Nutcracker performances in conjunction with Macungie Holidays. This is a Group V organization and will be charged the following rental fees:

\$35.70/hour custodial fee
\$35.70/hour stage equipment/technicians

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Prinzing, Richwine, Stolz-----7

Absent: Jones, Kowalchuk-----2

2. Fund Disbursements - Exhibit 11

Motion by Earnshaw, Seconded by Ballard

RESOLVED, That the East Penn Board of School Directors authorize the expenditures from the Capital Reserve Fund and 2007 EGA Issue.

Retirement Plan Compliance and Administration Services Agreement - Exhibit 12

RESOLVED, That the East Penn Board of School Directors approve a Retirement Plan Compliance and Administration Services Agreement with TSA Consulting Group, Inc., including the EPARS Subscription Agreement as presented.

Note: Agreement has been reviewed by Solicitor Fisher.

GASB 45 Valuation and Related Services Agreement - Exhibit 13

RESOLVED, That the East Penn Board of School Directors approve a GASB 45 Valuation and Related Services Agreement with Conrad Siegel Actuaries.

Note: Agreement has been reviewed by Solicitor Fisher.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Prinzing, Richwine, Stolz-----7

Absent: Jones, Kowalchuk-----2

3. Capital Reserve Fund Transfer

Motion by Earnshaw, Seconded by Ballard

RESOLVED, That the East Penn Board of School Directors approve the transfer of \$176,021 into the Capital Reserve Fund. This transfer represents the savings associated with the bond refinancing approved on July 14, 2008.

In answer to a question raised by Mr. Prinzing, Mr. Reigal explained that in July proposals were received to refinance several bond issues. The \$176,021 saved is currently in the General Fund budget as Debt Service. The resolution would allow the transfer to the Capital Reserve Fund which is a fund that may only be used for improvements/projects; however, it would restrict this for a one time project. Mr. Prinzing asked how much is the Debt Service. For the ongoing bond issues, the Debt Service is 15 million dollars for the year. Mr. Prinzing said he would like to see the money go toward paying off some of the current debt. Mr. Richwine said if you compare it to a regular mortgage the funds would come out at the back end. It does not reduce the payments. It does not save the district any money but it allows us to put it into Capital Reserve for small projects. He referred to some of the fund disbursements listed in tonight's agenda. If the funds were not in Capital Reserve then the funds would have to come from the General Fund budget. Mr. Stolz asked if this is the best way to spend this money to offset future tax increases. Mr. Reigal said every time we spend money from the Capital Reserve these are funds that would have had to come from the operating budget. Putting money in the Capital Reserve account can definitely alleviate having tax increases in the future. Mr. Earnshaw said the money saved is money we borrowed for capital projects. When we are able to save money, it makes more sense to budget into Capital Reserve. This is a prudent way to handle those projects when they come up and this gives the district some long term flexibility.

This resolution was duly adopted by the following roll call vote:
Aye: Ballard, Earnshaw, Fuller, Gannon, Richwine-----5
Nay: Prinzinger, Stolz-----2
Absent: Jones, Kowalchuk-----2

12. Announcements

Monday, October 13 6:30 p.m.-CLEAR Session (Personnel; Negotiations)
 7:30 p.m.-Board Meeting

Monday, October 27 7:30 p.m.-Board Meeting

13. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 8:28 p.m.

Cecilia R. Birdsell, Board Secretary

ORDER OF BUSINESS

1. Call to Order; Pledge of Allegiance

President Francee Fuller 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: A. Earnshaw, F. Fuller, E. Gannon, C. Jones, S. Kowalchuk, M. Prinzing, T. Richwine, J. Stolz
Board Member Absent: C. Ballard
Solicitor: Marc S. Fisher, Esq., Worth, Magee & Fisher
Treasurer: Gary Reigal
Board Secretary: Cecilia R. Birdsell
Assistant Superintendent for Initiatives & Evaluation: Dr. Denise Torma
Press Present: Loretta Fenstermacher, East Penn Press Reporter
Sarah Fulton, Morning Call Reporter

2. Requests to Address the Board

Mr. Rob Aptaker, 1946 Delaware Street, Allentown spoke about the Seven Generations Charter School that is being developed to open in September 2009. The school will house K-4 students and they have approximately 225 students enrolled. They are planning to add a grade each year. The focus of the school will be centered on the environment and a curriculum that will deal with energy, climate change and pressing issues facing the United States. The name of the school is derived from an Iroquois proverb that says "in all of our deliberations let us consider the effect of our decisions on seven generations." He indicated that sometimes charter schools have an adversary relationship with the local public schools and people are dissatisfied with the system. This is not the case with their school. Mr. Aptaker stated that East Penn has a deservedly good reputation and they are not seceding from the district. The school will be a new and exciting resource within the district and they are hoping for an open and collaborative relationship with East Penn. He complimented Dr. Seidenberger on his positive tone and communication with their group. He said the group has been doing extensive research and have visited other green schools over the past year and a half. He acknowledged the hard work of the group. The charter application is expected to be submitted by November 14.

3. Approval of Minutes

Motion by Kowalchuk, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors approve the minutes for the October 13, 2008 meeting.

Mr. Prinzing wanted to add to Page 1 and 2, item 6, the last line, "Mr. Prinzing said he was pleased to see the insurance co-pay **and he could support the contract despite the 4.9% increase.**"

This resolution was unanimously adopted by voice vote.

4. Report of the Superintendent of Schools

1. Personnel

Motion by Earnshaw, Seconded by Gannon

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

Resignations

-Katie McCormack, Remedial Assistant at Wescosville School, effective Friday, November 14, 2008 (Exhibit 1)

Request for General Leave of Absence

Employee: Debbie Moyer, Instructional Assistant, Macungie School
Effective: October 20, 2008
Reference: Board Policy 539, General Leave

Appointment of Professional Employee

Name/Address: Karen Caiti
95 Kichline Road, Hellertown 18055
Education Level: B. S. Degree (1987)
M. Ed. Degree (1990)
Undergraduate School: Fredonia State University

Graduate School: Potsdam State University
Effective: October 22, 2008
Assignment: Grade 5, Macungie School
Vacancy created by K. Jordan resignation
Certification: Instructional II, Elementary, K-6
Experience: 9/94-8/03: East Penn SD
10/87-6/93: Lowville Academy
Salary: \$62,104 (Step K, Year 11, M +12)

Appointment of Remedial Assistant

Name/Address: Mary McGinley
2337 Silvano Drive, Macungie
Effective: October 28, 2008
Assignment: Macungie School
Vacancy created by M. Marshall retirement
Salary: \$13.00/hr., 25 hrs./wk.

Appointment of Health Room Aide

Name/Address: Karen Schaffer
2501 Chock Road, Emmaus
Effective: October 28, 2008
Assignment: Lower Macungie MS
Vacancy created by K. Heffelfinger resignation
Salary: \$16.85/hr., 32 hrs./wk.

Change in Employment Status

Employee: Kristine Kleckner
Instructional/Staff Assistant
From: 31.5 hrs./wk., Jefferson
To: 31.5 hrs./wk., Shoemaker

Co-Curricular Advisors

See Exhibit 2

2008 Tenure Award

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

Name	Assignment	School
Lisa Baron	English	Emmaus HS
Kendra Bergman	Grade 3	Alburtis
Sean Boyle	Social Studies	Eyer MS
Marybeth Busted	English	Eyer MS
Michael Carolla	Social Studies	Emmaus HS
Bruce Denmead	Music	Emmaus HS
John Dietrick	Business/Computer	Emmaus HS
Rebecca Duh	Grade 4	Shoemaker
Julia Dweck	Gifted	Wescosville/Alburtis
Michelle Harned	Science	Lower Macungie MS
Lori King	Special Education	Eyer MS
Laura Kline	Grade 1	Jefferson
Matthew Laub	Science	Lower Macungie MS
Rosanne Lauchnor	Grade 4	Alburtis
Michael Mihalik	Science	Emmaus HS
Williams Montepeque	Spanish	Emmaus HS
Anne Nero	Business/Computer	Emmaus HS
Alison Patchcoski	Family & Consumer Science	Eyer MS
Erica Petrella	Grade 5	Wescosville
Tanya Piasecki	Grade 1	Jefferson
Krystel Scheller	Special Education	Eyer MS
Ariel Scholz	Music	Shoemaker/Alburtis/ Wescosville
Jeffrey Shreck	Art	Shoemaker
Megan Sly-Schueck	Kindergarten	Lower Macungie ES

Kristi Smith	Grade 3	Shoemaker
April Snyder	Grade 1	Shoemaker
Tanya Spengler	Special Education	Alburtis
Carlene Streit	Mathematics	Eyer MS
Bryan Svencer	Grade 4	Lincoln
Sarah Tiede	Music	Alburtis/Lower Macungie ES
Robin Weidner-Smith	Counselor	Emmaus HS
Heather West	Art	Alburtis/Shoemaker
Juliane Ziegler	German	Emmaus HS

Additions to the 2008-09 List of Per Diem Substitutes

Sarah Schurkamp, Elementary
 Angela Rini, Early Childhood/Elementary
 Janet Warren, Instructional/Staff Assistant

Authorization to Act as 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:

<u>Emmaus HS</u>	<u>Elementary Principals</u>
David Piperato, Principal	Kristen Campbell, Lincoln
Thomas Mirabella, Assistant Principal	Tara Desiderio, Lower Macungie
Janine Mathesz, Assistant Principal	Dr. Ron Renaldi, Alburtis
Josh Ziatyk, Assistant Principal	Cheryl Wetzel, Jefferson
Mark Caccavo, Assistant Principal	Anthony Moyer, Wescosville
Kate Keires, Assistant Principal	James Best, Macungie
Sally Hanzlik, Assistant Principal	Lynn Brinckman, Shoemaker

<u>Lower Macungie MS</u>	<u>Eyer MS</u>
Suzanne Vincent, Principal	Dr. Doug Wells, Principal
Peter Schutzler, Assistant Principal	Dave Silfies, Assistant Principal
Susan Noack, Assistant Principal	

Agreement -Milestones Achievement Center (Exhibit 3)

That the East Penn Board of School Directors authorize an agreement with Milestones Achievement Center, 25 Hooks Lane, Baltimore, MD as outlined in Exhibit 3.

Agreement - Bucks County Intermediate Unit (Exhibit 3A)

That the East Penn Board of School Directors authorize the agreement with Bucks County Intermediate Unit as outlined in Exhibit 3A.

Agreement for Behaviorist - Colonial Intermediate Unit (Exhibit 3B)

That the East Penn Board of School Directors authorize the agreement with Colonial Intermediate Unit as outlined in Exhibit 3B. This agreement is subject to the continued need of mental health services for the student. This agreement may be terminated by the East Penn School District upon fifteen (15) days written notice. The School District shall be obligated to pay amounts due only through the effective date of termination.

In response to a question from Ms. Kowalchuk it was noted that the IU contract is for one student.

Mr. Prinzing asked about the educational conference expenses and asked that the item be separated.

These resolutions were duly adopted by the following roll call vote:
 Aye: Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----8
 Absent: Ballard-----1

Mr. Prinzing asked whether there was a policy in place for mileage for staff attending conferences. He said there are three staff members who attended a Student Assistance Training Program who were all employed at the high school, yet the mileage is different for each one. He thought the mileage should be set from the high school and thought the various amounts were out of line. Mr. Earnshaw said working in private industry he does get reimbursed from where he starts his trip to where he ends it. If he leaves from home, he would drive directly to the conference. There are district employees who drive significant distances to a building so requiring them to make the trip from the building and

then have them go back in the opposite direction does not make sense. He was guessing the staff members live between the high school and the location of the conference (Bethlehem). Mr. Prinzing felt the staff should look into a policy that would allow staff to calculate mileage from their building to the conference. He said they should not be reimbursed from their home to the high school and then from the high school to the conference but from the high school to the conference. He felt it was more pragmatic and it was easier to compute because there is a verifiable mileage. Dr. Torma said the point of departure is normally the school building or admin office. She said the administration will take a look at it to be sure there is consistency from point of departure to destination.

Educational Conferences (Exhibit 4)

Motion by Earnshaw, Seconded by Gannon

That the East Penn Board of School Directors authorize the expenses for the individuals attending the educational conferences listed on Exhibit 4.

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

Aye: Earnshaw, Fuller, Gannon, Jones, Richwine, Kowalchuk-----6

Nay: Prinzing, Stolz-----2

Absent: Ballard-----1

Ms. Fuller noted that two of the staff members in question were presenting at a national conference. It is a great honor and East Penn is always willing to share its knowledge and expertise since we are recognized as leaders in the educational field. She congratulated the staff members who would be making the presentation.

Informational: Administrative Reports - See Exhibit Section

5. Facilities

1. Eyer MS Change Orders

Motion by Stolz, Seconded by Gannon

RESOLVED, That the East Penn Board of School Directors approve the following change orders:

General Contractor-Safeco Company of America

G-14 - Credit owner for value of unused unit costs (\$30,000)

Plumbing Contractor - Dual Temp, Inc.

P-06 - Credit owner for value of unused unit costs (\$19,000)

HVAC Contractor - Worth and Company, Inc.

H-03 - Credit owner for value of unused unit costs (\$14,700)

Electrical Contractor - Wind Gap Electric, Inc.

E-10 - Credit owner for value of unused unit costs. (\$12,075)

E-11-Increase contract sum for work performed under CCD-E1 \$32,000
Board approved February 25, 2008 not to exceed \$32,000 to relocate
Existing electrical mains from area of new skylight

E-12-Provide speakers and volume control in courtyard outside cafeteria \$ 3,134
(Add)

Campus Roadway Improvements -Imperial Excavating and Paving

Co-R-03 - Credit Owner for value of unused unit costs (\$15,500)

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

Aye: Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz---8

Absent: Ballard-----1

6. Business Operations

1. Bill List Approval

Motion by Earnshaw, Seconded by Gannon

RESOLVED, That the East Penn Board of School Directors approve the attached bill list, including the addenda, 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..

2008-09 Salary Roster

RESOLVED, That the East Penn Board of School Directors include the 2008-09 Salary Roster in the permanent minutes of this meeting.

Budget Transfers - Exhibit 5

RESOLVED, That the East Penn Board of School Directors approve the budget transfers as listed on Exhibit 5.

Fund Disbursements - Exhibit 6

RESOLVED, That the East Penn Board of School Directors authorize the expenditures from the 2007 EGA Issue.

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

Aye: Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----8

Absent: Ballard-----1

7. Meetings

1. Change in Time for Board Reorganization Meeting

Motion by Gannon, Seconded by Kowalchuk

RESOLVED, That the East Penn Board of School Directors Reorganization Meeting be held at 7:00 p.m. on Monday, December 1, in the Board Room located at 800 Pine Street, Emmaus, PA.

Note: This meeting had been scheduled for 7:30 p.m.

Hearing Date - Seven Generations Charter School

RESOLVED, That the East Penn Board of School Directors schedule the Public Hearing for the Seven Generations Charter School, P. O. Box 371, Emmaus, PA for Monday, December 1, at 8:00 p.m. in the Board Room located at 800 Pine Street, Emmaus, PA, provided the application is submitted by November 14, 2008.

Ms. Fuller explained that to accommodate the hearing for the Charter School the Reorganization Meeting has been re-scheduled for 7:00 p.m. Mr. Earnshaw asked if the Reorganization Meeting would remain at 7:00 even if the application is not received. Ms. Fuller said even if the application is not received, the Reorganization Meeting will be at 7:00 p.m.

Mr. Stolz said he heard many positive things about the group. As long as the application is complete, he is looking forward to supporting this endeavor as a matter of school choice and expanded opportunities for students. Ms. Kowalchuk asked about the format for the hearing. Mr. Fisher said a court stenographer will be present to take testimony. After each presenter(s) gives testimony then board members will have an opportunity to ask questions; administration may be sworn in as witnesses and offer testimony as well as members of the public. Mr. Fisher will be providing an outline for the hearing for board members. Ms. Gannon asked if the board members would be receiving written copies of information prior to the meeting. Mr. Fisher said it is the intention of the administration to provide background. Mr. Richwine asked if action needed to be taken that night. Mr. Fisher said action does not need to be taken that night and there is a time line to follow.

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

Aye: Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----8

Absent: Ballard-----1

8. Announcements

-Monday, October 27 7:00 p.m.-CLEAR Session (Personnel)

7:30 p.m.-Board Meeting

-Sunday, November 2 Standard Time Begins (Turn Clocks Back 1 Hour)

-Tuesday, November 4 Election Day

Ms. Fuller said she is glad the district lends its facilities for the democratic process.

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

Ms. Fuller thanked Mr. Earnshaw for participating in a television taping of the program "Business Matters" that is produced by WFMZ with the affiliation of the Lehigh Valley Chamber of Commerce. The show will be aired at 7:30 p.m. on November 10. Mr. Earnshaw said it was an interesting experience and he highlighted the technical aspects of televising a show. The topic was the State of Education in the Lehigh Valley and involved a charter school CEO, a state legislator, and another board member from Allentown School District. If anyone wants to view the show, it will probably be online after it has aired since the viewing time is the same as the next board meeting.

Mr. Stolz said the Young Republicans and the Young Democrats will be helping various candidates on Election Day and he complimented the students for their interest. He had asked for a copy of the new teachers' contract and was told it would not be available for at least a month. He questioned how the Board voted on something they did not see. Ms. Fuller said it takes time to process the paperwork.

Mr. Prinzing complimented the EHS Football team on their success, despite their loss to Parkland on Friday evening.

Mr. Earnshaw brought up re-districting and explained how there will be redistricting once the Willow Lane School is opened in two years. He emphasized that there have been no decisions and that right now Dr. Seidenberger is meeting with PTO groups to get their input and hear their concerns. Dr. Seidenberger is planning to present three options to the Board and public. The plans will not be available for at least another year. There will be ample opportunities for parent input. Ms. Fuller pointed out that students are more flexible than the parents when it comes to redistricting.

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, Board Secretary

ORDER OF BUSINESS

1. Call to Order; Pledge of Allegiance

President Francee Fuller called the meeting of the East Penn Board of School Directors to order at 7:35 p.m. in the Board Room located at 800 Macungie Avenue, Emmaus, PA, followed by the Pledge of Allegiance.

Board Members Present: C. H. Ballard, A. Earnshaw, F. Fuller, S. Kowalchuk, M. Prinzing, T. Richwine, J. Stolz
Board Members Absent: E. Gannon, C. Jones
Solicitor: Marc S. Fisher, Esq.
Treasurer: Gary Reigal
Board Secretary: Cecilia R. Birdsell
Superintendent of Schools: Dr. Thomas L. Seidenberger
Press Present: Sarah Fulton, Morning Call Reporter
Loretta Fenstermacher, East Penn Press Reporter

2. Requests to Address the Board-None

3. Approval of Minutes

Motion by Ballard, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors approve the minutes of the October 27, 2008 meeting.

This resolution was unanimously adopted by voice vote.

4. Emmaus High School SGA Report

SGA Representative Neil Merchant reported that the SGA has completed first semester evaluations and will be completing the sophomores and juniors next week. They will also be welcoming the new incoming freshmen. The SGA students will be helping serve at the annual Thanksgiving Dinner. SGA will also be sponsoring the pictures with Santa and Karaoke at lunch. Many of the SGA members are also participating in other school activities such as Key Club, Model UN, Habitat for Humanity, etc. The winter sports will begin their season next Monday. The football team will be continuing their success in a game against Liberty on Friday evening. In February, there will be the annual Snow Ball Dance tentatively scheduled for February 16. Plans are also underway for the Junior Prom and the Senior Ball. The theme for the Junior Prom is Mardi Gras.

Ms. Fuller announced that the Emmaus High School Marching Band competed in the United Scholastic 20th Anniversary Band Competition in Baltimore on Sunday and brought home the gold.

President Fuller also announced that this was Supervisor of Maintenance Jim Carl's last Board Meeting. He will be retiring after 30 years of carefully watching over the district's buildings and making sure that they are in wonderful condition. She thanked Mr. Carl for all he has done for the district, adding that everyone will miss him.

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

Dr. Seidenberger indicated that he and Mr. Carl have spent time together to discuss where the district will be proceeding in the future (baseball fields; all weather track). He will also be working with Mr. Reigal on budget issues. Mr. Reigal will be presenting the five-year forecast at the next meeting. The administration was receiving training in Performance Tracker today and Dr. Seidenberger thanked the Board for its support in purchasing this system. There will be a presentation at a future board meeting. There will be a trial run for Alert Now on November 19 using the numbers for the Lincoln School parents. The call will be made at 5:00 p.m. On November 20, there will be another trial run for employees. There will also be a grouping for board members to receive calls when there is an emergency. The district will be using WFMZ as the news media for special emergency calls. The Seven Generations Charter School charter must be received in the district offices by November 14. Mr. Fisher will be providing a legal update as to how the hearing will proceed once the application has been received. Dr. Seidenberger encouraged board members to take advantage of the many opportunities to attend district events over the next few weeks. The Lower Macungie MS Veteran's Day program is being presented tomorrow and later in the week will be the EHS Drama Department presentation of Shakespeare's As You Like It.

1. Personnel

Motion by Earnshaw, Seconded by Ballard

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

Resignation

-CeLeste O'Brien Chrin, Staff Assistant at Wescosville School, effective immediately (Exhibit 1)

Appointment of Acting Supervisor of Maintenance

Name: Robert Kovalchick
Currently: Assistant Maintenance Supervisor
Effective: November 24, 2008
Stipend: \$500/pay

Appointment of Infrastructure Support Specialist

Name/Address: Paul Reilly
2460 Henderson Place, Bethlehem 18017
Effective: To be determined
Salary: \$47,500 (New unbudgeted position; partially funded by combination of 2 PT Tech Assistant Positions)

Head Teacher-Jefferson School

Heather Schrack, Special Education

Leaves as per Collective Bargaining Agreement

<u>Employee</u>	<u>Effective Date</u>
Tammy Nassry, Special Education Teacher, EHS	11/10/08-12/14/08
Heather Moser, Grade 4 Teacher, Lincoln School	11/3/08
Kristi Smith, Grade 3 Teacher, Shoemaker School	11/13/08
Katie Hillegass, Special Education Teacher, LMMS	11/24/08

Requests for General Leaves of Absence

Name: Joanne M. Freeman, PT Library Aide, EHS
Effective: October 22, 2008-October 21, 2009

Name: Susan Doney, Food Services Department
Effective: October 6, 2008-December 23, 2008

Appointment of Remedial Assistant

Name/Address: Susan Adams
121 Brookfield Drive, Macungie
Effective: November 11, 2008
Assignment: Wescosville School
Salary: \$13.00/hr.,/25 hrs./wk.

Co-Curricular Advisors

See Exhibit 2

Additions to the 2008-09 List of Per Diem Substitutes

See Exhibit 3

In response to questions from Mr. Richwine and Ms. Kowalchuk, Mrs. Daniel explained that guest teachers are individuals who have a Bachelor's Degree and have gone through the Guest Teacher Program sponsored by the IU. They do not have teaching certificates nor are they eligible for Emergency Certification. They are only allowed to do per diem substitute work.

Educational Conferences-Exhibit 4

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

Voluntary Consensual Demotion

RESOLVED, That the East Penn Board of School Directors approve the voluntary consensual demotion of Donna Cortez from the position of a full-time professional employee assigned as an elementary principal to a full-time professional employee

assigned as administrator on special assignment as directed by the Superintendent of Schools, effective November 5, 2008.

Note: Ms. Cortez has waived her right to a hearing.

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

Aye: Ballard, Earnshaw, Fuller, Kowalchuk, Prinzing, Richwine, Stolz-----7

Absent: Gannon, Jones-----2

5. Other Educational Entities

-Carbon Lehigh Intermediate Unit T. Richwine

Mr. Richwine reported that the last IU Board Meeting was largely to honor the students who had participated in the Governor's Schools of Excellence last summer. He informed the Board that two Emmaus HS students had been selected to give the report for two of the schools - Paul Rigge for Sciences and Alice Cheng for Teaching. Again, Emmaus HS was well represented in the various schools. As an aside, Mr. Richwine said no one who attended the Agricultural College reported on cattle insemination. The growth in IU 21's representation has increased by 25%.

There is a shortage of representatives from other districts that creates a problem with reaching a quorum. The appointment of Donna Daday from the Allentown School Board was approved by a board member calling in from the road. There is a vacancy from the Northern Lehigh SD and the representative from the Palmerton Board James Pollard passed away. Ms. Fuller extended condolences on the death of Mr. Pollard.

-Lehigh Career & Technical Institute A. Earnshaw
F. Fuller
S. Kowalchuk

Mr. Earnshaw reported that there will be a Committee-of-the-Whole Meeting to review the audit and excess revenues. After the audit is completed there is a reconciliation and any excess funds are then returned to the sponsoring school districts. The JOC will also be reviewing the preliminary budget documents. The overall budget will increase 4.1% which is equivalent to the Act 1 inflationary index. Based on the market value of all districts in Lehigh County, there will be no changes in the number of JOC seats. He called attention to the October Director's Report that contained statistics about students who go on to grad school and their high wage expectations in light of the current economic climate and the reality of life. Dr. Seidenberger mentioned the article in the Morning Call that describes the partnership between Mack Trucks and LCTI.

6. Legislative C. Ballard

Mr. Ballard reported that nothing of significance will be happening during this session of the Legislature. He reviewed the election results noting that the Republicans will control the State Senate 30-20 and the Democrats will control the House 104-99; they gained two seats. There will be a special election to fill the vacancy created by the death of Senator Rhoads. Incumbents Tom Corbett won the election for Attorney General and Jack Wagner won the election for Auditor General. There will be 35 new state legislators taking office in 2009. PDE has put out clarifications for the new federal background checks that will be more stringent beginning December 1, 2008. The U.S. Department of Transportation has put out new standards for school bus seating that requires higher backs on seats and mandates shoulder and lap belts on smaller buses. There are several organizations conducting campaigns on television to get seat belts on all school buses. Mr. Ballard commented on the costs involved with these changes and the limited seating ramifications. PDE has issued their final NCLB regulations.

7. Facilities

1. Informational: Plancon Part K: Project Refinancing (Exhibit 5)

The East Penn School District has been notified that the PA Department of Education has approved Plancon Part K: Project Refinancing and that this document and the appended materials be entered into the minutes of this meeting.

8. Business Operations

1. Approval of Bill List

Motion by Ballard, Seconded by Earnshaw

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

Disbursement of Funds - Exhibit 6

RESOLVED, That the East Penn Board of School Directors authorize the expenditures from the Capital Reserve Fund, 2007 EGA Issue; and the 2007 GOB Issue.

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

Aye: Ballard, Earnshaw, Fuller, Kowalchuk, Prinzing, Richwine, Stolz-----7

Absent: Gannon, Jones-----2

9. Announcements

Monday, November 10	7:00 p.m.-CLEAR Session (Personnel; Negotiations)
	7:30 p.m.-Board Meeting, Board Room
November 10-14	Elementary Parent-Teacher Conference Week
November 11	9:30 a.m.-Veteran's Day Program, LMMS Auditorium
November 13, 14, & 15	8:00 p.m.-EHS Drama Department presents, "As You Like It," EHS Auditorium
November 15	Eyer Chili Cook-Off & Craft Fair
November 17 & 18	Kindergarten Conferences - Condensed Kindergarten Schedule
Thursday, November 20	7:00 p.m.-EHS Winter Band Concert, EHS Auditorium
November 24, 25, 26	11:00 a.m. - Early Dismissal - Middle Schools Parent-Teacher Conferences
November 17, 28, December 1	Thanksgiving Holiday
December 1	7:00 p.m.-Board Reorganization Meeting, Board Room
	8:00 p.m.-Tentative Public Hearing - Seven Generations Charter School, Board Room
December 8	7:30 p.m.-Board Meeting, Board Room

Mr. Stolz introduced the following motion:

Motion by Stolz,
RESOLVED, That the prior vote on the Collective Bargaining Agreement with the East Penn Education Association be treated as a preliminary approval with a final vote to be taken after the full text of the contract is provided to the Board and a two week period of review is granted.

The motion failed for lack of a second.

10. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 8:05 p.m.

Cecilia R. Birdsell, Board Secretary

ORDER OF BUSINESS

1. Call to Order; Pledge of Allegiance

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

Board members present: C. H. Ballard, A. Earnshaw, F. Fuller, E. Gannon, C. Jones, S. Kowalchuk, M. Prinzing, T. Richwine, J. Stolz

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

Treasurer: Gary Reigal

Board Secretary: Cecilia R. Birdsell

Press Present: Sarah Fulton, Morning Call Reporter

Loretta Fenstermacher, East Penn Press Reporter

2. Requests to Address the Board

Mr. Otto Slozer, 121 E. Elm Street, Emmaus thanked the administration for their cooperation in providing the requested financial information. He asked what is the school district's official definition for the budgetary reserves? Is it one big fund or are there multiple reserve funds and, if so, why is it broken out that way? Within the fund(s) are their sub categories and what would be their purpose. Is there written policy and procedures for the movement of money from this fund? Dr. Seidenberger said the district would respond in writing.

Mr. Grant Carter, 7145 Carls Hill Road, Zionsville requested a copy of the new teachers' contract. He was told that when the copies were ready for distribution that he would receive one.

3. Approval of Minutes

Motion by Ballard, Seconded by Gannon

RESOLVED, That the East Penn Board of School Directors approve the minutes of the following Board Meetings:

November 10, 2008 - Regular Board Meeting

December 1, 2008-Reorganization Meeting

This resolution was unanimously adopted by voice vote.

4. Five-Year Budget Projection - Gary Reigal, Treasurer/Director of Business & Fiscal Affairs

Mr. Earnshaw noted that this was Mr. Reigal's last Board Meeting before he retired in December. Mr. Earnshaw thanked Mr. Reigal for his years of excellent service to the school district in the Business Office.

Mr. Reigal indicated that this would be an update due to the resolution that is on the agenda that would indicate the district will not exceed the 4.1% index that is set by the state. Last year when the budget was established the administration was careful to trim many of the previous estimates for growth in revenues. During this year, the district is meeting its budget. The budget is subsidized by approximately 80% from local revenues; 18% from state funds; and 1% from federal funds. The assessed value growth as reported in November is the lowest in ten years but that was expected. The assessed value had been growing by 97 million dollars and this year we are looking at 27 million dollars. It is still showing growth unlike some school districts where it is a negative number. There has been little commercial growth, but there are seven warehouses being constructed. These facilities represent about one-third of the assessed value. There has been some difficulty getting them on the tax rolls. In the future, we want to be sure to watch when these facilities come on line.

The earned income tax is coming in better than anticipated. The transfer taxes are down a little bit but the local revenues are making budget. The five-year projections represent a maintenance budget that does not include any new items, including personnel. This is not the right time to look at growth in programs and personnel. The state revenues are down and the district is not anticipating any new state funds and, in fact, the subsidy may even decrease. Mr. Reigal advised that there may not be any funds coming from the gambling monies this year. Last year, there was a \$118 distribution for taxes. If these funds are not received this year, there will be an increase even if there is no tax increase.

Referring to charter/cyber schools, Mr. Reigal noted that a million dollars was budgeted and it will probably be about \$300,000 over budget. East Penn has been approached by a new charter school and that would mean an increase to 1.3 million dollars. It is quite a significant increase. The charter school has an anticipated enrollment of 180 students over four or five grades so there would not be enough students leaving the district to make a difference. Mr. Earnshaw said the transportation costs will also increase in this area.

The Willow Lane School project was just about 25 million dollars; 10 million dollars was borrowed. The district will not have to borrow any money until after July 1. Therefore, only one payment would have to be made. The debt

service is now around 14.7 million dollars. In 2017-2018, the debt service decreases to 8 million dollars. The district is eligible for some exceptions - grandfathered debt is \$600,000 = .37 mills; special education expenditures = .50 mills. These exceptions total 0.87 mills above the 4.1% index. If the resolution would not be passed this evening, the district would be eligible to apply for the exceptions. The value of a mill is 1.6 million dollars. Referring to the construction projects still on the books, Mr. Reigal said the district will only have to borrow approximately 11.8 million dollars. The baseball fields have not been awarded but the money has already been borrowed as well as improvements to the Eyer fields. If the all weather track and the baseball fields are added to the list then the district would have to borrow a little more than 15 million dollars. He alerted the Board that they would have to make that decision in the not too distant future, probably around July if the bond issue is going to be pursued. In answer to a question raised by Mr. Prinzinger, Mr. Reigal responded that the 2.3 million dollars for the baseball fields could be put toward the building projects. He added that the cost would be .16 mills which represents \$11.00/year for a taxpayer. Mr. Ballard noted that borrowings over 10 million dollars are not bank qualified. Mr. Reigal said the bond issue could be structured to be bank eligible. There has been talk from the Booster Clubs for funds that would defray some of the costs. Mr. Ballard said the five year projections have always shown the fund balance growing when in reality that has not happened and Mr. Reigal concurred. In conclusion, Mr. Reigal said the Board can adopt the resolution to not exceed 4.1% and still feel comfortable with the budget next year.

Referring to the impact of the current recession, Mr. Jones asked what would be the worse case scenario given that there is a high level of insecurity. Mr. Reigal felt the economy would get worse before it gets better. The growth is about one half of what the district is used to in the past and the only growth shown are the warehouses that will come on the tax rolls. Mr. Jones felt the items that impact the revenue side have not really been felt in the Lehigh Valley. Mr. Prinzinger questioned if the district would be raising the taxes by 4% over the next five years even with the warehouses coming on line. Mr. Reigal said the information is the best estimate and every year the Board must deal with the budget as it comes up. Mr. Earnshaw clarified that the purpose of the resolution is to determine whether the district will seek the exceptions, not whether we will seek a higher tax increase. He explained that the 4.1% index does not mean the district will raise taxes 4.1%. If the district goes for exceptions, then the index could be exceeded without having to go for a referendum. Mr. Ballard also noted that by taking this route the district is disengaging itself from the high speed time limit for a budget. It was pointed out that the district has a board policy (Board Policy 604) that strives to maintain a 5% budgetary account appropriation. It is a number that the bond agencies approve of as a reasonable reserve thereby causing lower rates for borrowing. Mr. Reigal explained how a representative from Moody's will call and review the financial information, including growth projections, capital reserve, etc. Mr. Ballard further explained that the actual purpose of having a budgetary reserve is when you have a revenue shortfall or expenses that would throw the budget into negative numbers, there is actually a reserve to ride out these situations. The charter school was used as an example where if the additional funds were not in the budgetary reserve programs offered by the school district would have to be cut to meet these expenditures. Mr. Earnshaw pointed out that when the State Legislature and the Governor could not reach agreement on the budget, the district had to subsidize expenses by using the budgetary reserve until the state budget had been determined and it was not until December when the district received subsidy. Mr. Jones said 5% is a relatively small number. Ms. Fuller said the discussion has certainly answered the questions posed about the budgetary reserve. Mr. Reigal said the budgetary reserve account is clearly defined in the state accounting manual. The account cannot be expended by the Board; it can only be transferred to another account to be expended. Budgetary reserve can end up a fund balance if funds are not transferred. The accounts impact each other in the budget; however, the fund balance is similar to the net worth of a company. Ms. Fuller asked if there were any subsets. Mr. Reigal replied that there are no subset accounts. There are no other accounts in a separate place. Mr. Richwine said that in a company the budgetary reserve would appear on the profit and loss statement as an expense account. The terms are often confused and interchanged incorrectly. If the budgetary reserve account is not used then it is rolled into the fund balance at the end of the year. Mr. Reigal said the maximum allowed in the fund balance by the state is 8%. There was a brief discussion about how other districts may handle these accounts as well as charter schools. Mr. Richwine then thanked Mr. Reigal for his years of service to the district, adding that he will miss his formatting of presentations. Ms. Gannon said she, too, will miss Mr. Reigal and thanked him. She clarified that there can actually be a zero budgetary reserve but a 5% fund balance. Mr. Ballard indicated that every budget is an estimate of revenues and expenses and, at the end of the year, you see how close you have come to the estimates. He again explained how the budgetary reserve account rolls into the fund balance at the end of the year. East Penn has a policy that supports a 5% budgetary reserve from year to year.

Ms. Kowalchuk asked what rate was projected for the future bond issues. Mr. Reigal used the rate that was named in the last bond issue.

5. 2009-2010 Tax Index Resolution-Exhibit 1

Motion by Jones, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors approve the Resolution regarding the Tax Index established by the Department of Education as outlined in Exhibit 1.

Mr. Prinzinger said that given the economic environment he did not feel the Board should be looking at the maximum increase. Mr. Earnshaw said this is a requirement of Act 1 and the Board is not considering the rate. Mr. Prinzinger said he is not comfortable setting the district expectations for the index or less. He would be more comfortable if the voters would vote on a tax referendum. Mr. Earnshaw asked if Mr. Prinzinger wanted to make a motion that the district go through the accelerated budgetary process and go for referendum. Mr. Prinzinger indicated his affirmation.

Motion by Prinzing, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors go through the accelerated budgetary process and go for referendum.

Mr. Richwine pointed out that to go for the accelerated budgetary process when none of the decision making information is known is financial insanity. If the budget is voted down, then the district would have to come up with a budget. He said it was wholly possible that the district may come in with a budget lower or even a zero percent increase. He commented that the younger members of the Board were showboating. Ms. Gannon said she did not want an accelerated budget process and she did not want to send the message to the administration that taxes could be raised to 4.1%. Mr. Earnshaw indicated that he had no intention of voting for an accelerated budget and he did not support the amendment. Mr. Prinzing continued to debate that it was disingenuous to raise taxes 4.1% when that would be the highest allowed by law. Mr. Ballard said the resolution is defined by Act 1. There are no choices of going lower and the form is that you will not go over the index. This is a matter of law, not of substance. He would not support the amendment. While some people believe everything should go to referendum, he was elected to make reasonable choices on behalf of the voters and that is what he intended to do. Mr. Stolz said he would not vote for the amendment but he felt his fellow board member should have the courtesy of a vote on this matter. He said the last time the index was 4.4% and he heard a lot of justification that it was for the education of students. He questioned why now there was support for only 4.1% which again is the maximum. He indicated he would only support a zero increase budget. Mr. Prinzing felt that the argument to go for a 0% increase was totally false. The five year budget projections have a built in 4.1% increase. He felt if there was anything to accomplish and get community support for the budget then the district should go to referendum. Ms. Kowalchuk felt it would be the proverbially "shooting yourself in the foot" to take this action. There is no basis and 4.1% has been deemed adequate. She pointed out that now is not the time to have a budgetary discussion. She indicated she would not support this amendment and the discussion was not pertinent to this resolution. Mr. Earnshaw said if the Board would support this motion then the district would proceed with a 4.2% increase and Mr. Prinzing's name would be on it. The maximum allowed by law would be 4.9%, including the exceptions. To characterize any preliminary budget plan as the maximum allowed by law is a falsehood. He did not think there was anyone on the Board who would support for an increase above 4.1%. The majority would prefer a budget lower than the 4.1%.

This resolution was defeated by the following roll call vote:

Nay: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Richwine, Stolz-----8

Aye: Prinzing-----1

The original motion is as follows:

Motion by Jones, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors approve the Resolution regarding the Tax Index established by the Department of Education as outlined in Exhibit 1.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----9

6. Adoption of 403(b) Plan Document and Agreement - Exhibits 2 & 3

Motion by Kowalchuk, Seconded by Ballard

RESOLVED, That the East Penn Board of School Directors adopt the 403(b) Plan Document and The Agreement for Public Education Organizations as outlined in Exhibits 2 and 3.

Mr. Jones said he appreciated seeing the Roth option because it is a powerful way to save.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----9

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

Dr. Seidenberger reported on meeting with parent groups to talk about re-districting. He announced he would be meeting with parents from the Baseball Booster Club to get input on how to reduce the components of the bid. He will also be meeting with supporters of the all-weather track to discuss how much funding can be raised. He will also be discussing the possibility of alternative funding and the organization of a potential foundation. At the next Board Meeting, URS representative Rob Whartenby will be giving an update on the Willow Lane project. Mr. Richwine noted that both the boys and girls soccer teams were Academic All American with a 3.25 team gpa. Ms. Gannon commented on the educational conferences, noting that there were several out-of-state conferences over \$1,000. While she is supportive of professional development, it might be an area that could be monitored. Dr. Seidenberger said that as part of the budget process next year the administration will be asking for a list of conferences ahead of time and try to develop some new criteria for conference attendance.

Ms. Fuller said that she would be abstaining for the co-curricular advisors because a relative by marriage will be receiving a stipend. Mr. Stolz asked for more information about the World Café Latino Culture Conference at Lehigh University. Dr. Seidenberger said that while he signed these conferences, he did not have the details readily available for

each conference. There are certain budgets such as Title II funds that are used for these professional development opportunities. Mr. Stolz asked about the per diem substitute rate. Mrs. Daniel, Director of Personnel, replied that it was approximately \$100/day. Mr. Richwine said some of these conferences are for Professional Development. Dr. Seidenberger agreed, explaining that the PA Inspired Leaders initiative and every administrator will have to meet this standard. This is creating a problem with administrators and the superintendents are working with the Intermediate Unit and Lehigh University. Mr. Earnshaw said it was his understanding that every conference requested had a justification form and staff are required to have a plan on how they will use what they learn in the classroom.

1. Personnel

Motion by Ballard, Seconded by Jones

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

Resignations

-Patricia Breinich, Instructional Assistant at Emmaus High School, effective December 31, 2008 (Exhibit 4)

-Adrienne Maiatico, Staff Assistant at Emmaus HS, effective immediately (Exhibit 5)

-Keri Tierney, Instructional Assistant at Wescosville School, effective December 23, 2008 (Exhibit 6)

-Aaron Knepp, Instructional Assistant at Wescosville School, effective January 10, 2009 (Exhibit 7)

Professional Employee Appointment

Name/Address:	Michael Behr 632 Seventh Avenue, Bethlehem 18018
Education Level:	B. S. Degree (1998) M. Ed. Degree (2003)
Undergraduate School:	Kutztown University
Graduate School:	Wilkes University
Assignment:	Jefferson School. Autistic Support Vacancy created by resignation of J. Smith
Certification:	Instructional II, Elementary, Ment and Phys Handicapped
Experience:	8/99-Present-Bethlehem Area SD 8/98-8/99: Colonial Northampton IU
Salary:	\$60,669 (Step K, Year 11, Col. M)

Full-Time Substitute Teacher Appointments

Name/Address:	Steven Neikam 209 Lone Lane, Allentown 18104
Education Level:	B. A. Degree (1989) Kutztown University (Certification Credits)
Undergraduate School:	Moravian College
Graduate School:	Kutztown University
Assignment:	Grade 6-Lower Macungie MS Opening created by A. Boulrice leave
Certification:	Instructional II, Elementary
Experience:	2002-2006: Salisbury SD 1993-2002: Allentown SD
Salary:	\$42,600 (Step A, Year 1, Col. B)

Name/Address:	Lyandra Ross 330 Ridge Road, Phillipsburg, NJ 08865
Education Level:	B. A. Degree (2000) M. Ed. Degree (2006)
Undergraduate School:	Cedar Crest College
Graduate School:	Cedar Crest College
Assignment:	Social Studies, Emmaus HS Opening created by H. Montero leave.
Certification:	Instructional I, Social Studies
Experience:	1/07-Present: Allentown SD (per diem) 9/95-Present: Harmony Township, NJ (per diem)
Salary:	\$42,600 (Step A, Year 1, Col. B, prorated)

Appointment of Remedial Assistant

Name/Address: Stephanie Fisher
703 Glenwood Street, Emmaus
Assignment: Lincoln School
Vacancy created by resignation of K. McCormack
Effective: December 9, 2008
Salary: \$13.00/hr., 25 hrs./wk.

Appointment of Open Records Officer

In accordance with the Open Records Law (Act 3 of 2008), that Cecilia R. Birdsell, Board Secretary, be designated as the Open Records Officer for the East Penn School District effective January 1, 2009.

Appointment of Instructional Assistants*

Name/Address	Assignment	Salary
Susan Wagner 4971 Gwen Circle, Old Zionsville	Autistic Support, Wescosville Brown resignation; subsequent transfers	\$12.01/hr., 31.5 hrs./wk.
Kimberly Kemp 7552 Crane Crossing, Macungie	Emotional Support, LMMS B. Boyle resignation	\$12.01/hr., 32.5 hrs./wk.
Tracy Beers 1318 Brassie Street, Wescosville	Learning Support, LMES Kackos resignation	\$12.01/hr., 13 hrs./wk.

Appointment of Staff Assistant*

Theresa Berthel 6732 Kings Highway S, Zionsville	Cafeteria, LMMS F. Folsom Resignation	\$12.01/hr., 12.5 hrs./wk.
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*Effective December 9, 2008

Appointment of Part-Time Food Service Assistant

Loretta Schuima 4930 Ancinetta Drive, Schnecksville	Eyer MS S. Moralis resignation	\$11.01/hr., 3 hrs./day
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Effective: December 9, 2009

Additions to the 2008-09 List of Per Diem Substitutes

Elizabeth Harrison, Elementary
Christine Harrer, Guest Teacher
Angelina Anbumalar, Guest Teacher
John Giordano, Health, Phys. Ed.
John Wastak, Science
Jayme Kerr, Science
Joann Norton, Elementary
Tina Coulomb, Instructional/Staff Assistant

Additional Hours, Food Service Department

Employee

Noreen Super, Eyer MS	From: 3.0 hours	To: 4.50 hours
Lorraine Crowley, Wescosville	1 hour for breakfast	
Karen Keim, Wescosville	1 hour for breakfast	
Debbie Koch, LMMS	1 hour for breakfast	

Change in Assignment

Employee: Kenia Goris
From: LMMS
To: Eyer MS

Educational Conferences - Exhibit 9

That the East Penn Board of School Directors approve the estimated expenses for the individuals attending the educational conferences listed on Exhibit 9.

Administrative Reports

Please see Exhibit Section

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine-----8

Nay: Stolz-----1

Co-Curricular Advisors- See Exhibit 8

Motion by Ballard, Seconded by Gannon

RESOLVED, That the East Penn Board of School Directors approve the list of co-curricular advisors listed on Exhibit 8.

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

Aye: Ballard, Earnshaw, Gannon, Jones, Kowalchuk, Prinzing, Richwine-----8

Abstain: Fuller-----1

A copy of the CONFLICT OF INTEREST ABSTENTION MEMORANDUM for Ms. Francee Fuller is attached to the minutes of this meeting.

2. Emmaus HS Program of Studies -2009-2010 - Exhibit 10

Motion by Kowalchuk, Seconded by Gannon

RESOLVED, That the East Penn Board of School Directors approve the revisions listed on Exhibit 10 for the 2009-2010 Emmaus HS Program of Studies.

Board members commented positively on the course offerings for students. If a class is oversubscribed, it could have staffing implications. Decisions will be made as to whether a class will be run if it is undersubscribed. The staff is also looking at developing on line classes.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----9

8. Business Operations

1. Bill List Approval

Motion by Ballard, Seconded by Jones

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

Mr. Prinzing questioned the bill for Blended Schools. Dr. Seidenberger indicated that it is the cost for the Japanese class offered at Emmaus HS.

Special Funds Disbursement-Exhibit 11

RESOLVED, That the East Penn Board of School Directors authorize the expenditures from the Capital Reserve Fund, 2007 EGA Issue, and 2007 GOB Issue as outlined on Exhibit 11.

Group V Rental

RESOLVED, That the East Penn Board of School Directors grant permission for the Prepare Test Preparation and Tutoring Organization to use Classroom 357 in Emmaus HS for classes in preparing students to take the SAT Test. This is a Group V organization and will be charged the following fees:

\$16.00/hr. rental fee

Dates Requested: December 10; 17; January 7, 14, 21, 28,; February 4, 11, 18, 25; March 4, 2009 (6:00-9:00 p.m.)

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----9

9. Announcements

-Monday, December 8 7:00 p.m.-CLEAR Session, Board Room (Negotiations; Personnel; Confidential Matters)

Mr. Earnshaw announced that there would be a CLEAR Session regarding Personnel following the Board Meeting.

7:30 p.m.-Board Meeting, Board Room

-December 9 7:30 p.m.-EHS Winter Choral Concert

-December 10 7:00 p.m.-Alburtis Winter Concert
7:00 p.m.-Shoemaker Winter Choral Concert
7:00 p.m.-Wescosville Winter Concert at LMMS

-December 11 7:00 p.m.-Lincoln Winter Choral Concert
7:30 p.m.-LMMS Band & Orchestra Concert
7:00 p.m.-Macungie Winter Concert
3-9 p.m.-Hornets Nest Holiday Open House, Enter through the EHS Cafeteria entrance on Pine Street

-December 12 11:00 a.m.-Early Dismissal for Middle Schools

-December 13 Barnes & Noble Book Fair, Promenade Shops (A percentage of your purchase will be donated to EHS Senior After-Ball Party 2009)

-December 15 2:00 p.m. & 7:00 p.m.-Jefferson Winter Choral Concert

-December 16 7:00 p.m.-Eyer Chorus and Band Winter Concert

-December 17 7:30 p.m.-LMMS Winter Choral Concert

-December 18 7:30 p.m.-LMMS Winter Choral Concert

-December 19 11:00 a.m.-Early Dismissal - Emmaus HS
7:00 p.m.-EHS Winter Orchestra Concert

-December 24-January 5 Winter Break - All Schools and Offices Closed

-January 12 7:30 p.m.-Board Meeting, Board Room

10. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion at 8:50 p.m.

Cecilia R. Birdsell, Board Secretary

EAST PENN SCHOOL DISTRICT
BOARD OF SCHOOL DIRECTORS
REORGANIZATION MEETING

December 1, 2008

7:00 p.m.

Board Room
800 Pine Street, Emmaus, PA

1. Call to Order; Pledge of Allegiance

Board Secretary Cecilia R. Birdsell called the Reorganization Meeting of the East Penn Board of School Directors to order at 7:00 p.m. in the Board Room located at 800 Pine Street, Emmaus, PA, followed by the Pledge of Allegiance.

Board Members Present: A. Earnshaw, F. Fuller, E. Gannon, C. Jones, S. Kowalchuk, M. Prinzing,
T. Richwine, J. Stolz

Board Member Absent: C. H. Ballard

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

Board Secretary: Cecilia R. Birdsell

Treasurer: Gary Reigal

Press Present: Loretta Fenstermacher, East Penn Press Reporter

2. Election of President Pro Tempore

Miss Birdsell called for a nomination for President Pro Tempore. The following motion was introduced:

Motion Kowalchuk, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors nominate Terry Richwine as President Pro Tempore.

This resolution was unanimously adopted by voice vote.

3. Election of President

Mr. Richwine took the chair and asked for nominations for President of the Board. The following nomination motion was introduced:

Motion by Fuller, Seconded by Kowalchuk

RESOLVED, That the East Penn Board of School Directors nominate Alan Earnshaw as President of the East Penn Board of School Directors.

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

Aye: Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Richwine, Stolz-----7

Abstain: Prinzing-----1

Absent: Ballard-----

1

4. Election of Vice President

Mr. Earnshaw asked for nominations for Vice President of the Board. The following nomination motion was introduced:

Motion by Fuller, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors nominate Susan Kowalchuk as Vice President of the East Penn Board of School Directors.

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

Aye: Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Richwine, Stolz-----7

Abstain: Prinzing-----1

Absent: Ballard-----

1

5. Setting Time & Place of Board Meetings

Motion by Stolz, Seconded by Kowalchuk

RESOLVED, That the East Penn Board of School Directors shall meet in regular session in the Board Room located in the Administrative Offices Building, 800 Pine Street, Emmaus, PA at 7:30 p.m. on the second and fourth Monday of each month in 2009, unless advertised otherwise:

January 12 & 26
February 9 & 23
March 9 & 23
April 27
May 11
June 8 & 22
July 13
August 10 & 24
September 14 & 28

October 12 & 26
November 9
December 7 (Reorganization Meeting)
December 14

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

Aye: Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzinger, Richwine, Stolz-----8

Absent: Ballard-----

--1

6. Designation of Newspapers of General Circulation for Advertising Purposes

Motion by Stolz, Seconded by Kowalchuk

RESOLVED, That the East Penn Board of School Directors designate the following newspapers for advertising purposes during the 2009 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: Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzinger, Richwine, Stolz-----8

Absent: Ballard-----

--1

7. Announcements

-Monday, December 1 8:00 p.m.-Public Hearing: Seven Generations Charter School

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

8. Requests to Address the Board-None

9. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 7:05 p.m.

Cecilia R. Birdsell, Board Secretary

ORDER OF BUSINESS

1. Call to Order; Pledge of Allegiance

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

Board Members Present: C. H. Ballard, A. C. Earnshaw, F. Fuller, E. Gannon, S. Kowalchuk,
M. Prinzing, T. Richwine, J. Stolz

Board Member Absent: C. Jones

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

Board Secretary: Cecilia R. Birdsell

Superintendent of Schools: Dr. Thomas L. Seidenberger

Assistant Director of Business & Fiscal Affairs: D. Surdoval

Press Present: Lorraine Fenstermacher, East Penn Press Reporter
Sarah Fulton, Morning Call Reporter

2. SGA Report-Emmaus HS

Representative Neil Merchant reported that the Annual Snow Ball Dance will be coming up on February 7. The proceeds this year will be going to the Make A Wish Foundation. The SGA will be considering building houses in New Orleans for the victims of Katrina. Students are getting ready for their mid-term exams. The basketball and swim season is going on now. Another fund raiser may be the Coaches for Cancer. There is involvement in the Model UN Assembly at Lehigh University and Habitat for Humanity Club and the Red Cross Club are also doing a lot of work.

3. Requests to Address the Board

Mr. Otto Slozer, 121 E. Elm Street, Emmaus who appeared at the December 8 meeting indicated he had not received a written reply to the following questions that he had asked: What is the school district's official definition for the budgetary reserves? Is it one big fund or are there multiple reserve funds and, if so, why is it broken out that way? Within the fund(s) are their sub categories and what would be their purpose. Is there written policy and procedures for the movement of money from this fund? Mr. Earnshaw said the topics were covered in the Board Meeting and that he will get a written reply. He noted that with the holidays offices were closed and there was also the retirement of Mr. Reigal.

4. Approval of Minutes

Motion by Kowalchuk, Seconded by Ballard

RESOLVED, That the East Penn Board of School Directors approve the minutes of the December 8, 2008 Board Meeting.

Ms. Fuller said that Page 2 of the minutes substantially addresses Mr. Slozer's questions.

This resolution was unanimously adopted by voice vote.

5. Update on Willow Lane Elementary School; Baseball Fields; All Weather Track

-Robert Whartenby, URS, Owners' Representative

-Paul Szewczak, Liberty Engineering

-Bob Kovalchick, Acting Supervisor of Maintenance

Mr. Kovalchick said they would be giving an overview of the three projects. Mr. Whartenby will give more detail on the Willow Lane School. The Wescosville fields did go through the bid process; however, the bids were rejected and now it is being re-introduced. Mr. Szewczak will examine the fields and the all weather track.

Mr. Whartenby reported the progress through the use of a power point presentation. He indicated that the Willow Lane project commenced in October, following the bid process and the awarding of contracts at the July 14, 2008 Board Meeting. Following the permit process and various other approvals, the site has been cleared. The steel for the project is being fabricated off-site. The contractors started with earth moving and soil erosion measures, stripping topsoil, rough grading, installing a drainage swale and retention basin, and installing a construction entry driveway. They did run into an obstacle with bed rock in one area. He noted that there were at least 13 days of precipitation in December so there will need to be some catching up on the schedule. Mr. Whartenby was optimistic that the schedule could be maintained with performing some schedule alterations to gain more flexibility with the operations. The steel is supposed to go up in the middle of February. Lower Macungie Township has awarded the fire station next to East Penn's property and they are planning to break ground on March 1.

Dr. Seidenberger indicated that the administration along with the consultants have been working on the three projects. Mr. Szewczak said they took a look at the bids to decide what items could be removed without jeopardizing the integrity of the project. They are in the process of re-evaluating and re-designing some of the items and removing unnecessary features. They cut back on the height of the fences, the visitors' bleachers, size of walkways, and balancing the site. Mr. Szewczak said that they talked to a contractor who did work on the soccer complex and that party felt a fair amount of the work could be done under the state contract system. In conclusion, the baseball fields are being re-evaluated and hopefully can be brought down to a more reasonable cost. Regarding municipal approvals, the plan has been finally approved by Lower Macungie Township; however, there is an issue about Brookside Road that needs to be resolved with PENNDOT. When those processes have been completed, he will have to go back to the Commissioners to continue the vacation of Liberty Lane. Mr. Ballard indicated that the PENNDOT issue could be an additional cost. Mr. Szewczak said the LMT Commissioners requested that the district go to PENNDOT and ask them to sign off on the project. The traffic studies that have been completed on this site show that there is no increase in traffic. There is a question about whether left turn lanes are warranted. Mr. Szewczak said his approach is to sit down with PENNDOT and indicate that the project will not generate any more traffic than what is being handled on Brookside Road currently, regardless of the study. Mr. Ballard said that adding the left turn lanes will probably "sink" the project. There is a limit for this project that was set by the Board. Mr. Szewczak will convey that thought to PENNDOT officials. In answer to a question raised by Ms. Kowalchuk about the re-design, Mr. Szewczak said he is trying to get it down to the maximum the Board approved.

Dr. Seidenberger said there has been talk about alternative funding in the district and the all weather track would be the first project where there would be a substantial contribution from a public entity in support of the need for the track. Dr. Seidenberger said that he and Mrs. Surdoval would be meeting with Public Financial Management to get a clear idea about the most opportune time to go out and purchase new bonds in the amount of 14 million dollars. Referring to the rate of return of revenues, Dr. Seidenberger indicated the district is doing very well at this point. The revenue stream looks ample and okay and will meet the targets. He used the Classrooms for the Future as an example of grant funding. Referring to the all-weather track, he indicated that there was a \$400,000 commitment from the Rodale Foundation. He thanked Bud Coates for his efforts in helping to find a way to fund this project. There will be six lanes, rather than eight lanes, a new high jump, new pole vault and long jump area, installation of new fencing around the track, installation of a new draining system, new asphalt walkways, and a security access system. This facility would be used for physical education classes as well as a walking/running facility for the community. Dr. Seidenberger said there would be less maintenance on the track on both a daily and yearly basis. This track would provide a smooth and even running surface and eliminate the pooling of rain water. At the December 8 meeting, it was estimated that this project would cost 1.2 million dollars; however, additional work was done and it is now estimated that the cost could be around \$775,000 with a \$50,000 contingency fund. The work could begin some time in June and would not jeopardize any home football games. Mr. Richwine asked about the useful life of the track. Mr. Szewczak answered that with regular maintenance it is estimated that the track could have a ten year life. Mr. Richwine asked what would be the process for the public to get access cards to the track. Dr. Seidenberger said a full size gate could be installed with a mechanism for the card. This would also keep a record of who is using the track. Dr. Seidenberger provided two options for funding the track. This information is attached to the minutes of this meeting. He assured the Board that, while there are capital projects that could be set back in the schedule, no major project such as roofs would be neglected and would go on. He noted that there is a 2.8 million dollar capital reserve account. The operating budget for this year will continue to be monitored by the administration.

Mr. Prinzing asked how the drainage would work for the track. Mr. Szewczak responded that the inside edge of the track is a continuous drain. There is a whole complex of drains already on site. Mr. Ballard emphasized that this is an all weather track, not a track with a dome. He questioned the

specification of a 6 ft. fence around the track. Mr. Szewczak responded that it is a 4 ft. fence and essentially is replacing the fence already in place. Mr. Ballard said he was trying to understand the capital reserve budget. He wanted to know when the baseball fields were transferred to a bond issue and he did not understand taking \$500,000 from capital reserve and only postponing \$200,000 of capital projects. Dr. Seidenberger said it was his understanding that there was bond money designated to improving athletic facilities and those projects included the Memorial Field, field house, tennis courts (that were not built), and there was 1.6 million dollars left to support the projects. Mr. Earnshaw said the construction fund balance shows 10 million dollars for Willow Lane and there are less than 2 million dollars left over from previous projects. Mr. Richwine further explained that to understand it better move the funds for the baseball fields and the track under the construction fund balance number and they would come out of that and you would still have the current project costs. Mr. Ballard questioned what happened to the 1.6 million dollars. He was wondering if there was a cost overrun that was being disguised. He also wanted to know how we could take out the \$525,000 out of capital reserve and not defer other projects. Dr. Seidenberger said \$100,000 will be deposited back into the account over the next three years. They will also be meeting with Scott Scherer to see what the potential is for re-financing bonds. Dr. Seidenberger will provide a history of how the bond funds have been spent. Mr. Ballard thanked Rodale for their contribution and felt it was a good private/public partnership. Mr. Richwine said it is an unfortunate use of words that we have lost 1.6 million dollars. There are multiple schedules that are not available in front of the Board so he would say for members of the public and press it is not that we have lost track of 1.6 million dollars the information is simply not in front of the Board nor is the person available who put the information together. Mr. Richwine asked how much of the cost of the track was the actual surface. Mr. Szewczak answered that he did not have that particular figure since Atlas Track came up with a total price. He will get the cost of just resurfacing. Mr. Earnshaw commented on exiting from the bleachers and the smaller walkway. Mr. Szewczak said the spectators will have to be re-educated since they cannot use the track. They will gain three or four feet and they will have to be disbursed another way. Mr. Earnshaw also reiterated that in the capital reserve not all of those funds are allocated and the balance is carried over each year. Dr. Seidenberger said that approximately \$860,000 has been spent out of capital reserve this year. Mr. Earnshaw asked for an update for the next meeting.

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

Mr. Earnshaw indicated that the retirement letter (Exhibit 1) for Ms. Jan Hoffman is being removed from the agenda. At the request of Mr. Stolz, the educational conferences are being separated from the rest of the agenda items.

1. Personnel

Motion by Ballard, Seconded by Gannon

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

Dr. Seidenberger reported that on January 20 the Seven Generations Charter School Continuation Hearing will be held at 7:00 p.m. Board members have received a copy of the LCTI budget for their review. The administration is working on putting a central registration process in place and training the staff member. The central registration office will be located at Eyer MS and will be by appointment only. Dr. Seidenberger noted an article in the Philadelphia Inquirer regarding Charter Schools and the superintendents' concerns about the use of special education funds for charter school special ed students.

Mr. Prinzing made a motion that the co-curricular advisors, specifically the girls lacrosse coaches, be acted on individually. President Earnshaw indicated that the Board will not be voting on individuals but the section could be acted on separately. Mr. Ballard who made the motion and Ms. Gannon who seconded the original motion agreed to this separation. Mr. Ballard added that he was doing this as a courtesy to a fellow board member but, on a principle basis, it should have been noted before the motion was made.

Ms. Fuller asked that Dr. Seidenberger review the background for Mr. Glancy who was being recommended as the Director of Operations. Dr. Seidenberger highlighted Mr. Glancy's background that is listed in the recommendation below. Mr. Glancy had been a member of the Bethlehem School Board during a time of great growth. Ms. Fuller pointed out that Mrs. Surdoval had been appointed to a new position as Business Manager. Dr. Seidenberger said as part of his internal reorganization Mrs. Surdoval will assume more of the day-to-day responsibilities. Mr. Jim Frank who is recommended as the Assistant Business

Manager is also a CPA. Mr. Earnshaw said this appointment of Mr. Glancy means a reduction of two administrative positions and will save \$287,000.

Retirements/Resignations

-Marian Wessner, Management Assistant, Personnel, effective April 17, 2009
(Exhibit 2)

Dismissal from Employment

That the East Penn Board of School Directors permanently remove and dismiss from employment Ms. Donna Calise, 206 Village Walk Drive, Macungie. MS. Calise has declined a hearing with the Board of School Directors pursuant to Section 514 of the Public School Code.

Appointment of Director of Operations

Name/Address:	Lynn A. Glancy 1503 Crestwood Road, Bethlehem 18018
Education Level:	B. S. Degree (1973-Electrical Engineering) MBA Degree (1989)
Undergraduate School:	Lehigh University
Graduate School:	Moravian College
Assignment:	Director of Operations Vacancy created by retirement of Gary Reigal and Jim Carl
Experience:	2000-08: Springfield SD (Director of Operations) 1997-2000: Essroc Materials Company (Chief Electrical Engineer) 1995-97: Bracy Contracting (Project Manager) 1973-1995: PPL (Construction Engineer)
Effective:	To be determined
Salary:	\$136,800

Appointment of Treasurer

That the East Penn Board of School Directors appoint Lynn A. Glancy as Treasurer for a term effective January 26, 2009-June 30, 2009 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 \$2,000,000 (two million dollars) to be paid by the East Penn School District.

Change in Title/Employment Status

Employee:	Debra A. Surdoval
From:	Assistant Director of Business & Fiscal Affairs (\$84,023)
To:	Business Manager (Created by retirement of Gary Reigal)
Effective:	January 13, 2009
Education Level:	B. S. Degree (1980) MBA Degree (1986)
Undergraduate School:	Bloomsburg University
Graduate School:	Lehigh University
Experience:	1989-Present: East Penn SD, Assistant Director of Business & Fiscal Affairs
Salary:	\$97,023
Employee:	James Frank
From:	Staff Accountant (\$42,845)

To: Assistant Business Manager (Change of Position for D. Surdoval)
 Effective: January 13, 2009
 Education Level: B. A. Degree (1982)
 Undergraduate School: Bluffton University
 Certified Public Accountant
 Experience: 2007-Present: East Penn SD (Staff Accountant)
 9/95-6/06: Peter Becker Community, Vice President of Finance
 7/92-8/95 & 8/89-6/02: Peter Becker Community (Comptroller, Business Manager)
 1/88-5/90 & 3/83-7/86: Wayne Mumbauer National Credit Union (Account Auditor)
 Salary: \$52,845

2009 Teacher Tenure List

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

<u>Name</u>	<u>Assignment</u>	<u>School</u>
Jessica Dischley	Spanish	EHS
Gregory Trexler	Special Education	Shoemaker
Brian Miller	Special Education	Wescosville
Jeff Williams	Special Education	LMMS

Leaves as Per Collective Bargaining Agreement

<u>Employee</u>	<u>Assignment</u>	<u>Effective</u>
Melissa Saylor	Macungie, Grade 1	January 5, 2009
Kelly Stellato	Gifted, Eyer MS	January 26, 2009
Alice Boulrice	Grade 6, LMMS	January 20, 2009
Dawn Laubnor	German, EHS	February 9, 2009

Appointment of Staff/Instructional Assistants

Name/Address: Michelle Knecht
 156 South 16 Street, Emmaus
 Assignment: Cafeteria/Recess, Wescosville School
 Vacancy created by C. Chrin resignation.
 Effective: January 13, 2009
 Salary: \$12.01/hr., 12.5 hrs./wk.

Name/Address: Susan Spadt
 221 North Second Street, Emmaus
 Assignment: EHS Evening Library
 Vacancy created by A. Matiaco resignation.
 Effective: January 13, 2009
 Salary: \$12.01/hr., 10 hrs./wk.

Name/Address: Lisa Viola
 5255 Mill Road, Emmaus
 Assignment: Instructional Assistant/Learning Support
 Wescosville School
 Vacancy created by A. Knepp resignation
 Effective: January 13, 2009
 Salary: \$12.01/hr., 24.5 hrs./wk.

Transfer of Staff/Instructional Assistant

Employee: Diane Kick
 From: Lincoln, 12.5 hrs./wk.
 To: EHS, 25 hrs./wk.
 Vacancy created by P. Breinich retirement

Change in Employment Assignments

Employee	From	To
Allison Hughes	Shoemaker, 31.5 hrs./wk.	Shoemaker, 30 hrs./wk.
Davie Schaeffer	Shoemaker, 30 hrs./wk.	Shoemaker 31.5 hrs./wk.
Jeanine Miller	Shoemaker, 31.5 hrs./wk.	Alburtis, 29.0 hrs./wk.
Lisa Jewel	Alburtis, 29 hrs./wk.	Shoemaker, 31.5 hrs./wk.

Additions to the 2008-09 List of Per Diem Substitutes

Ross Duffield, Social Studies
 Janna Kratz, Social Studies
 Nancy Waring, Elementary
 Sharon Dunkle, Instructional/Staff Assistant
 Mary Beth Ritter, Food Services Department

Instructors for the Spring 2009 Community Education Program - Exhibit 4

See Exhibit Section

School Dentists for the 2008-09 School Year

Dr. Michael Conrad
 770 Feters Lane, Wescosville

Dr. Allen Crawford
 530 E. Main Street, Macungie

Dr. Navid Hadian
 979 Brookside Road, Wescosville

Dr. Donald Rother
 3261 Route 100, Macungie

Dr. Timothy Wright
 242 Main Street, Emmaus 18049

Reimbursement: \$2.00/exam

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Kowalchuk, Prinzing, Richwine, Stolz--8

Absent: Jones-----1

Co-Curricular Appointments- See Exhibit 3

Motion by Richwine, Seconded by Ballard
 RESOLVED, That the co-curricular advisors listed on Exhibit 3 be approved.

Mr. Prinzing said when the Lacrosse Club approached the Board about approving this as a varsity sport the coaches said there would be no cost to the district. He said that he understood from previous discussions why the head and assistant coaches must be under the contract. He noted that Mr. Scott and Mr. Schwartz are listed as volunteers and will not be paid and he felt by tabling the motion this would give the girls head coach and assistant an opportunity to also consider waiving their salary as well.

Motion by Prinzinger, Seconded by Stolz
RESOLVED, That the recommendation for the co-curricular advisors listed on Exhibit 3 be tabled.

This resolution was defeated by the following roll call vote:

Nay: Ballard, Earnshaw, Fuller, Gannon, Kowalchuk, Richwine-----6
Aye: Prinzinger, Stolz-----2
Absent: Jones-----1

Mr. Richwine said the Lacrosse Club never said that there would be no cost to the district and the contribution that they made was in equipment and a variety of other things. As far as the volunteer coaches, they may not be the actual head and assistant coaches. The Board approves a lot of volunteer coaches without pay. He thought that two paid coaches had already been hired. Mr. Prinzinger felt it would be a nice gesture to the community if they waived their salary. Mr. Earnshaw thought the cost was in the neighborhood of \$17,000 and he did not believe there was ever an expectation that the coaches would be volunteers.

Co-Curricular Appointments- See Exhibit 3

Motion by Richwine, Seconded by Ballard
RESOLVED, That the co-curricular advisors listed on Exhibit 3 be approved.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Kowalchuk, Richwine-----6
Nay: Prinzinger, Stolz-----2
Absent: Jones-----1

Educational Conferences - Exhibit 5

Motion by Ballard, Seconded by Gannon
RESOLVED, That the East Penn Board of School Directors approve the expenses for the individuals attending the educational conferences listed on Exhibit 5.

Mr. Stolz said he was concerned about costs to the district and this exhibit has several high cost items, i.e. Orlando, San Diego, etc. He indicated that since the Board could not vote on them individually, he would not be supporting the motion. Dr. Seidenberger reminded the Board that there is a strategic plan that has a required area for staff development. He noted for the record that the conferences that Mr. Stolz singled out will be funded by Title II funds and will be at no expense to the district. He further indicated that these funds must be expended to support staff development. Mr. Prinzinger said he found it helpful the way Dr. Seidenberger had indicated where the funds were allocated for the conferences. Dr. Seidenberger said he did talk to his administrative cabinet about conference approvals. In the future, they will be developing internal criteria to fund the more expensive conferences by looking at the objectives and what impact it will have on the organization and can others be instructed on what was learned. Mr. Stolz said he understood some of this was coming from federal monies but he voted against taking state and federal monies because he was concerned about the strings attached to these funds.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Kowalchuk, Prinzinger, Richwine-----7
Nay: Stolz-----1
Absent: Jones-----1

Mr. Glancy was asked to come forward and meet the members of the Board. Dr. Seidenberger indicated Mr. Glancy would be starting on January 26.

7. Other Educational Entities

-Carbon Lehigh Intermediate Unit

T. Richwine

Mr. Richwine reported that board members have received a copy of the IU budget. This particular portion of the IU budget is the only part voted on by sponsoring school districts. He said if board members have any questions they should submit them to the Superintendent's Office. At the December Board Meeting, there was a presentation on Project SEARCH. This is a program modeled after a Cincinnati

Children's Hospital Medical Center that gives training to special needs students who will be out on their own. Locally, they receive training at Good Shepard where they will learn skills they will be able to use in several different areas. He shared a personal story regarding one of the students in the program. He reported that there are 287 students receiving services through the IU.

-Lehigh Career & Technical Institute

F. Fuller
A. Earnshaw
S. Kowalchuk

Ms. Fuller reported that the JOC had reviewed the budget. The board members received a copy of the budget this evening. The costs indicated are projected as early as August/September for the following year. The technical school has historically received approximately 289 East Penn students. A few years ago a new academic center was opened and there are 22 East Penn students attending. Because of astute budgeting, LCTI was able to return approximately \$31,000 to East Penn in January. Through a bond refinancing for the construction of the Academic Center and renovation of the existing building, there was also a refund. A portion is retained by LCTI to use for future tuition costs for the Academic Center. Ms. Fuller said LCTI is one of the most cost effective in the state - \$2800 for an Academic Center student; \$4500 for a technical student. If there are questions on the budget, Dr. Hornberger would be happy to attend a meeting.

8. Legislative

C. Ballard

Mr. Ballard reported that the Legislature had reconvened on January 6 and 25 senators and 203 representatives were sworn in. The Legislature then adjourned until the last week of January. There are 7 new senators and 27 new members of the House of Representatives. The Democrats have a 104 to 99 majority in the House and Republicans hold a 29 seat majority in the Senate. They face a very contentious budget debate and funding issues in the area of health care and transportation. It is highly likely that the state contribution to education will remain the same as last year and districts cannot count on any increases in funding. There are significant issues in the budget as well as talk about a decrease across the budget. The current proposal has a 2 billion dollar budget cap and there is use of the state "rainy day fund."

Mr. Ballard also reported on upgrades to Section 300 of the Special Education regulations and two parts of the regulations took effect on December 1, 2008 and the use of funds will be effective on July 1, 2009. Mr. Earnshaw pointed out that in Governor Rendell's tenure the state has not passed a budget by the June 30 deadline. Mr. Ballard felt that was an accurate statement.

9. Business Operations

1. Approval of Bill List

Motion by Ballard, Seconded by Gannon

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

Facility Rental

RESOLVED, That the East Penn Board of School Directors grant permission to Victory Fitness and Dance, 4350 Chestnut Street, Emmaus for a dance rehearsal and recital at the Eyer MS Auditorium. Date requested: June 20, 2009. This is a Group V organization and will be charged the following rental fees:

Rental Fee: \$112/hr.
Custodial Fee: \$35.70/hr.
Technician: \$35.70/hr.

Disbursement of Funds - Exhibit 6

RESOLVED, That the East Penn Board of School Directors authorize the expenditures from the 2007 GOB Issue and the 2007 EGA Issue as outlined on Exhibit 6.

Transportation Daily Rate

RESOLVED, That the East Penn Board of School Directors approve the student transportation contract with First Student for the 2008-09 school year at a daily rate of \$23,970.38.

Note: We currently are in the fifth year of a multi-year contract that expires in June 2009. The above resolution reflects the actual number of vehicles now being used as well as the actual number of miles all vehicles are traveling each day.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Kowalchuk, Prinzinger, Richwine, Stolz-----8

Absent: Jones-----1

10. Announcements:

Monday, January 12	6:30 p.m.-CLEAR Session (Personnel, Negotiations) 7:30 p.m.-Board Meeting
January 14	9:25 p.m.-CLEAR Session (Personnel) 7:00 p.m.-EHS Guidance Information Night for Incoming Freshmen
January 15	7:00 p.m.-EHS Financial Aid Night
January 19	Martin Luther King, Jr. Day-All schools and offices closed.
January 20	7:00 p.m.-Continuation of Seven Generations Charter School Hearing, Board Room
January 26	7:30 p.m.-Board Meeting, Board Room

11. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 9:17 p.m.

Cecilia R. Birdsell, Board Secretary

ORDER OF BUSINESS

1. Call to Order; Pledge of Allegiance

President Alan Earnshaw 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: C. H. Ballard, A. Earnshaw, F. Fuller, E. Gannon, C. Jones, S. Kowalchuk,
M. Prinzing, T. Richwine, 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: Sarah Fulton, Morning Call Reporter
Lorraine Fenstermacher, East Penn Press Reporter

2. Award Presentation

Mr. Earnshaw and Dr. Seidenberger presented Certificates of Achievement to the following students who were selected to participate in the All Eastern Honor Band or Orchestra:

Emily Su (Band)

Aaron Matthias-Long (Band)

Alissa Ting (Orchestra)

The students received a round of applause from the audience.

-PSEA Award to East Penn Education Association

EPEA President Susan Arnold indicated that the EPEA received the PSEA External Award (one of three awards from the Association) for activities in the schools with students and the community. The work was submitted by Communications Director Heather Montero who is currently on maternity leave. She introduced this year's Communications Director Deb Zosky who outlined the various activities that were conducted this year. They include a transition question and answer session for the parents' nights at the middle school and the high school. They also sponsored a workshop conducted by State Trooper Paul Iannucce on the dangers of the internet. In November, they distributed activity booklets to senior citizens and made sure there was entertainment provided at the Thanksgiving Dinner. Recently, they held a PSSA information night where Dr. Denise Torma assisted in offering information about the format for the test, the type of preparation done in the classroom to prepare students, and the remediation offered. In March, the EPEA will again be holding Sousapalooza and, in May, they will feature mental health issues in the schools for parents.

Ms. Arnold asked Dr. Seidenberger and Mr. Earnshaw to accept the award on behalf of the community and the school district and requested that it be hung in the Board Room as a symbol of the teachers' commitment to the community. Mr. Earnshaw thanked them for the award, noting that East Penn has an outstanding staff of very dedicated and skilled teachers and it is great that they were recognized by their peers in the state association.

3. Requests to Address the Board

Ms. Melissa Plesh, 251 Cherokee Street, Emmaus representing Seven Generations Charter School, talked about the faith and confidence gap that appears to be between the Board and the founding members of the Charter School. She said she had faith that the teachers would be able to tailor an EIC curriculum to their school. She spoke about their visitations to several schools and the enthusiasm of teachers. She felt that the EIC curriculum could be adapted to include the local environment. She presented the K-8 EIC curriculum for the Greenwoods Charter School in the form of a CD for the Board's review. This version is specifically developed for the Greenwoods Charter School's environment and in partnership with the PA Department of Education. She said the Seven Generations teachers that are hired this summer will have the fully developed EIC curriculum and will tailor it to the local environment and community and will not be starting from scratch. The structure, the academic standards, and the skill sets will remain the same for the opening of the school year and then the teachers will infuse the various elements of the EIC curriculum with the local environment.

Ms. Molly Watson, 2039 Hilltop Road, Bethlehem waived her request to speak.

Dr. Matthew J. Watson, 2039 Hilltop Road, Bethlehem, representing Seven Generations Charter School, read the attached letter.

Mr. David Galigani, 7150 Moonbeam Lane, Macungie read a letter of support for the Seven Generations Charter School from Representative Charles Dent. A copy was not submitted for the record.

Mr. Patrick Slattery, 1072 Morning Star Drive, Allentown asked the Board to consider renaming the Willow Lane Elementary School after Katherine Baker Knoll, the first female Lt. Governor. He noted that her first job as a public servant was as a teacher before entering the political arena.

Mr. Otto Slozer, 121 E. Elm Street, Emmaus said he had received the packet of information requested previously. He felt the packet raised more questions than it answered. He asked again about the district's definition of the budgetary reserve and asked if it was one fund or several funds. He said at the January 12 board meeting there was discussion about the Willow Lane and athletic fields contingency funds. He questioned if there were no separate accounts then how can the district reconcile the contradiction with the contingency funds. He indicated his support for renaming the Willow Lane School after Katherine Baker Knoll. Dr. Seidenberger will again respond to his request.

4. Approval of Minutes

Motion by Stolz, Seconded by Kowalchuk

RESOLVED, That the East Penn Board of School Directors approve the minutes for the January 12, 2009 meeting.

This resolution was unanimously adopted by voice vote.

5. Public Financial Management - Scott Shearer

Mr. Shearer reviewed the changes that have occurred in the financial world over the past several months. He indicated that the municipal bond market was basically shut down for the last quarter of 2008. The Board approved a refunding in July 2008 and shortly after Labor Day was when the bond market shut down. In early January, the bond market started up again and there was a substantial decrease in the interest rates. The rates for potential new borrowing capacity have come down.

Using the attached document, Mr. Shearer reviewed the Series of 2004 bond issue that is now legally callable. As far as any future legally callable issues, he reviewed the 2002A Series and the Series 2005 bond issues as being callable in the spring of 2010. PFM has always followed the various series to see if the Board would like to refinance, keep them bank qualified, and have a shorter pre-payment. He reviewed the fiscal year historical rate analysis of the district's 1989 and 1996 Emmaus Bond Pool Loans. He felt they were performing well and under budget. He did not recommend doing anything with them at this time.

Referring back to the 2004 series, Mr. Shearer remarked that the principal is 6.6 million dollars and the interest is between 2.2% and 3.7% averaging about 3.5%. It will not produce a lot of debt interest savings because of the short period (8 years). He estimated that the savings would be approximately \$90,541.79. He noted that is considerably less than the \$200,000 savings in the past.

As far as the potential for new money during the calendar year, the district may need to borrow a little over ten million dollars to complete projects. He reviewed an estimated variable rate schedule from the Emmaus Bond Pool Program. He reviewed the refinancing timeline that shows authorization to proceed would be scheduled for the February 9 Board Meeting; March 9 would be the bond sale; and sometime in April would be the actual settlement. For new money, the time line would begin with the March 23 meeting for review and authorization to proceed; May 11 would be the bond sale; and early June would be the settlement.

Mr. Ballard said that, in the past, usually the savings were larger than the refinancing. He said he was more comfortable with a 50/50 cost. Mr. Shearer indicated that could be considered a factor based on the return. It was ascertained that the costs could be negotiable to get them down to 50-50. Ms. Gannon asked about the bank qualified. He said the 10 million dollars would be bank qualified; the 3-5 million dollars would not count toward the ten million dollar bank qualified. She questioned why he was waiting until March. Mr. Shearer said they could target the February 23 meeting or even the February 9 meeting. He could analyze the week of February 23 and then have information ready at that time.

Mr. Jones thanked Mr. Shearer for his work on this issue, adding that it is an unbelievable time in the finance world. Mr. Earnshaw asked that he keep the Board apprised and supported Mr. Ballard's suggestion. Mr. Shearer indicated that he would have a sample resolution ready for the February 9 Board Meeting.

Mr. Stolz said he would like to introduce a motion to rename the Willow Lane Elementary School to the Katherine Baker Knoll Elementary School. President Earnshaw asked that the motion be held until later in the meeting.

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

1. Personnel

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

Mr. Earnshaw noted that this would be Mrs. Leslie Daniel's last Board Meeting before her retirement. He said it was great to have her wisdom and her counsel and the Board appreciated her many years of service. He concluded that she would be sorely missed.

Mr. Stolz said he had serious reservations about the addenda not being available to the public before the meeting, specifically the pay increase for the Superintendent, who he believed was doing a good job. He said a \$5,000, plus a \$3,000 performance payment were too high and he moved to table the addendum. Mr. Earnshaw pointed out that the addenda is part of the resolution and Mr. Stolz could move to amend the resolution to exclude the portion regarding the superintendent. The following motion was introduced:

Motion by Stolz, Seconded by Prinzinger
RESOLVED, That the resolution for the Amendment #1 to the Superintendent's Contract be separated from the main motion.

Mr. Prinzinger said he seconded the motion as a courtesy to Mr. Stolz but he did not necessarily agree with his wanting to table it. Mr. Stolz said that with the economic situation he would like the public to have enough advance notice and then vote on it at the next meeting. He said he had a problem receiving the addenda thirty minutes before the meeting. He claimed it was not available to the public. The Board Secretary indicated copies were available. Ms. Gannon asked for clarification on what the Board would be voting on. Mr. Earnshaw explained that the motion was to remove the resolution for the Superintendent's Contract. The rest of the motion would remain intact. If the Board votes "no", then it would fail and revert back to the original motion. Mr. Earnshaw indicated that the increase is a 3.2% base pay increase based on his evaluation. There is a one time performance pay item for \$3,000 that is in recognition of his measures to streamline the administrative offices. He noted that \$68,000 would be saved in this year's budget and \$286,000 in next year's budget and that will continue into the future. Mr. Earnshaw said he would not support the amendment. Mr. Jones said this will also increase Dr. Seidenberger's and other administrators' work loads. The increase is very minimal. He would not support the amendment.

Audience member Otto Slozer came to the microphone and said the board may be in violation of the Public Meetings Law and anything done tonight could be taken to court and thrown out. President Earnshaw asked him to be seated.

Mr. Stolz said he would like to stress that he was not objecting to the contents of this motion but he was objecting to voting on it tonight without prior notice to the public - doing this in a secretive manner. He was doing it in the name of open and transparent government.

Mr. Fisher indicated that presenting resolutions that are not on the agenda is done all the time. Mr. Earnshaw pointed out that Mr. Stolz had an item that he wanted to introduce later in the meeting. There is a history of adding resolutions during a board meeting.

The motion was defeated by the following roll call vote:
Nay: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzinger, Richwine-----8
Aye: Stolz-----1

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

-Vicki Gehman, Community Education Coordinator, effective May 1, 2009
(Exhibit 1)

-Lisa Gehman, Staff Assistant at Eyer MS, effective January 23, 2009
(Exhibit 2)

Request General Leave of Absence

Employee: Davida Goehler
Staff Assistant, Macungie School
Effective: January 27-February 24, 2009
Reference: Board Policy 539, General Leave

Employee: Anna Eisenhard
Staff Assistant, Jefferson School
Effective: January 12-April 7, 2009
Reference: Board Policy 539, General Leave

Leave as Per Collective Bargaining Agreement

Employee: Tanya Spengler
Special Education Teacher, Alburdis School
Effective: February 17-April 7, 2009

Appointment of Instructional Assistant

Name/Address: Michael Becker
525 North Glenwood Street, Allentown 18104
Effective: January 13, 2009
Assignment: Wescosville School
Salary: \$12.01/hr., 31.5 hrs./wk.

Co-Curricular Advisors - Exhibit 3

Additions to the 2008-09 List of Per Diem Substitutes

Kirsten Tomasello, Elementary	Stephanie Ziegler, Early Childhood/Special Ed/
Adam Young, Health, PE	MS Mathematics
Michael Mauro, Elementary	Tara Wieder, Food Services Department
Lindsay Healy, Biology	
Lauren Beck, Art	
Stuart Haas, English	
Joshua Dunbar, Social Studies	
Matthew Rosendale, Citizenship	
Joshua Block, Elementary	
Scott Radio, Elementary	
Deborah Steckel, Communications/Reading Specialist	
Justin Smith, Citizenship	
Tracy Merrill, Special Education	
Richard Pearce, Mathematics	

Administrative Reports

See Exhibit Section

Amendment No. 1 to the Superintendent's Contract (Exhibit 7)

RESOLVED, That the East Penn Board of School Directors approve Amendment No. 1 (Exhibit 7) to its contract for employment with Dr. Thomas L. Seidenberger.

Retirement of Janice Hoffman (Exhibit 8)

RESOLVED, That the East Penn Board of School Directors approve the terms of retirement of Janice Hoffman as outlined in Exhibit 8.

Educational Conference

Conference Title: NSBA 36th Annual Federal Relations Network Conference, Washington, D. C.
Dates: February 1-3, 2009
Attending: Charles H. Ballard, Legislative Chairperson/Board Member
Cost: \$2000.00

Mr. Prinzing said he wanted to state publicly that he appreciated all the work that Dr. Seidenberger has put forward and streamlining the administration. However, he did not think that the district could afford the pay increase and he would be voting against it. Mr. Prinzing also had a question about the retirement resolution for Jan Hoffman. He said Ms. Hoffman chose to take the RIP retirement and is now retiring early and has requested the retirement under the ERIP plan. He did not think the district should pick up the tab that will cost the district more money. He felt it set a dangerous precedent for staff who could fall under those categories when they chose to lock into a certain program. Ms. Fuller said it was her understanding that in this particular incident that the person was in the remaining class of people and is not precedent setting action. Ms. Fuller said she was pleased to support the motion and thanked Dr. Seidenberger for his service to the district and that his path came to East Penn. Mr. Prinzing asked Solicitor Fisher if this would set a precedent for other staff. Solicitor Fisher said that it was his understanding that only one other person could make the request. Dr. Seidenberger concurred. Mr. Prinzing said he was glad for the information but it did not set well with him that the district will have to pay money for a person who did not choose this particular plan. Ms. Kowalchuk said she wanted to recognize Ms. Hoffman's 34 years of service. She felt it was an appropriate action. Mr. Earnshaw pointed out that when an administrator does retire they are replaced with someone with less experience. It is generally why companies and organizations offer early retirement incentives. He said that in the end the district will be saving money.

Mr. Earnshaw thanked Ms. Hoffman for her services, noting that she has spent her entire professional career in the district and the district has been greatly blessed to have her services and dedication. Mr. Earnshaw wished her the best of luck in her retirement.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Richwine-----7

Nay: Prinzing, Stolz-----2

2. Educational Conferences - Exhibit 4

Motion by Gannon, Seconded by Kowalchuk

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

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine-----8

Nay: Stolz-----1

7. Facilities

-Informational Only (Exhibit 5)

The PA Department of Education has notified the district that PLANCON PART G: Project Accounting Based on Bids has been approved and this document should be entered into the minutes of this meeting.

8. Business Operations

1. Approval of Bill List

Motion by Ballard, Seconded by Gannon

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

Special Funds Disbursement - Exhibit 6

RESOLVED, That the East Penn Board of School Directors approve the disbursements of funds from the 2007 EGA Issue as described in Exhibit 6.

Approve Transportation Contract

RESOLVED, That the East Penn Board of School Directors approve a student transportation contract with First Student, Inc. beginning with the 2009-2010 school year through the 2013-2014 school year.

Note: The AM/PM daily rates for the 2009-10 school year will be \$169.09 per 72 passenger bus; \$131.63 per mini-bus and \$107.70 per van with excess mile cost (excess of 50 miles for AM/PM runs and 50 miles for mid-day runs) of \$2.33 per mile for 72 passenger bus; \$1.68 per mile for mini-bus and \$1.35 per mile for vans. The daily layover rate will be \$10.15 and daily monitor rate of \$61.02. Mid-day run cost will be \$65.65 per 72 passenger bus, \$49.53 per mini-bus and \$38.55 per van. There is a 2.75% increase thereafter for each of the subsequent years of the contract.

Contract is subject to the solicitor's approval and will be executed and the appropriate personnel will affix their signatures thereto.

Mr. Earnshaw noted that this contract will save the district \$250,000 next year over the current rate and increases into the future will be modest.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----9

9. Seven Generations Charter School - Discussion

Mr. Earnshaw said there had been two public hearings (December 1 and January 20). During the public comment section, the Board was asked to accept two addenda to the application and Mr. Earnshaw asked Solicitor Fisher what was the status of that request. Solicitor Fisher explained said the information would have to be excluded from the Board's consideration since there is no opportunity for a public hearing.

Dr. Seidenberger thanked the representatives of Seven Generations for the material that was presented. He had submitted the decision making criteria to the Board. In comparison to other charter school documents that he has seen in his career, this application was in good shape and he complimented the people involved. The main concern is for two standards: 1. Written Code of Conduct; 2. Curriculum - an issue that has been debated in both hearings. Dr. Seidenberger shared his personal experience with developing and writing curriculum. For an award winning program in Bethlehem on converting economic theory into energy savings, it took the staff the better part of a year to write the curriculum. He described a program that was developed in Avon-Grove School District that was for 1600 students. There were four buildings, each with a principal, and serving 425 students and one building was a non-graded, multi-age grouping of students. It took the staff one year of planning to develop the curriculum, scope and sequence, and clear articulation of the program. The parents were given their choice and all the slots were filled. Dr. Seidenberger said he was a kindred spirit when it comes to developing novel approaches. It took the Greenwoods Charter School two to three years to construct their curriculum. He felt the curriculum could be developed for Seven Generations but it was not part of the application.

Mr. Earnshaw said that the Board would be sharing thoughts and ideas on this issue but would not be taking a vote. Based on the comments, the Board will give direction to the Solicitor to develop a resolution either accepting the charter for Seven Generations or rejecting the charter.

Mr. Chris Jones said he would like to echo the superintendent's comments since the statements echo his excitement about the program. He said the curriculum is an issue and he understood why. He wanted to know if the curriculum that was submitted this evening would have met the curriculum standard had it been submitted as part of the application. He would not be concerned about whether or not the curriculum had been developed for the Lehigh Valley and if it could not be modified, would it work appropriately until it could be developed. He was more concerned about whether the curriculum would meet the district's standards. Dr. Seidenberger said he looked at the curriculum for Greenwoods Charter School and reviewed the work on the web site. He noted that Mr. Fisher said that the most recent submission was not part of the packet. The staff will still go ahead and review it. Mr. Jones said he was raising the question because the representatives had to make a judgment call. He felt the school could be a good opportunity for the school district since some of the risk taking could be handled at the charter school level. Dr. Seidenberger disagreed with that philosophy and he talked about the Bethlehem experience with the economic education program and the Avon Grove model. With both programs, he had the support of the Board as well as seasoned teachers who were willing to take the chance. There was a lot of hard work through the use of facilitators. He said there are many other project based learning schools.

Mr. Ballard commended the efforts for the representatives from Seven Generations but he felt they were approximately six months and a fund raiser away from where they should be. The fund raiser could be to pay for the curriculum. He talked about the charter being legally binding with the appropriate signatures (District: Board President & Board Secretary), the application being a legal document that is approved by the Board, and the Board will judge it according to the legal considerations of the law. Mr. Ballard read the legal language for granting the charter. He said while there may be areas where others could take information on faith, he could only take it on presentation of the material submitted. He said he was aware of the fact that some areas have been waived by PDE (criminal history checks) but there is a set of criteria in the law and what to judge the merits of the application. Mr. Ballard then reviewed the criteria for deciding on the charter that includes support on the part of the charter school representatives, financial implications of the budget projections, identification of the number of special education students (IEPs), capability of the charter school to create learning opportunities. Mr. Ballard talked about the insufficient curriculum that was discussed in the public hearings. He said if a curriculum is submitted it must be the actual curriculum that is being taught. Mr. Ballard read from the Chapter 4 Regulations that defines curriculum and the purpose of education (objectives, content, instructional units, relationship between the objectives of a planned course and unit, strategic plan, and the measurement of the objectives of the unit, planned course, etc.). He summarized his comments by saying that in strict terms of the law and the application received, there is insufficient curriculum information for him to make a determination under the charter school law. He said it has nothing to do with being against charter schools or environmentalism or parents in the district, it is strict construction on what the Board is to do under the law. He concluded that he could not support the charter because the application did not meet the standards of the law.

Ms. Kowalchuk said if she was going to evaluate on the commitment of the people involved in the process and their passion for education then she was very impressed. The concept and the flexibility of the model are all strengths. She said her own children had wonderful educational experiences in East Penn. Her concern is whether the application complies with all aspects of the law and it falls short on curriculum. She would not be able to support it. Her purpose was not to dishonor the representatives or their commitment, but she needed to evaluate the application on what is contained in the law.

Mr. Stolz said the information presented this evening would help to resolve some of the conflicts. He acknowledged Dr. Seidenberger's assessment and asked if it had been shared with the Charter School Board of Trustees. Dr. Seidenberger said the information was provided for the East Penn Board of Directors. Mr. Stolz asked if there was any way to have another hearing before the vote on February 9. Solicitor Fisher explained that the Board has 45 days from the first hearing (December 1) which would make the deadline around February 13. Mr. Stolz felt the Board had received a substantial amount of information and he would hope that the Board would adopt the application on its merits. He said the parents would not be sending their children to a substandard school when the East Penn system is great. They want to do things differently. He indicated that he was all for school choice and would like to see if it works. He asked if some formal resolution was needed to schedule another hearing. Mr. Earnshaw responded that it would

depend on the tenor of the Board and asked for input from other members of the Board. Mr. Stolz said he had heard the concerns from other board members during the hearing process and he acknowledged he was not an expert on charter school law but it seems that the recent information submitted would fulfill at least the spirit of the law. He said he would hate to see the application turned down and then have the court approve it. He said the Board would look like "idiots." Solicitor Fisher explained that if the application was rejected, it would be up to Seven Generations to take steps. They could do nothing, submit a revised application, or file an appeal that would be heard by the Charter Appeal Board. Mr. Fisher had provided the Board with a framework and, in anticipation, he happened to review a recent decision of the Charter Appeal Board with similar circumstances. He read the decision involving the Frick Park Charter School and the Pittsburgh School District. Mr. Fisher paraphrased the decision, noting "the Charter School Law requires that an application must contain the curriculum being offered." The decision goes on to indicate that the law requires that there must be a description of a curriculum of some substance, but goals and guidelines as to what the curriculum may be in the future are insufficient. The failure of the charter school applicant to provide a sufficient curriculum plan is the basis of the denial. Mr. Fisher further noted that the Board was told during the hearing process how and when the curriculum would be developed. Mr. Jones said if Seven Generations went for the appeal process would they be able to enter into that process the curriculum provided this evening or would they only be allowed to present what was with the original application. Mr. Fisher said it would be up to the Appeals Board and even if they allowed it into the record, it was really the curriculum developed for the Greenwoods Charter School.

Dr. Seidenberger clarified that the charter school would have to follow through on IEPS as written under 504 for students who enrolled.

Ms. Gannon said that she basically agreed with Ms. Kowalchuk's comments. She did appreciate the passion and commitment of the parents but she did find that the curriculum was insufficient and does not meet the requirements of the law.

Mr. Prinzing said he did not think anyone could question the dedication of the representatives. Referring to Mr. Stolz' comments, Mr. Prinzing said it was not the Board's role to speculate on the appeal. The Board is charged with the education of the students and to look at the law and determine whether or not the application meets that threshold. He appreciated the sample that was given about the industrial revolution through the eye of a silkworm; however the samples were not a complete curriculum or tailored toward the local environment. He did not think that another hearing was prudent given it takes from one to three years to develop a curriculum.

Mr. Richwine said that on the issue of another hearing that there had already been between seven to eight hours of hearings. After questions were raised about the budget, a new budget was submitted. When there were questions on curriculum, they resubmitted a new curriculum. He concluded that he would not be in favor of another evening for a hearing. He said the Board should also consider the cost to East Penn before the Board approves such a costly proposition. He would say that all aspects of the application must adhere to the letter of the law. This charter school if approved for next year would cost the district another one to two million dollars and there would be very little savings to the district. He noted that the popular notion from the state is that this is a cost neutral item. This amounts to approximately one mill, but projecting up to year five, the cost would be 3 to 4 million dollars. Mr. Richwine said to approve any item that would add that cost to the district would mean that the application would have to be so pristine that you would have no choice but to approve it. There have been questions on the budget and a myriad of questions on the curriculum. He said he had shared some of the material with an outside party who has years of experience in science curriculum and they felt the curriculum presented fell short. Those items would preclude him from voting to approve the application. He referred to the item of "improved student learning" noting that several people from Seven Generations had testified about the excellence of the East Penn system. If it is an excellent system, then it would be hard to prove that these students would get more in a charter school. He had a philosophical problem with that concept. He criticized Mr. Stolz for his negative votes on conferences that cost a couple thousand dollars and his willingness to support an item that will cost the district millions of dollars. Mr. Earnshaw asked that the discussion be kept to the charter school.

Referring to another hearing night, Ms. Fuller pointed out that it took from December 1 to January 20 to schedule a meeting for all interested parties. She was leaving town and would not be available. She said the Board has invested seven to eight hours in hearings. She indicated that she really could not add to what Mr. Ballard and Ms. Kowalchuk already said.

Dr. Seidenberger said that one of the things he was concerned about was the budget and he said that 3/4 kindergarten would be funded at half-day. The buses would not be running for a three day program. He cited the special education numbers also impacted on the revenues for the charter school. He also questioned the names on the list and suggested that they be sure the list has committed parents. As a colleague and as a cooperating superintendent, he urged them to be sure their revenues were accurate.

Mr. Earnshaw said one of the founding members talked to him long before the hearing and asked for his support. Mr. Earnshaw told him that if the application met the requirements of the law he would support it. He said the application does not meet the law. He asked Mr. Fisher to ascertain who from the district signs the application. Mr. Ballard indicated that in the law it is the Board President and the Board Secretary. Mr. Earnshaw said he would be concerned if he signed it because in addition to not meeting the requirements of the law, as he pointed out in the hearing, the admission criteria are not in accordance with the law. He also did not realize it was quite as contractual as what was presented by Mr. Ballard. He said given the energy and passion of the founders that he assumed they would pursue it. They could meet the deficiencies and come back to the Board. He suggested it may delay the opening for a year but he

thought the group could bring in an application that could be supported as a partner in education. Mr. Earnshaw said he was not ready to take a leap of faith and he would not be in favor of supporting the current state of the application.

Mr. Earnshaw said that among the board members he had one person in favor; one person who is mostly in favor but wants to see the curriculum and evaluation; and the others were generally not in favor. At this point, it appears that the Solicitor will be preparing a resolution to reject the Seven Generations Charter School. Mr. Jones said the purpose of the hearing is to discuss it and to provide feedback. He hoped that many of the questions he raised gave ideas on various ways to approach this. Mr. Jones felt that given the amount of research that was completed by the representatives, he would almost have to assume that they did run across the Frick Park case. Mr. Jones said he would encourage them to prepare for Plan B. Mr. Jones said he thought from the discussion that the representatives could see the Board has a serious responsibility. He hoped that they would have enough information to proceed.

Ms. Kowalchuk said one of the biggest concerns was the curriculum. She felt from the hearings that comments they heard could guide their work. Mr. Prinzinger said that, speaking for himself, he does appreciate school choice and does not perceive it as competition. This is not a judgment on whether or not you have school choice or a buy in from the community. Mr. Ballard reiterated that he felt they were six months away from where they needed to be.

Mr. Earnshaw also ascertained there would not be another hearing.

10. Renaming Willow Lane Elementary School

Motion by Stolz

RESOLVED, That the Board of School Directors rename Willow Lane Elementary School in honor of Katherine Baker Knoll.

The motion failed for lack of a second.

Ms. Kowalchuk wanted to think about it.

11. Announcements

Ms. Kowalchuk announced she would not be available to attend the LCTI Joint Operating Committee meeting on Wednesday and asked if another board member was available. No one appeared to be available.

Monday, January 26	7:00 p.m.-CLEAR Session (Negotiations, Litigation, Personnel, Confidential Matters)
	7:30 p.m.-Board Meeting
Tuesday, January 27	District PAC Meeting Cancelled
January 29, 30, 31	PMEA District Band
February 5, 6, 7	PMEA District Orchestra
February 9-12	PSSA Writing Test-Grades 5, 8, and 11
February 9	7:30 p.m.-Board Meeting

12. Adjourn

There being no further business to come before the Board the meeting as adjourned, upon motion, at 9:40 p.m.

Cecilia R. Birdsell, Board Secretary

Order of Business

1. Call to Order; Pledge of Allegiance

President Alan C. Earnshaw called the 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: C. Ballard, A. Earnshaw, F. Fuller, E. Gannon, C. Jones, S. Kowalchuk,
M. Prinzing, T. Richwine, 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: Lorraine Fenstermacher, East Penn Press
Sarah Fulton, Morning Call Reporter

2. SGA Report

SGA Representative Neil Merchant reported on the Snow Ball that was held last weekend. They had over 600 people in attendance. Most of the profit from the dance went to the Make-A-Wish Foundation to support Dave Ortwein of Southern Lehigh School District. They will be conducting a Blood Drive at the end of March or in early April. At the end of the school year, they will again be sponsoring the Final Fling. Mr. Earnshaw thanked Mr. Merchant for his report, adding that it was good to see the students so involved.

3. Requests to Address the Board

Prior to acknowledging citizen input, Solicitor Marc Fisher called attention to items 4 and 5 on the agenda. These items appeared on an addenda at the January 26 Board Meeting. There was a question about whether or not the addendum was available on the back table at the start of the meeting. To avoid any confusion and in the event there was an inadvertent mistake to place the addenda there, the two items will be placed on tonight's agenda and give the public a full opportunity to make comments on those items or any other item on the agenda.

Mr. Mike Policano, 1813 Alexander Drive, Macungie expressed his concern about communications between the public and the Board as a result of the events at the last meeting. He claimed that the public has information that the Board may not be aware of and likewise the Board may have information that the public is not aware of. He felt there needed to be more openness.

Mr. John J. Hinkle, 4351 Hillary Drive, Emmaus said he and his wife had lived in the district for over 34 years and he thanked the Board for the opportunity to speak. He commented on the fact that some board members when running for election visited his house or asked him and his wife and neighbors to support them financially. Board members were given the opportunity to be responsible for budgetary items in the district. He was urged by his friends to come and speak even though he was not energized to do so. He said he did not want to waste his time and energy and had more respect for himself than to address a Board that would not return the favor. He said when the President, who Ms. Fuller supported, is dictating for corporate America on what salaries are going to be for executives why in this economic climate is the Board taking this step. He commented on friends at Air Products and ITT who were just laid off. Dr. Seidenberger is under a contract that he agreed to and increasing the contract allows him to have a bonus on something that is part of his job description. He wanted to know how the Board had arrived at the \$3,000. He concluded that if the Board voted "yes" tonight there would be a backlash "like you have never seen before in East Penn." He said he would be happy to be part of the backlash, adding this was not a threat. He said there are folks in the community who have an issue with this entire Board and he hoped they would take it in great stride.

Mr. Richard Jones, 6702 Kings Highway, Zionsville announced that his children had started in a new school, adding he had taken them out of East Penn not only for the questionable decisions in the district made evident by the alleged violations of the Sunshine Law, but because of others issues such as the vulgar books in the Emmaus High School Library and the ninth grade summer reading list. He said nothing has been done since his protest and the Board keeps raising taxes to the maximum level as the economy continues to crumble and the unemployment rate skyrockets. He said taxes are pushing many of the residents below the poverty line. He said the Board should cut taxes; cut spending; and get on a budget. He said Dr. Seidenberger, as a public servant, should take a pay cut.

Mr. Giovanni Landi, 869 Frank Drive, Emmaus commented that with the current economic conditions it was ridiculous to give the superintendent a raise and a bonus, adding that not only is he under contract which he assumes contains yearly increases he is being rewarded for doing his job. He expressed his disappointment with the Board, noting that when the budget was increased last year, he and other members of the public talked about the economic downturn and asked the Board to use some good judgment. He said the vote not being on the agenda showed a complete lack of respect for the taxpayers. He said he hoped that residents would voice their displeasure about the shenanigan at the polls.

Mr. Otto Slozer, 121 E. Elm Street, Emmaus said he had addressed the Board at the last several meetings about the reserved funds. He received a letter from Dr. Seidenberger extending an invitation to make an appointment to come in and discuss his concerns. He said as soon as he gets his calendar clear he would like to take him up on the

invitation. He said some of the other people expressed their displeasure rather succinctly. He talked about the bonus being tax dollars and people who have to pay the bill are losing their jobs and many of them have seen their retirement investments and savings disappear. There are real questions and concerns in the community. He asked that the Board take a second look at how the district does business.

4. Amendment No. 1 to the Superintendent's Contract (Exhibit 1)

Motion by Ballard, Seconded by Gannon

RESOLVED, That the East Penn Board of School Directors approve Amendment No. 1 (Exhibit 1) to its contract for employment with Dr. Thomas L. Seidenberger.

Mr. Prinzing said he would not support this motion even though he felt Dr. Seidenberger was doing an excellent job and he appreciated the fact that he was streamlining the administration. He concluded the raise was not something the residents of the school district could support at this time.

Mr. Stolz said in the current economic crisis he could not support this resolution at this time, even though he felt Dr. Seidenberger was doing a good job. He said the district was paying \$156,000 and claimed that Dr. Seidenberger was the second highest paid superintendent in the Lehigh Valley next to Bethlehem. He reiterated he could not pay the increase during this economic turmoil, adding it was nothing personal.

Mr. Ballard addressed the comments that were made about the Superintendent being under contract. He said the word contract is a wide ranging term. It is not implied that the person's salary under the contract is fixed for a certain number of years. Mr. Ballard said the Superintendent's contract calls for a review of the Superintendent yearly and a decision made by the Board as to the merits of an increase of that salary. He said the review was to be done last fall and the Board was behind schedule. The general expectation is that if the superintendent is performing to standard or above then consideration will be given for an increase. He talked about the feeling that if someone else is suffering then you should be suffering as well. It is a human thing to think and believe but it is not always true. He said in the companies laying off people the remaining employees are going to get increases of various sorts. It is not that every employee is going to take a freeze or cut. In order to retain the people you need to keep the company going through bad times and not have them leave, you have to be somewhat cognizant of the market for employees and the functions that possibly could have been lost plus the inevitable inefficiency to taxpayers to go on searches. He said the district has an administrator who is cutting back on administrative positions and saving the district a quarter of a million dollars a year. This is something that he claimed had not been accomplished in the 13 years he had been on the Board and something that is reasonably extraordinary for taxpayers. He concluded that the amount being saved is greater than the bonus and the raise. Mr. Ballard indicated his support of the motion. He said trying to be too cheap and stingy is not the way to go about doing things. The problem is not that people are not making money or businesses are not profitable, it's about the lack of confidence in the system and not spending money.

Mr. Chris Jones thanked Mr. Ballard for his accurate reflection. He said that he firmly believes that it is the responsible and right decision. He disagreed with certain folks that spoke this evening and he would be happy to have a discussion about the reasons for his decision. Dr. Seidenberger made decisions to cut costs, added additional responsibility to his work load, and had no expectation for any remuneration. He deserves our thanks. Mr. Jones said the superintendent is doing a great job. He said he felt bad for the ones who see it differently.

Ms. Kowalchuk indicated her support for the motion. She said Dr. Seidenberger has done an exemplary job and when the Board discussed his evaluation and review, it was agreed that everyone was pleased with his performance. However, given the economic situation, it was not what the Board wanted to give in light of the money he has saved the district. She indicated it was a small cost for what has been gained as having Dr. Seidenberger for the superintendent.

Ms. Fuller said there is not much more she can add but to say she agrees with the comments by Mr. Jones, Ms. Kowalchuk and Mr. Ballard. Ms. Fuller will support the motion.

Mr. Earnshaw said that even in times of a down economy most companies are giving increases to employees at the same time they are laying off - it a sad fact of the corporate reality. He felt Dr. Seidenberger is doing an outstanding job and he is happy to give the modest increase. To give a 3.2% increase to an outstanding employee is quite modest and well deserved.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Richwine-----7

Nay: Prinzing, Stolz-----2

5. Retirement of Janice Hoffman (Exhibit 2)

Motion by Ballard, Seconded by Kowalchuk

RESOLVED, That the East Penn Board of School Directors approve the terms of retirement of Janice Hoffman as outlined in Exhibit 2.

Mr. Prinzing said Ms. Hoffman chose to take the RIP retirement and is now retiring early and has requested the retirement under the ERIP plan. He did not think the district should pick up the tab that will cost the district more money. He felt it set a dangerous precedent for staff who could fall under those categories when they chose to lock into a certain program. He indicated he would not support the resolution. Ms. Fuller read the attached resolution, Exhibit 2, Item 3. She felt Mr. Prinzing's concerns about precedent should be allayed by the resolution. Mr. Jones asked for the reason for switching plans. Dr. Seidenberger said she had made plans to retire later and there is a \$4,000-\$5,000 differential. She will not be replaced for the rest of the year. Mr. Richwine said that the district will actually end up ahead. Dr. Seidenberger said there are people who will pick up the responsibilities and try to make it as financially neutral as possible. Ms. Kowalchuk commented that this position would probably be filled by an administrator with less experience. Dr. Seidenberger said he would not commit to that concept but generally speaking it is usually the case. Mr. Earnshaw said the district will spend a little more on the retirement but there may be a net reduction in expenses.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Richwine-----7

Nay: Prinzing, Stolz-----2

Mr. Stolz said that the Board will need to act on the FRN conference for Mr. Ballard at a future meeting.

6. Approval of Minutes

Motion by Ballard, Seconded by Gannon

RESOLVED, That the East Penn Board of School Directors approve the minutes for the January 26, 2009 meeting.

Ms. Fuller said she reads many minutes from many organizations and no where does she minutes as complete as East Penn's where the full flavor of the meeting is captured. She said for those who want to know what is going on then they should consult the web page of the district, under the School Board.

This resolution was unanimously adopted by voice vote.

7. Seven Generations Charter School Resolution (Exhibit 3)

Motion by Ballard, Seconded by Gannon

RESOLVED, That the East Penn Board of School Directors deny the Charter School Application of Seven Generations Charter School as outlined in Exhibit 3.

Mr. Prinzing said he was not against school choice but rather the applications was not submitted in full. As a Board, we cannot vote on an application as is without being in gross misconduct of the law.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine-----8

Nay: Stolz-----1

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

1. Personnel

Motion by Kowalchuk, Seconded by Stolz

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

Dr. Seidenberger reported that as of March 2 the district will be launching the central registration process. The office will be located at Eyer MS. Kindergarten registration will be held as it has been in the past.

Director of Technology Michael Mohn and Dr. Seidenberger were interviewed by a reporter from the Technology and Learning magazine for the April edition. They were very excited about the district's commitment to technology, specifically white boards.

Dr. Seidenberger announced that the EHS Concert Choir under the direction of Rita Cortez will be performing at Carnegie Hall on June 14. He is also nominating Ms. Cortez for a scholarship at Yale University.

Dr. Clyde Hornberger, Director of LCTI, will be attending the February 23 Board Meeting to answer questions about their budget.

Through the efforts of Dr. Torma, Web Master John Stabinger, and Director of Technology Michael Mohn, the district will be adding dashboards to the website. Residents will be able to see test scores and important data about students' progress, key elements of the budget; and information about personnel. The Community Newsletter will be restarted and will be available online.

Resignations

- Hillary Orobono, Instructional Assistant, Jefferson School, effective February 12, 2009 (Exhibit 4)
- Shannon Herring, Staff Assistant, Wescosville School, effective February 6, 2009 (Exhibit 5)

Leave as Per Collective Bargaining Agreement

Employee: Heather Montero
Social Studies Teacher, Emmaus HS
Effective: February 18-June 30, 2009

Request for General Leave of Absence

Employee: Patricia Horwat
Eyer MS
Effective: January 8-March 31, 2009
Reference: Board Policy 539-General Leave of Absence

Appointment of Elementary Principal

Name: Tara Desiderio
Effective: February 3, 2009
Assignment: Principal, Lower Macungie Elementary School
Vacancy created by D. Cortez transfer
Salary: \$80,000, plus benefits as outlined in the Act 93 Agreement

Appointment of Confidential Assistant

Name: Amy Hitch
From: Administrative Assistant, Assistant Superintendent's Office
To: Confidential Assistant, Personnel Office
Vacancy created by M. Wessner retirement
Salary: \$30,000/year, effective February 9, 2009

Appointment of Staff Assistant

Name/Address: Julie Malloy
Effective: January 27, 2009
Assignment: Eyer MS
Vacancy created by L. Gehman resignation
Salary: \$12.01/hr., 32.5 hrs./wk.

2008-09 List of Per Diem Substitutes

Pam Kiser, Instructional/Staff Assistant
Pam Albrecht, Instructional/Staff Assistant
Brooke Markle, Mathematics
Megan Moran, Elementary
Diane Edelman, Elementary
Ellen Toth, Health/Physical Education
Emily Sheehan, Elementary
Lyndsey Klinefelter, Elementary/Special Education

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzinger, Richwine, Stolz--9

2. Educational Conferences - Exhibit 6

Motion by Gannon, Seconded by Ballard
RESOLVED, 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: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzinger, Richwine-----8
Nay: Stolz-----1

9. Other Educational Entities

-Carbon Lehigh Intermediate Unit

T. Richwine

Mr. Richwine reported on the video streaming presentation from the Information Technology Department. This service is provided in cooperation with PBS 39 to all the districts in Carbon and Lehigh counties. Discovery Education Plus offers 10,000 video titles correlated to PA standards in all subject areas K-12. This replaces the video title library that had been used in the past. The cost is covered by the Operating Budget and East Penn has used the service extensively. Referring to the services in which East Penn students are involved, Mr. Richwine noted that there are 67 students who are covered by major assignments (emotional support and life skills); related services include 207 students who receive occupational therapy and 44 students who receive adaptive physical education. In total, there are 302 students who receive services. Mr. Richwine also reported on the World Café on Latino Culture that was held at Lehigh University in December. Educators and community members heard lectures on cultural and historical perspectives of the Latino population. Many of the ESL teachers in the IU are interacting with Latino students. It was sponsored through a diversity and equity partnership involving IUs 20 and 21, Northampton Community College, Community Action Committee of the Lehigh Valley, and United Way. The Governor's Advisory Commission on Latino Affairs and community businesses (Air Products, King Spry, Sanofi Pasteur) were also included. The IU budget will be acted on by the East Penn Board at a future meeting.

-Lehigh Career & Technical Institute

F. Fuller
A. Earnshaw
S. Kowalchuk

Ms. Fuller reported that the January Joint Operating Committee Meeting was cancelled because of inclement weather. She took this opportunity to explain the purpose and mission of LCTI. She indicated that the school provides educational opportunities that individual school districts are not able to offer. There are partnerships with the Penn State Lehigh Valley Campus and Lehigh Community College. Students are able to earn college credit in many areas and may choose either a full-time or half-time program. For example, there are pre-medical programs, pre-engineering programs, and job shadowing that will prepare students for future careers. She said careers are coming to pass that that people do not even know exist. Statistics show that students will have 8-12 career changes and they will need to pick up new talents and skills. She indicated that there were a number of East Penn students who were named to the Honor Roll for the Academic Center. Dr. Seidenberger commented very positively about the students who participated in the Skills USA competition.

10. Legislation

C. Ballard

Mr. Ballard reported extensively on the NSBA Federal Relations Network Conference that he attended in Washington, D. C. There were over 1000 Board representatives from across the country who participated in the various activities that involved lobbying local legislators from their home states. The conference began with an orientation session that provided an overview for the conference. There were Hot Topics sessions that dealt with current and emerging education and legal issues affecting school districts. There was a presentation by Political Analyst Norman Ornstein, followed by the political satire group Capitol Steps. Mr. Ballard indicated that the Elementary and Secondary Education Act, which includes No Child Left Behind must be reauthorized. NSBA has produced another training video on lobbying. There was a Congressional Luncheon with Ben Chandler, a Democrat from Kentucky, giving a presentation on nutritional issues. He was instrumental in pushing many of the wellness initiatives. The Honorable Tom Harken and the Honorable James P. Moran talked about educational issues in Congress. There was a lobbying session on Tuesday that provided an opportunity for Mr. Ballard and Mr. Bold, a Parkland board member, to meet with Representative Dent's Senior Legislative Assistant Kristin Dini. They met for 45 minutes discussing education issues such as unfunded mandates and costs from federal legislation, ESEA reauthorization and issues involving NCLB timelines. The position of PSBA and NSBA is that if you cannot fix the law then extend the times for penalties until the law can be amended. Also, correlating IDEA and ESEA so it is fairer to students. He talked about the Single Audit Act that states that any district receiving more than \$500,000 in federal monies is subject to a separate federal audit. There was discussion that this Act should not apply to the e-rate or stimulus package for schools. Mr. Ballard talked about the Shovel Ready projects and the time lines. There was a Congressional Reception at the end of the day which Representative Dent was able to attend after a House vote so Mr. Ballard, and Mr. Bold and Ms. Roberta Marcus from Parkland were able to have further discussion with Mr. Dent. East Penn and Parkland were the only two Lehigh County school districts who had representatives attending the conference. Mr. Ballard distributed buttons with the slogan "Facilitate, Don't Dictate." He talked about the influence that 1,000 board members had by putting "legs on the hill." He suggested a Morning Call reporter should attend a conference to see the interaction.

The House passed a job stimulus package. It is a quick infusion of money to stabilize jobs and the funds will only be for two years. Mr. Ballard said most of the funds are for construction or money to keep educational staff employed. He said there are many areas in other states that are furloughing teachers because of budget constraints which is not an option in Pennsylvania and most of the funds are to keep that the staff in place. He noted that even though there is talk about bringing special education funds up from 17% to 23% (should be 40%), the funds are not continuing. He explained the various options that are in the House and Senate bills. When approved, they will go to a House/Senate Committee that will review the two bills to reach a solution.

While in Washington, Governor Rendell's budget proposal was discussed. Mr. Ballard commented that there are "a lot of smoke and mirrors" in the proposal. Some of the proposals include trying to legalize video poker machines to give out scholarships and reducing the number of school districts from 501 to 100 school districts. Mr. Ballard spoke about the history of the consolidation of East Penn from local boroughs and municipalities. The state proposal is an effort to save money. He talked about the Standard & Poor's study that considered consolidation. Mr. Ballard pointed out the complexities of changing boundary lines, consolidating curriculum and staff, and the costs to accomplish the

consolidation. He said rather than tackling the funding issues to resolve some of the inequities they are finding some other way to deal with that situation. The proposal is to start a Commission that would propose two plans. If neither plan is approved, then the Department of Education will consolidate anyway. His assessment was that the state legislature would not relinquish their responsibilities to the PDE. In order to balance the state budget, 500 million dollars is needed from the stimulus package. Some of the cuts proposed are to eliminate the Governor's Schools of Excellence and specialty schools such as a school for the deaf. Mr. Ballard predicted the state budget would not be adopted on time.

Mr. Ballard reported on HB 104 is an act authorizing the Commonwealth of Pennsylvania to join the Interstate Compact on Educational Opportunity for Military Children; providing for the form of the compact; imposing additional powers and duties on the Governor, the Secretary of the Commonwealth and the compact commissioner; and establishing the State Council on Interstate Educational Opportunity for Military Children. This will be another imposition of a federal unfunded mandate. Mr. Ballard talked about being careful about budgeting that will be affected by these outside factors. He indicated he may not be at the next meeting.

11. Business Operations

1. Approval of Bill List

Motion by Ballard, Seconded by Stolz

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

Authorization to Proceed for Bond Refinancing

RESOLVED, That the East Penn Board of School Directors does hereby authorize the administration to work with Public Financial Management, as Financial Advisor, and Rhoads & Sinon, LLP, as Bond Counsel, in conjunction with the issuance of General Obligation Bonds, Series of 2009, for the purpose of refunding the School District's General Obligation Bonds, Series of 2004, as long as the net savings are greater than or equal to the total issuance costs.

Special Funds Disbursements - Exhibit 7

RESOLVED, That the East Penn Board of School Directors authorize the expenditure of funds from the 2007 EGA Issue as listed on Exhibit 7.

In answer to a question from Mr. Prinzing about the bond savings, Dr. Seidenberger responded that it was clear that we would not go through with the bond sale if it is below the net savings target.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Richwine, Prinzing, Stolz-----9

12. Announcements

Monday, February 9	7:00 p.m.-CLEAR Session (Litigation, Negotiations)
	7:30 p.m.-Board Meeting
February 9, 10, 11, 12	PSSA Grades 5, 8, 11, Writing Test
February 9 & 10	Middle School Parent-Teacher Conferences
February 13 & 16	President's Holiday-Schools and Offices Closed

Mr. Prinzing talked about the potential closing of the Lehigh Valley Zoo by the County. and he informed the Board that he and Mr. Jones had met with administrators and faculty at LCTI to see if a partnership could be forged. People from LCTI were basically willing to work with the Zoo Director to help with landscaping needs and capital projects. This would be a huge savings for the County. He suggested anyone wishing to support the Zoo should attend the Lehigh County Commissioners meeting at 7:30 p.m. on Wednesday.

13. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 9:03 p.m.

Cecilia R. Birdsell, Board Secretary

ORDER OF BUSINESS

1. Call to Order; Pledge of Allegiance

President Alan C. Earnshaw 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: C. H. Ballard, A. Earnshaw, F. Fuller, E. Gannon, C. Jones,
S. Kowalchuk, M. Prinzing, T. Richwine, 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: Loretta Fenstermacher, East Penn Press Reporter
Sarah Fulton, Morning Call Reporter

2. Requests to Address the Board

Mrs. Jo Sadrovitz, 130 North Fourth Street, Emmaus asked about the conference that Mr. Ballard attended and wanted to know how often he goes and does he fly or go by train. Mr. Earnshaw said that she would get a written response.

Mr. Otto Slozer, 121 E. Elm Street, Emmaus asked about the Service Electric Telecommunications Contract on the agenda. He talked about the cost, noting the Board did not want to web cast board meetings because of the cost.

Mr. Edgar Hausman, 4160 Champagne Drive, Emmaus, a bus driver for First Student, expressed concern about EHS students walking between buses to go across to North Street to smoke. He felt this was a dangerous situation.

3. Approval of Minutes

Motion by Fuller, Seconded by Gannon
RESOLVED, That the East Penn Board of School Directors approve the minutes for the February 9, 2009 meeting.

This resolution was unanimously adopted by voice vote.

4. Approval of Lehigh Career & Technical Institute 2009-2010 Budget

Motion by Fuller Seconded by Richwine
RESOLVED, That the East Penn Board of School Directors hereby authorize the expenditures of the Lehigh Career & Technical Institute for the General Fund Budget in the amount of \$21,719,820 and for the Academic Center Budget in the amount of \$1,193,270 for the period of July 1, 2009 through June 30, 2010.

Dr. Clyde Hornberger, Executive Director, and Mr. Randy Hensinger, Business Administrator, were present to answer questions. Mr. Earnshaw said it has been a privilege to serve on the Joint Operating Committee and relayed the many positive aspects of attending LCTI. He indicated students may accumulate college credits in many of the programs and go on to receive salaries in the \$60,000 range from their technical training. He complimented the staff for their excellent work. Mr. Richwine pointed out that the numbers in the motion are for the entire budget and not just East Penn's portion. He also indicated that Dr. Hornberger and Mr. Hensinger have been very successful in applying and receiving many grants. Because of the reputation of LCTI, they have many visitors touring the school. Dr. Hornberger indicated East Penn's portion of the budget is .27% which represents an estimated \$6,000 increase. He said they are honored and proud to be part of the East Penn School District.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----9

5. Demonstration: East Penn School District Website - Dashboard

Dr. Seidenberger talked about the changes in the district website and the next steps to making it a more valuable educational tool. He complimented Web Master John Stabinger and acknowledged what a superb job he did with this next step. Dr. Torma added that Mr. Stabinger is a true asset to the district and very innovative and creative. Assistant Superintendent Dr. Denise Torma and Information Technology Director Michael Mohn demonstrated the new dashboard that is still under construction. The dashboard will include information on Student Achievement statistics, Advanced Placement statistics (1986-2008), student enrollment from 1997-2009, National Merit Scholars (1999-2008), PSSA information, and access to other education links (PDE, No Child Left Behind), Governor's School of Excellence (2002-08), to name a few. Dr. Seidenberger indicated that Budget and Finance information will be available as well as a personnel package. It is felt that this innovative step will be launched in a few months. Ms. Fuller asked about the flash component since some people may have an older computer. Mr. Mohn said it may be a bit of a limitation. Mr. Jones

asked if there was a limit on the data. Mr. Mohn responded that the shell has been written so it can accommodate many data points. Dr. Seidenberger also indicated that this technology is part of the Strategic Plan that contains references to the district being a leader in education. In answer to a question from Mr. Richwine regarding the availability of spread sheets, Dr. Torma indicated the format is for a quick look at information. Mr. Richwine asked if there would be a "frequently asked questions" section and they responded that if there is a hot topic then accommodations would be made on the dashboard to address these questions. Many of the charts that have been in the budget book will be put into graphs for the dashboard. Ms. Gannon asked if there would be a protocol for verifying data. Dr. Seidenberger and Dr. Torma indicated that data would be verified before it would be included on the dashboard. Mr. Mohn indicated that Mr. Stabinger handles the teachers' web pages, noting that the district is moving ahead with a lot of projects in-house rather than having to purchase packages by outside vendors.

Mr. Mohn reviewed some of the projects that are taking place such as the migration from Novell to Microsoft that saved the district \$18,000 in licensing fees, work order system being used in the high school, encryption for lap tops, open office applications, and net books (\$300 lap tops). They are looking at expanding technology through an in house system. Dr. Seidenberger asked Mr. Mohn to explain the Service Electric contract. Mr. Mohn indicated that it is a contract through the Carbon Lehigh Intermediate Unit which is the district's internet service provider. The contract is paid at the IU and the \$1250 per month is the district's portion.

Ms. Kowalchuk complimented Dr. Seidenberger for making tremendous strides in technology.

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

1. Personnel

Motion by Stolz, Seconded by Ballard

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

Retirement

That the retirement date for Vicki Gehman, Community Education Coordinator, be changed from May 1, 2009 to May 4, 2009.

Co-Curricular Advisors - Exhibit 1

See Exhibit 1

Change in Employment Status (Custodial - Maintenance) - Exhibit 2

See Exhibit 2

Approval of General Leave of Absence

Employee: Lynn Koehler,
Instructional Assistant, Lower Macungie ES
Effective: February 18-April 15, 2009
Reference: Board Policy 539, General Leave of Absence

Staff Assistant Appointment

Name/Address: Debra DePue
31 S. Buttonwood Street, Macungie
Effective: February 24, 2009
Assignment: Lincoln School
Salary: \$12.01/hr., 12.5 hrs./wk.

Custodial Appointment

Name/Address: Robert Jones
2088 Goldenrod Drive, Macungie
Effective: To be Determined
Assignment: Custodian, LMMS, Tuesday-Saturday, 2nd Shift
Salary: \$18.38/hr., 40 hrs./wk.

Instructional Assistant Appointment

Name/Address: Tina Coulomb
7194 Scenic View Drive, Macungie
Effective: February 24, 2009
Assignment: Jefferson School

Salary: \$12.01/hr., 31.5 hrs./wk.

Additions to the 2009-2010 List of Per Diem Substitutes

Rebecca Douglas, English
Kristine Melnick, Elementary
Erin McGee, English
Katie Anderson, Elementary
Joseph Morrison, Social Studies
Kathleen Ferreira, Elementary
Angelina Anbumalar, Guest Teacher
Cheryl Lagler, Remedial Assistant

Administrative Reports - See Exhibit Section

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz----9

2. Appointment of Ellis H. Katz, Esq., Sweet, Stevens, Katz & Williams-Food Crafters Chief Negotiator

Motion by Kowalchuk. Seconded by Ballard

RESOLVED, That the East Penn Board of School Directors authorize the appointment of Ellis H. Katz, Esq., Sweet, Stevens, Katz & Williams, 331 E. Butler Avenue, New Britain, PA as the Chief Negotiator for the Food Crafters negotiations at the following rates, effective February 23, 2009:

\$175/hr. Standard hourly rate for chargeable time for

Attorneys

\$105/hr. Legal Assistants

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz----9

3. Educational Conferences - Exhibit 3

Motion by Fuller, Seconded by Gannon

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

Mr. Earnshaw commented on the different workshops and the kinds of things that staff members are learning in an effort to keep abreast of the most current information.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, -----8

Nay: Stolz-----1

4. 2009-2010 School Calendar - Exhibit 4

Motion by Ballard, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors approve the 2009-2010 school calendar.

Mr. Earnshaw commented on the late start for school next year. The calendar is a consortium effort to combine the schedules for Lehigh County School Districts so all districts try to have common dates. Dr. Seidenberger indicated that the superintendents had discussed the late start, noting the culture of the area is to start after Labor Day. The calendar is set through collaborative planning.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----9

7. Business Operations

1. Bill List Approval

Motion by Ballard, Seconded by Richwine

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.

Treasurer's Report

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

Approval of Service Electric Cable TV, Inc., Telecommunications Contract - Exhibit 5

RESOLVED, That the East Penn Board of School Directors approve the Service Electric Cable TV, Inc. Telecommunications Contract as outlined in Exhibit 5.

Special Fund Disbursements - Exhibit 6

RESOLVED, That the East Penn Board of School Directors authorize the expenditures from the 2007 EGA Issue as listed on Exhibit 6.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz---9

8. Announcements

Monday, February 23	7:00 p.m.-Executive Session (Litigation, Negotiations)
	7:30 p.m.-Board Meeting
Sunday, March 8	Daylight Savings Time (Turn Clocks Ahead)
Monday, March 9	7:30 p.m.-Board Meeting

Mr. Stolz introduced the following three resolutions that he wanted on the agenda for the March 9 meeting, adding that if they were not on the agenda he would re-introduce them at the next meeting:

RESOLVED, That the East Penn Board of School Directors shall make a policy that recording of board meetings should be archived for no fewer than four years and made available to the public upon request.

RESOLVED, That no addendum may be voted on by the East Penn Board of School Directors without being considered emergency business and must be passed by no fewer than six board members.

RESOLVED, That the agenda for the East Penn Board Meeting be posted on the district website and be made available to the public no fewer than seven days before the meeting is to take place.

Mr. Earnshaw said that what Mr. Stolz was presenting were changes in policy and operating procedures and he recommended that Mr. Stolz review the policy book and bring up the policies to review and share specific language.

Mr. Jones asked if Dr. Seidenberger could give a report on the situation that was brought up regarding the high school buses. Dr. Seidenberger will investigate and report back to the Board.

Mr. Richwine called attention to the IU School Board Conference to be held on March 31.

Ms. Kowalchuk thanked Mr. Nolan and Dr. Torma for the student assessment report in the Board's packet and asked if there would be a presentation. Dr. Seidenberger asked that she submit her questions so they can be answered. She asked about the Science PSSA test. Mr. Nolan responded that it will be given to Grades 4, 8, and 11.

Mr. Prinzing said that in a local publication he had seen an article from Mr. Stolz about the ghost contract (teachers' contract). The article pointed out that Mr. Stolz was going to report on the discrepancies between what was voted on by the Board and what appeared in the contract. Mr. Prinzing asked Mr. Earnshaw if Mr. Stolz would be able to provide the Board, as well as the public, with the discrepancies. Mr. Earnshaw asked Mr. Stolz if he cared to respond. Mr. Stolz answered that he would not and he would get back to Mr. Prinzing.

9. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 8:25 p.m.

Cecilia R. Birdsell, Board Secretary

ORDER OF BUSINESS

1. Call to Order; Pledge of Allegiance

President Alan C. Earnshaw called the 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: C. H. Ballard, A. C. Earnshaw, F. Fuller, E. Gannon, C. Jones, S. Kowalchuk,
M. Prinzing, T. Richwine, 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: Loretta Fenstermacher, East Penn Press Reporter
Sarah Fulton, Morning Call Reporter

2. Requests to Address the Board

Mr. Ray Iobst, 2030 Goldenrod Drive, Macungie spoke in support of the all weather track and asked that consideration be given to a middle school/youth track program.

Mr. Budd Coates, 424 Ridge Street, Emmaus spoke in support of the all weather track and asked that the people supporting the track stand. He reviewed the historical chronology that covered a number of years. He acknowledged the \$400,000 donation from the Rodale Family Foundation. In addition, he promised parent support for fund raisers for the track and they would try to work toward another \$100,000. He thanked the Board for the opportunity to speak and for the parents and athletes who allowed him to represent them.

Mr. Tom Gettings, 3701 Orchid Place, Emmaus and Director of Special Projects for the Wildlands Conservancy, spoke about the Borough of Emmaus' Wieder's Lane Trail and the use of the cinders from the track for the trail. He spoke of the cooperation among the Borough, School District, and the Wildlands Conservancy in this endeavor.

Mr. Wes Barrett, 610 North Second Street, Emmaus and a member of Emmaus Borough Council spoke in support of the track and the Wieder's Lane Trail and how this is not solely a school district project but a community partnership and an improvement for the community. He outlined the trails that are available in Community Park and the Borough's goal for a walkable community. In his campaign, he asked about the track and found that there was overwhelming support from the community and encouraged the Board's support for the track.

Mrs. Elsie Carraghan, 879 Frank Drive, Emmaus spoke in support of the all weather track and the enthusiasm of the students for the track program.

3. Emmaus HS SGA Report-Neil Merchant, Representative-No report

4. Approval of Minutes

Motion by Kowalchuk, Seconded by Gannon

RESOLVED, That the East Penn Board of School Directors approve the minutes for the February 23, 2009 meeting.

This resolution was unanimously adopted by voice vote.

5. Lehigh Carbon Community College-Mrs. Ann Thompson, East Penn Representative

East Penn Representative Ann Thompson serves on the Insurance and Finance Committee, and she conveyed that the College is conservative on their spending. She spoke about the ownership of LCCC and the stewardship by the sponsoring districts. She explained the one-third formula to support the College. She said the college has many more students because of the economic downturn and numbers are up 6% as well as the credits. She explained the two budgets, noting the increase for all districts is 3.5%. Mrs. Thompson introduced Mr. Don Snyder, President of LCCC. Mr. Stolz indicated that he was a student at LCCC and he would be abstaining. Ms. Kowalchuk said she would also be abstaining since she is a part-time employee at LCCC. Both indicated their support for the budget. Mr. Earnshaw complimented the College for its outstanding programs and he indicated his support.

1. 2009-2010 Capital & Operating Budget

Motion by Ballard, Seconded by Fuller

RESOLVED, That the East Penn Board of School Directors approve the 2009-2010 Capital & Operating Budget for the Lehigh Carbon Community College.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Prinzinger, Richwine-----7
Abstention: Kowalchuk, Stolz-----2

A signed copy of the Conflict of Interest Abstention Memorandum for Ms. Kowalchuk is attached to the minutes of this meeting. An unsigned copy of the Conflict of Interest Abstention Memorandum for Mr. Stolz is attached. (Note: A signed copy of the form will be appended to the permanent minutes when Mr. Stolz has signed the form that was forwarded to him.)

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

1. Personnel

Motion by Kowalchuk, Seconded by Ballard

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

Dr. Seidenberger reported that he and Director of Operations Lynn Glancy were reviewing the information pertaining to the stimulus package and they would be viewing a webinar tomorrow for further information on how the funds could be used. They are still waiting for information from the Governor's budget. Mr. Ballard shared that there is something to be aware of in the Governor's Budget regarding special education funding, adding the stimulus package is a one or two year program. He cautioned the administration to budget at a non-increase level rather than anticipating the funds over last year. It is unclear how the stimulus package will come down for local districts. Dr. Seidenberger concurred, adding that the district will be using it for non-recurring expenses.

Mr. Richwine pointed out that between Mr. Weiant and Mr. Hauser there is 67 years of service to East Penn.

Retirements/Resignations

-William Weiant, Art Teacher at Eyer MS, effective June 18, 2009 (Exhibit 1)

-Robert Hauser, Maintenance Department, effective May 4, 2009 (Exhibit 2)

Appointment of Staff/Instructional Assistants

Name/Address	Assignment	Salary
Bonita Cassel 5677 Greens Drive Wescosville	Staff Assistant, Wescosville Vacancy created by S. Herring resignation.	\$12.01/hr., 12.5 hrs./wk.
Marlanda Birns 212 Winding Road Boyertown 19512	Instruct Assistant, EHS Vacancy created by D. Calise termination & subsequent transfers	\$12.01/hr., 25 hrs./wk.

Appointment of Custodial/Maintenance Person

Shawn Roberts 153-1 Main Street Emmaus	LMES, PT, 2nd Shift Vacancy created by G. Sabol retirement	\$18.38/hr., 20 hrs./wk.
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Change in Instructional/Staff Assistant Hours

See Exhibit 3

Additions to the 2008-09 List of Per Diem Substitutes

Kathleen Tkach, Elementary/Reading Specialist
Susan Christopher, Elementary
Jennifer Fegley, Instructional/Staff Assistant
Katharine Blanas, Elementary
Angela Paul, Elementary/Early Childhood
Karen Weckerle, Elementary
Suzanne Puentes, School Nurse
Michael Quickel, Elementary

Co-Curricular Appointments

See Exhibit 4

Lynn Champlin	Eyer Indoor/Outdoor Games	\$30.67/session
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Kathy Thomas

Clay Club, LMMS

\$30.67/session
(4 Sessions)

Mentor Appointment

Jennifer Thomas Effective: February 17, 2009 (Replacing Carrie Mish)

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz--9

2. Educational Conferences - Exhibit 5

Motion by Richwine, Seconded by Gannon

RESOLVED, That the East Penn Board of School Directors approve the estimated expenses for the individuals attending the educational conferences listed on Exhibit 5.

Mr. Richwine requested that Mr. Stolz be asked to give his reasons for consistently voting negatively for conference expenses. Mr. Stolz said his opposition is based on his analysis that the expenses are going up compared to certain other districts. He wanted to know if there were any strings attached to the funds provided by Title II monies. He has concerns about free money from the state and federal government, noting "that it is rarely free." Ms. Kowalchuk pointed out that in the Strategic Plan one of the goals was fostering professional growth for the staff, adding that Mr. Stolz had supported the Strategic Plan. She said funds are allocated in the budget in addition to the state and federal funds. She emphasized that this is an educational institution and in order for the students to grow the staff must also continue to grow. She concluded that to not support this initiative was reprehensible. Ms. Fuller talked about the importance of professional development in her professional life, adding there are eyes opened and ideas generated and the benefit is brought back to her colleagues. These conferences fulfill the stipulations regarding continuing education and professional development. A district could be considered non-compliant if employees do not receive this training. Mr. Stolz said he could not pick and choose conferences and vote on them separately so that is why he simply votes against them. He agreed there are some that are essential while there are others he questioned, such as the Office Professionals Conference at Penn State that amounts to over \$3,000. He said on the surface it did not seem to have intrinsic educational value. He said the Disorganized, Defiant, Chaotic Child might have done him a world of good and helped his parents. He said if there was concern about the rest of them passing he would separate them out. Mr. Prinzing shared that his mother was a special education teacher and she would wake up very early to attend conferences in East Stroudsburg. He said teachers do not go to these things as a vacation but more as career development. He said that educators need to keep taking these workshops to be at the top of their game. Mr. Prinzing indicated his support for the resolution. Mr. Jones commented that he could not imagine running a business without paying for his employees for continuing education. He attends seminars to maintain his certifications. He pointed out that as a Board, they should be looking at making strategic decisions and not micromanaging these activities. Mr. Earnshaw shared some of his early computer skills training illustrating the level of computer sophistication that he now uses. He indicated his support for the resolution, adding he never worked more hours in a day than when he attended a conference.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine-----8

Nay: Stolz-----1

7. Other Educational Entities

-Carbon Lehigh Intermediate Unit

T. Richwine

1. 2009-2010 Intermediate Unit Budget

Motion by Richwine, Seconded by Ballard

RESOLVED, That the East Penn Board of School Directors approve the 2009-2010 Budget for the Carbon Lehigh Intermediate Unit.

Mr. Richwine indicated that this is the only budget that school districts must approve out of the 29 budgets for the IU. The state froze their contribution and cut it in half so they do not provide additional funds. It must be made up by increases in the districts' contribution. East Penn's portion this year is \$130,000 and covers 16.43% of the total.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-9

2. 2009-2010 Facilities Plan Committee Report - Exhibit 6

Motion by Richwine, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors approve the 2009-2010 Facilities Plan Committee Report as unanimously adopted by the CLIU Facilities Plan Committee on February 3, 2009. 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.

Mr. Richwine explained that this action is required every year. He reviewed the six recommendations listed on Exhibit 6.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz---9

Mr. Richwine reported on one of the Work Based Learning students, Josh Ritter, and his experiences at the Human Performance Center, LCCC Café, and Whitehall Manor. The IU received a \$100,000 grant from Verizon Foundation. PDE and IU 21 have initiated a web site for teacher training that is designed to offer content and professional development for teachers. It is a way to use the technology to help teachers become better teachers.

He also noted that the Governor's Schools of Excellence have been terminated because of budget constraints. Four of the schools are officially closed and four more must receive some type of outside financing if they are to continue. East Penn has had 6 to 8 students attend on a yearly basis. The office is being dismantled in Harrisburg. This is a program that has been around for more than 20 years.

He also reported that the IU is losing occupational therapists at an alarming rate. Some of the programs are in danger of being understaffed. He said LCCC offers a program and the IU would hire the graduates; however, they are being lost to the private sector because of the pay.

-Lehigh Career & Technical Institute

F. Fuller
A. Earnshaw
S. Kowalchuk
T. Richwine

Ms. Fuller reported that the JOC met on February 25, preceded by committee meetings. She complimented Mr. Earnshaw for his work on the Marketing Committee. During the meeting, Jack Funder was recognized for his work in getting the Emerging Professional Engineering Program underway. He commented on the importance of the school and what the school has done. A Summer Fun Camp is being scheduled for elementary and middle school students in the summer to introduce students to the many programs available. Also discussed was the Joint Purchasing Program which integrates the Distribution Warehouse Program and helps school districts save money on equipment and supplies. On March 10, 11, and 12, PDE will be visiting LCTI for the Chapter 339 Approved Program On-Site Compliance Review. This is a routine review by PDE. JOC members were invited; however, Ms. Fuller cannot attend because of a commitment in East Penn.

8. Legislative

C. Ballard

Mr. Ballard reported on the agreement between a number of educational entities regarding GCA testing. The agreement came about as the result of reviewing a study conducted by Penn State University for the Department of Education. It was a study that school district did not participate in well. As a result, it would initially appear that many of the schools districts (418 out of 501) did not know who to assess their own graduates. There were only 18 districts that appeared to be in complete compliance. An agreement was reached that PDE would provide additional assistance to school districts in need of having their graduation standards assessed and aligned to state standards. The state would look at voluntary not mandatory tests and the state would cooperate with districts that have their own assessments to be sure they were vetted. The educational entities have met agreement; but it does not mean the Legislation has agreed since there are funding issues involved. The groups reached consensus; however, it is a result that did not satisfy many of the participants. Mr. Richwine talked about the reliability of the sample questions, noting that a questions was so poorly written that two separate answers could have been correct. He was skeptical about the report.

9. Facilities

1. Authorization for All-Weather Running Track, Emmaus HS

Motion by Ballard, Seconded by Kowalchuk

RESOLVED, That the East Penn Board of School Directors authorize the installation of an all-weather running track at Emmaus High School Stadium at a cost not to exceed \$775,000 and a contingency of \$50,000.

Note: The Rodale Family Foundation has donated \$400,000 as described above. The estimated cost of improvements to the existing Emmaus High School track and field facilities are based off of the Pennsylvania Education Joint Purchasing Council (PAEJPC) program. The PAEJPC is a purchasing CO-OP that provides predetermined preferential pricing by approved vendors. As products have been bid at the state and national level, individual school districts do not have to go through the formal public bidding process."

Dr. Seidenberger acknowledged and thanked the community members for their support of this track. The Board has received updated information on the five-year capital reserve projects. All district roofing projects will continue as

planned. We may be able to use some of the stimulus funds to enhance the district's buildings and grounds. This project will not cost taxpayers any new tax dollars. Mr. Ballard said some people may consider it an extravagance. He felt there was a crisis of confidence and people are not spending money on anything, good or bad. This is a project that will put people to work in the area and it is less than .2% of the budget. There is over 50% subscribed by local support for the particular project. Mr. Ballard concluded that it was about time that the district move ahead with some positive things to show people that we are prepared and ready to move forward. He indicated his support, noting this is the first time that there had been community support at this level.

Ms. Kowalchuk said she was thrilled to see it on the agenda and thanked the Rodale Family Foundation for its financial support. She felt it brought strength to the community. She talked about the positive relationship with the track team and the athletes where it is a no cut sport. This facility will benefit high school gym classes, be used by the athletes of other teams, and it will be a community facility. She indicated her support.

Mr. Jones concurred with Ms. Kowalchuk's comments and indicated his support. The track appeals to a wide variety of people and has a tremendous amount of benefit. He talked about the Boston Marathon and the amazing benefits of running.

In response to a question from Ms. Fuller, Dr. Seidenberger indicated that the administration wanted to encourage community use and discussed the security measures that will be utilized for safety and security. He said fitness is all over the country and it is part of the East Penn culture. Ms. Fuller said it has been a long time in coming and she looked forward to supporting it.

Mr. Richwine said the track has been on the list of projects for many years. Through the generous donation of the Rodale Foundation, the district was able to reduce the cost to \$400,000 that makes it more attractive to do. He felt the track would be safer and indicated his support.

Mr. Stolz said he would support the motion since it would not be generating a tax increase.

Mr. Prinzing asked how much it will cost to resurface the track and how often would it have to be done. Owners Representative Robert Whartenby responded that the surface with adequate maintenance should last ten years and would cost \$190,000 in today's dollars to resurface. It is a good quality life for something that will get a lot of use. Mr. Prinzing asked how the district was planning to handle the increased maintenance cost for the track. Dr. Seidenberger said there are a number of employees engaged in trying to get the cinder track playable. We will not be investing as many employee hours. The cost would shift over to the maintenance budget. Mr. Prinzing asked about vandalism to the track surface. Dr. Seidenberger responded that by working with the Police Department and working with a security system it should deter vandalism. He also pointed out that there will be people out in the evenings using the track as well. The district insurance policies would also cover vandalism. Mr. Prinzing asked if the rest room facilities would be available. Dr. Seidenberger said that had not been discussed but it was not probable that the restrooms would be available. Mr. Prinzing asked if the district could wait on the project to see if stimulus dollars were received. Dr. Seidenberger said he was not sure the track would qualify. If stimulus money would be used for maintenance, it would more likely be in the area of energy savings, roofing replacements and similar projects that would be easy to justify. Mr. Prinzing did not feel he could support the motion since it is a non-educational project with only a select number of people using the facility. He felt it was extravagant.

Ms. Gannon asked if the Rodale Funds could be accepted and the track built at a later date. Dr. Seidenberger said if the parents come through and raise additional funds the check would be deposited in the Capital Reserve account. She had reservations but she did recognize all of the effort that went into securing the funds. She felt the economy was in a precarious position and she would not support the motion.

Mr. Earnshaw said this has come before the Board off and on for a number of years. The Board has taken a look at the project and some costs have been shaved from the original estimate. The actual cost would be \$775,000 with a \$50,000 contingency. The Board has spent funds for the track program in terms of coaching, uniforms, and thousands of dollars have been spent to upgrade facilities. The turf field has been a very good investment as well. With the amount of money from the community, it makes it affordable for the community. There is no cost to the taxpayers and projects are not being deferred. He felt it was a good time to proceed with the project.

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

Aye: Ballard, Earnshaw, Fuller, Jones, Kowalchuk, Richwine, Stolz-----7

Nay: Gannon, Prinzing-----2

2. Acceptance of Rodale Family Foundation Gift

Motion by Stolz, Seconded by Kowalchuk

RESOLVED, That, in accordance with Board Policy 702, Gifts, Grants, Donations, the East Penn Board of School Directors accept a total of \$400,000 to install an all-weather running track.

Note: This award is payable over a four year period in equal installments of \$100,000 beginning in year 2009. The funds will be paid to East Penn School District to be used only for the purpose of the Emmaus High School Running Track.

Reference: Letter from the Rodale Family Foundation, January 7, 2009
(Exhibit 7)

On behalf of the Board, Mr. Earnshaw expressed his appreciation for the generosity of the Rodale Family Foundation and the members of the community who secured this gift.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Richwine, Stolz-----8

Nay: Prinzing-----1

3. Change Orders for Eyer MS and Willow Lane Elementary School (Exhibits 8-12)

Motion by Ballard, Seconded by Richwine

RESOLVED, That the East Penn Board of School Directors approve the change orders as outlined on Exhibits 8, 9, 10, 1, 12).

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz----9

10. Business Operations

1. Approval of Bill List

Motion by Ballard, Seconded by Kowalchuk

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

Facility Rental Request

RESOLVED, That the East Penn Board of School Directors grant permission to Prepare Test Preparation and Tutoring, 2250 W. Union Street, Allentown, PA to rent Classroom 357 at Emmaus High School on March 18, 25, April 1, 15, 22, and 29, 2009 for a seminar on helping to prepare students to take the SAT test. This is a Group V organization and will be charged the following rental fees:

\$16.00/hr. rental fee

Special Fund Disbursements - Exhibit 13

RESOLVED, That the East Penn Board of School Directors authorize the expenditure of funds from the 2007 EGA issue as outlined in Exhibit 13.

Record of Investments - Exhibit 14

RESOLVED, That the East Penn Board of School Directors approve the Record of Investments as outlined in Exhibit 14.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----9

2. Comments

Mr. Richwine reminded the Board of the March 31 IU School Board Conference. Board members should contact Board Secretary Cecilia Birdsell if they are planning to attend.

Ms. Kowalchuk reported that the STEP group is accepting donations for the EHS After Ball Party that provides for a safe place for students. The donations should be sent to the attention of STEP in care of the school district.

11. Announcements

Monday, March 9 7:00 p.m.-Executive Session (Negotiations)
7:30 p.m.-Board Meeting
March 9 No School for Students, Employee Development Day
March 16-20 PSSA Reading & Math Testing, Grades 3-8, 11
March 23 7:30 p.m.-Board Meeting

The Adventures of Tom Sawyer

Eyer MS Auditorium

March 19	5:30-6:30 p.m.-Opening Night Picnic, Cafeteria
March 19, 20, 21	7:00 p.m.- Musical
March 21	2:00 p.m.-Matinee

March 26, 27, 28	SOUTH PACIFIC, EHS Auditorium
March 28	8:00 p.m.-EHS Musical
	2:00 p.m.-Matinee

Mr. Stolz interjected that he had provided policy mark ups that he would like on the March 23 agenda. Mr. Earnshaw said he would take it under advisement.

12. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 8:55 p.m.

Cecilia R. Birdsell, Board Secretary

ORDER OF BUSINESS

1. Call to Order; Pledge of Allegiance

President Alan C. Earnshaw 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: C. H. Ballard, A. C. Earnshaw, F. F. Fuller, E. Gannon, C. Jones, S. Kowalchuk,
M. Prinzing, T. Richwine, J. Stolz

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

Treasurer: Lynn Glancy

Board Secretary: Cecilia R. Birdsell

Assistant Superintendent: Dr. Denise Torma

Press Present: Lorraine Fenstermacher, East Penn Press Reporter
Sarah Fulton, Morning Call Reporter

Boy Scout Jared Earnshaw was introduced by President Alan Earnshaw who shared that Jared was working on a badge that required attendance at the Board Meeting.

2. Requests to Address the Board

Mrs. Jo Sadrovitz, 130 North Fourth Street, Emmaus asked the status of the law suit about the Sunshine Act. She acknowledged that she had received a letter concerning her last question about Mr. Ballard's conference attendance.

3. Approval of Minutes

Motion by Ballard, Seconded by Kowalchuk

RESOLVED, That the East Penn Board of School Directors approve the minutes of the March 9, 2009 meeting.

This resolution was unanimously adopted by voice vote.

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

Mr. Earnshaw noted that Dr. Torma was attending the meeting since Dr. Seidenberger was away.

1. Personnel

Motion by Ballard, Seconded by Kowalchuk

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

Retirement

-Carl Smartschan, Science Teacher at Emmaus HS, effective June 17, 2009
(Exhibit 1)

Ms. Fuller noted the years of service to the district by Mr. Smartschan.

Leaves as Per Collective Bargaining Agreement

Employee: Lori Fix
Grade 3 Teacher, Wescosville School
Effective: April 12-May 24, 2009

Employee: Justine Frantzen
English Teacher, Emmaus HS
Effective: April 17-June 17, 2009

Employee: Carrie Mish
Grade 4, Macungie School
Effective: March 27-June 17, 2009

Employee: Samantha Moyer
Kindergarten, Lower Macungie Elementary School
Effective: April 17-May 26, 2009

Employee: Allyson Smith

Grade 5, Macungie School
Effective: March 5-April 6, 2009

Appointment - Confidential Assistant

Name/Address: Amanda Lawler
2077 Whitehall Avenue, Allentown 18104
Assignment: Personnel Department
Vacancy created by L. Daniel's retirement and subsequent transfers
Effective: March 24, 2009
Salary: \$34,000, 35 hrs./wk.

Appointment - Administrative Assistant

Name/Address: Kathleen Pester
1820 Clarendon Drive, Easton 18040
Assignment: Assistant Superintendent's Office
Vacancy created by M. Wessner retirement & A. Hitch transfer
Effective: March 24, 2009
Salary: \$24,300, 35 hrs./wk.

Co-Curricular Advisors

Brent Harris	Improv Club, Eyer MS	\$30.67/session
Susan Carraher	Middle School Softball Coach	\$1391.00
Krystel Scheller	Middle School Softball Coach	\$1391.00
Susan Highet	Art Club, Painting, LMMS	\$30.67/session
		4 Sessions
Janet Spence	Tech Wizards, LMMS	\$30.67/session
Sam Bishop	Girls Soccer Coach	Volunteer

Summer Maintenance Employees

See Exhibit 2

Additions to the 2008-09 List of Per Diem Substitutes

Kati Rodrigues, Elementary
Tonya Schantz, Elementary, Reading Specialist
Cynthia Doyne, Elementary
Stephen Shaneberger, Social Studies
Michelle Costello, Guest Teacher
Stephanie Ziegler, Elementary/Special Education
Shannon Floyd, Elementary
Deanne Kahler, Elementary/Early Childhood

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz----9

2. Educational Conferences (Exhibit 3)

Motion by Richwine, Seconded by Kowalchuk

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

Mr. Stolz said he would be voting against the motion and indicated that he was specifically against the following educational conferences: PA School Librarians Annual Conference; National School Boards Annual Conference; and the PA Educational Office Professionals Conference. He indicated that he did not know what the Office Professionals Conference was about. Mr. Earnshaw asked if he had submitted his questions prior to the meeting. Mr. Stolz responded that he felt these were conferences that the district could not afford. Mr. Earnshaw asked Mr. Stolz if he knew the agenda for any of these conferences or the stated purposes. Mr. Stolz said he had some conception of the NSBA conference and he was sure Mr. Ballard would tell the Board about it when he returns. In the past, Mr. Stolz had asked for clarification and did not feel any more certain about the objectives. At the next meeting, he said he was submitting policy mark ups to allay his concerns. Referring to the School Librarians Conference, Ms. Fuller said that all of the professional development that can be afforded to librarians is a benefit to the district. Librarians are no longer keepers of just books but the absolute keepers of knowledge and they help direct our students to the vast resources that are available and help them understand that what is found on the web may not be the best source of information. The money is very well spent. Ms. Fuller also said that she was very grateful to Mr. Ballard for the time and dedication he expends to let the Board know what is going on in the educational world. She pointed out that education is not just an East Penn phenomenon it is part of a greater

world. There are trends and laws that the Board must be aware of and Mr. Ballard has taken on that task so it is money well spent. She personally thanked Mr. Ballard.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine-----8

Nay: Stolz-----1

3. Settlement Approval

Motion by Ballard, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors approve the settlement in the case of Jarrett Shollenberger v. East Penn School District, Lehigh County Docket No. 2006-C-2780, and to authorize the Superintendent to sign the settlement agreement prepared in this matter on behalf of the School District. Said approval is being given contingent upon the satisfaction of the following conditions: (1) Plaintiff's agreement to a settlement agreement in a form acceptable to the School District's legal counsel, the Levin Legal Group, P.C.; (2) the execution of the settlement agreement by Jarrett Shollenberger and his mother, Daniele Shollenberger, prior to the Superintendent's signature being affixed; and (3) all settlement funds being paid solely by the School District's insurance carrier.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine-----9

5, Facilities

1. Approval of PLANCON PART K - Project Refinancing - Exhibit 4

Motion by Ballard, Seconded by Kowalchuk

RESOLVED, That the East Penn Board of School Directors approve PLANCON PART K- Project Refinancing , General Obligation Bonds, Series A of 2008 as described in Exhibit 4.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----9

6. Legislative

C. Ballard

Mr. Ballard reported that there is discussion at both the state and federal levels about the stimulus funds and how they will flow through to the state. He pointed out that the district had received two letters from legislators cautioning districts to not expect everything in the Governor's budget. He said it is a very contentious issue and it is taking inordinate amounts of time at the state and federal level. One of the issues to be discussed at the NSBA Legal Seminar that Mr. Ballard will be attending is what school districts can legally do with these funds. There are severe federal restrictions on Title I funds and there are questions about supplanting local funds geared toward Title I with federal funds. He expected to have more information on a more timely nature. He will be attending the Legal Seminar before the start of the NSBA meeting. He cautioned everyone that these funds are only going to be provided for two years. Many of the programs that they are trying to stimulate will have residual costs after two years. The state budget actually uses stimulus funds to fund the entire basic education subsidy that is proposed. There are no state funds in that and it is a concern for legislators. He felt it would be a miracle for the state to have a budget by June 30.

Mr. Richwine asked about reduction of school districts and Governor Rendell's statement that he was setting 5,000 pupils as the size of a district. Mr. Ballard said the Governor still has to get his Legislative Committee in place, coupled with the studies that have been done indicating that the ideal size for a district is about 2,500 pupils. The larger the district the more expensive it becomes because of the additional problems of a large district. He said 5,000 was a number picked to reduce the number of districts from 501 to 100. Mr. Ballard said the Governor has not received a lot of enthusiastic support from other agencies or the House or the Senate. Mr. Richwine said in Lehigh County the only districts that are contiguous would be Whitehall and Catasauqua. East Penn would probably be absorbing Salisbury and Southern Lehigh. Mr. Ballard said one of the objectives is to equalize property taxes. In Lehigh County with a central district like Allentown, all nine districts would merge with Allentown. It is another objective that would cause a lot of problems. Mr. Earnshaw pointed out that if the state went to a county model East Penn, which is the third lowest in property taxes, would increase taxes in order to subsidize districts with higher taxes so their taxes would come down. The legislature would then expect the suburban districts to pick up the multi-million dollar capital program in Allentown.

7. Policy - Suggested Revision - First Reading

Mr. Earnshaw explained that a policy has three readings before it is finally adopted by the Board. For the first two readings comments are solicited from the Board. The third time it comes before the Board for a vote up or down. The Board will not be voting on these policies this evening. The two policies listed below and the changes indicated were presented by Mr. Stolz.

-Board Policy 006 - Meetings (Exhibit 5)

Mr. Stolz commented that one of his goals was to make board policy more open and friendly than it already is. He said there are frequently addenda given out before the meeting which does not give the public time to review the information. He said unless someone knows there is something of interest on the agenda they will not take time away to come to a meeting. He made the proposal that addenda should only be implemented in an emergency situation and he did not feel it would be hard to get six votes. He was suggesting that in compliance with the Right to Know Law that the tapes from board meetings be archived for four years, the term of a board member. He felt they should be available to the public. He said the Board Secretary does a great job with taking the minutes but you should never completely trust a public entity. He felt it was good to hear something that did not make it into the minutes. Mr. Earnshaw pointed out there was another suggested change. Mr. Stolz would also like to see the agenda posted seven days before the meeting as opposed to Thursday or Friday before the meeting to give the public more notice. Mr. Earnshaw said board members receive their agendas the Thursday before the meeting. Mr. Stolz contended that it would also be to the Board's advantage to have more advanced notice. Mr. Ballard said he had problems with the proposal. He pointed out that there are only 14 days between meetings and this will hamstring the Board. He was in favor of the four days and posting things on the internet. He did not feel there was any great difference between four days and seven days. Referring to the records retention, he felt four years was a long time to retain audio tapes, citing such things as climate controlled storage space and recordkeeping of tapes as negatives. He felt keeping tapes 90 days is a much wiser course and more viable.

Ms. Kowalchuk said that two of the suggestions were in conflict. Requiring the agenda be posted seven days before the Board Meeting would actually necessitate more addenda. She indicated that many of the addenda are about litigation or items that have been covered in CLEAR Sessions. At this point in time, the way the agenda goes out to the Board and to the public is sufficient, adding that she uses her weekend to study the Board packet. She asked for direction from the Solicitor regarding the storage of the tapes. Solicitor Marc Fisher clarified that the tapes are public records that can be kept for some time limit beyond that it is unclear. The minimum would be until the minutes of the particular meeting are approved. It is a policy decision for the Board. Ms. Kowalchuk felt it was appropriate to keep the tapes but questioned the length of time. She concluded that the impetus for some of these changes was based on a situation concerning an addendum. She felt any type of wrong doing or malfeasance on the part of the Board was untrue.

Mr. Jones did not see why additional time would be needed. He agreed with Ms. Kowalchuk that two of the suggestions were somewhat contradictory. Referring to record retention, he would be comfortable keeping things for a year.

Mr. Prinzing observed that the campaign finances law is pretty stringent and they require candidates to keep information for three years. He felt it was unreasonable to require saving tapes for four years. He could support keeping the tapes for one year. He said the only thing he would be worried about is whether the tapes would be considered the official record. Solicitor Fisher stated the minutes, when adopted by the Board, are the official record. Upon hearing that statement, Mr. Prinzing questioned whether it was necessary to keep the tapes for one year.

Mr. Richwine said the suggested changes would actually make things less open and less informative and would not do what they are allegedly recommending. He would not be in favor of the policy as it reads now. He said most of his comments would not fall within the context of this discussion.

Ms. Gannon said she could see moving it up one day because, as it stands now, the agenda is received on a Thursday and then there is only Friday to submit questions since Monday is the day of the meeting. She said the Board strives to see all items on the agenda but it probably would not be difficult to get six votes for an addendum. She felt four years was a bit long but would be in favor of one year.

Ms. Fuller felt her thoughts had been expressed by others and did not see the need for a seven day posting of the agenda. For the convenience of the Board, a Wednesday delivery might be helpful. She agreed with Mr. Richwine's unspoken comments. She could support a 90 day retention of the tapes but did not see the reason for that if, indeed, the minutes were the permanent record.

Mr. Earnshaw if you read the policy you know that the agenda is jointly put together by the Board President, Superintendent, and Board Secretary. The information is compiled by the Board Secretary who shares it with the Board President. Currently, the agenda comes to the President on Wednesday afternoon and he reviews it, makes suggestions, and gives feedback. The agenda is finalized on Thursday then duplicated and forwarded to board members on Thursday afternoon. The Board meets twice a month on a Monday evening. The staff has the opportunity to compile the information (new hires, resignations/retirements, leaves, etc.) and that takes place from Tuesday until Wednesday (roughly 6 working days). If the timeline is moved up to 7 days, then all that would have to be done by Friday to send it to the Board President and it would give the administration only Tuesday, Wednesday, and Thursday to submit items. It seems incredibly unfeasible to produce an agenda the size of East Penn's in three days. It does not give the Board Secretary or the administration the time to do an adequate job. Also, in the summer time when we are replacing teaching staff, we will get an addendum with seven or eight employees because the clearances came in on a Friday or Monday. He indicated he was comfortable with the four days. It appeared to be the consensus of the majority of the Board for four days; 2 for an additional day; and one for the seven days. He also commented on the fact that Robert's Rules of Orders did not have any item that requires a majority to approve any addenda or alteration to the agenda. If there is a large body, the agenda and any changes are adopted and approved in the beginning of the meeting. In a large body, only a simple majority is required to change the agenda but this is not for small bodies. As far as the retention schedule, it is more appropriate for the next policy. Mr. Earnshaw concluded that by a majority of the Board, the current policy seems

accurate as it is. He asked that the administration revert to the original policy for the second reading. He referred to the Advisory Opinion of the Office of Open Records and noted that any tape is considered a public record and would be subject to the provisions. There was no requirement to retain the tapes beyond the approval of the formal minutes. He said he could see the point of retention for 90 days or one year.

Mr. Ballard said the last time we did any policy work we reinvigorated the Policy Committee. He said what was realized is that many of these policies need significant input from the staff. He did not feel a Board Meeting was the place for that action. He felt if Mr. Earnshaw was contemplating redoing policies that affect the staff then it should be referred to the Policy Committee for staff input. Mr. Earnshaw said there is currently not a Policy Committee. Mr. Richwine said he supports the idea that making changes in a "scatter shot" manner unless deemed by the law the Board would be better off reviewing it as a Policy Committee or Committee-of-the-Whole. He said the policy was adopted in 1975 and revised in 1993. He also questioned the use of the 1990 edition, adding that there was probably an updated version. Mr. Earnshaw said two years ago the Policy Committee reviewed this policy and decided it was okay as it stands. Board Secretary Cecilia Birdsell indicated that PSBA cautioned Boards against adopting the latest version (2000 Edition, 10 Edition) because of some of the revisions to the Rules of Order that would not work for school boards. Ms. Gannon who did serve on the Policy Committee said these policies had been reviewed at that time. She would not be in favor of reinstituting a committee, adding that policies come back to the Board for three readings.

-Board Policy 801.1-Records Retention (Exhibit 6)

Mr. Earnshaw said the only change to this policy was to retain the meeting tape for four years. He asked if there were any further comments beyond what was already discussed. Mr. Prinzing said the only obligation seems to be to keep the tapes until the minutes are approved. He did not see any reason to keep the tapes beyond that since the minutes are more than sufficient. Mr. Prinzing said the policy was fine as it is. Mr. Earnshaw said that if minutes are not adopted at the next meeting than any draft notes or tapes become the official meeting. The official meetings are required to be kept permanently. Mr. Richwine asked if any of the challenges being considered now would change the length of time for retaining the tapes. Solicitor Fisher explained that the important matter to note is that these appeals are going through the Open Records Office. They do not render opinions on the record retention schedule. Mr. Ballard said that most record retention schedules are not set by any office but by a statute. He commented on a business record that is set by the business or the practice. He said the record should be destroyed when the official record is approved or then you get into what is the official record. Ms. Fuller said the practice is not to destroy the tape but to recycle the tape. The Board Secretary tapes over previous meetings thus saving the district money. Mr. Earnshaw said the administration has direction and can come back with a recommendation what works best with the business practices of the district.

8. Business Operations

1. Bill List Approval

Motion by Ballard, Seconded by Kowalchuk

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.

Due to an illness in the Business Office, a bill list addendum was not prepared.

Treasurer's Report

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

Appointment of Auditor

RESOLVED, That the East Penn 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, 2009 at a fee of \$33,350 and a single audit fee of \$3,075 per letter of engagement dated March 11, 2009.

Special Disbursements - Exhibit 7

RESOLVED, That the East Penn Board of School Directors authorize the disbursement of funds from 2007 EGA Bond Issue as outlined in Exhibit 7.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----9

9. Announcements

Monday, March 23	7:15 p.m.-CLEAR Session (Litigation) 7:30 p.m.-Board Meeting, Board Room
March 26, 27, 28	8:00 p.m.-South Pacific, EHS Auditorium

March 28	2:00 p.m.-Matinee, EHS Auditorium
March 30-April 3	Kindergarten Registrations (See Exhibit 8)
April 2, 3, 4	7:30 p.m.-Oklahoma, LMMS Auditorium
April 4	2:00 p.m.-Oklahoma, LMMS Auditorium
April 9, 10, 13	Spring Break - All schools and offices closed
April 20-24	Elementary Parent-Teacher Conferences, Early Dismissal
	Kindergarten Conferences, Condensed K Schedule
April 27	7:30 p.m.-Board Room

In response to a request from Mr. Prinzing about discrepancies in the Collective Bargaining Agreement with the EPEA, Mr. Stolz had a summary that he wanted distributed. Mr. Earnshaw said it should be distributed in a future Board packet.

Mr. Richwine reminded board members of the upcoming IU Board Conference on Tuesday, March 31, at the Holiday Inn. The speaker is Andrew Faust, Esq., of the Sweet, Stevens, Katz & Williams Law Firm. He will be speaking about the challenges for board members in the current environment.

Mr. Jones requested that the Superintendent and district employees conduct some research prior to the next meeting regarding the Wednesday Afternoon Early Dismissal for elementary students. He knew the issue had come up in the past and that it had not been fully resolved. It is becoming an unusually challenging hardship for families in the district because of the current economic condition in the country. He commented on the day care situation and the charges being applied for this three hour period. He felt there are circumstances that are new this year. He thought with a new Superintendent it could be reviewed. Mr. Earnshaw said it was something that could be reviewed but maybe not at the next meeting because of the budget review starting. Ms. Gannon interjected that there are financial concerns with the proposal that could significantly impact the budget.

Mr. Prinzing said his thoughts and prayers went out to the families who were impacted by a major fire in Macungie today.

10. Adjourn

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

Cecilia R. Birdsell
Board Secretary

ORDER OF BUSINESS

1. Call to Order; Pledge of Allegiance

President Alan C. Earnshaw 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: C. H. Ballard, A. C. Earnshaw, F. Fuller, E. Gannon, C. Jones
S. Kowalchuk, M. Prinzing, T. Richwine, 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: Loretta Fenstermacher, East Penn Press Reporter
Sarah Fulton, Morning Call Reporter

2. Student Recognition:

Shirley Mao, a junior at Emmaus High School, was awarded the Da Vinci Science Center's new Spirit of Leonardo Award for Outstanding Curiosity, Creativity, and Imagination. Dr. Seidenberger, who is also a member of the Da Vinci Science Center Board of Trustees, said they were very impressed with her credentials. Mr. Earnshaw said the district is very proud of her accomplishments and the award is well deserved. Ms. Mao received a round of applause from the audience.

3. SGA Report-Emmaus HS

Mr. Neil Merchant, SGA representative to the Board, reported that the Junior Prom will be held on Saturday, May 2, and the Senior Ball on May 16. The seniors are currently working on the Final Fling, Final Rivals, and the Ice Cream Social. He noted that AP Exams are beginning and final exams for seniors and graduation. He reported on the activities of the Tennis Team, La Cross Team, and the Baseball Team. Mr. Merchant noted that many of the clubs are coming to an end for the school year. The Model UN was in March and students received gold and silver medals (Neil received 2 silver medals). Other activities taking place involve Habitat for Humanity and a physics trip to Hershey Park on Friday. Ms. Fuller called attention to the many activities that the public may find entertaining and are free of charge such as the Orchestra Concert, Jazz Ensemble and Percussion Ensemble Concert, and the Symphonic Band and Concert Band Concerts. She also noted that the EHS Art Show is scheduled for May 28 from 6:30-9:00 p.m. The show features exhibits of sculpture, painting, pottery and architectural designs and is an amazing array of talent.

4. Requests to Address the Board

Mrs. Jo Sadrovitz, 130 North Fourth Street, Emmaus asked that board members speak into the microphones so that they audience can hear what is taking place. She also commented on the fact that Mr. Ballard had recently taken a trip to Harrisburg.

Mr. Dave East, East Construction Services, 4898 South Hedgerow Drive, Allentown is the General Contractor for the Seven Generations Charter School project. Mr. East read the attached letter.

Mr. David Galligani, 7150 Moonbeam Lane, Macungie said he had heard that the Board and administration had concerns about the budget for Seven Generations Charter School. He said none of the concerns about whether the funds would be available were addressed in the original resolution to reject the charter school application. He said the budget was used for planning purposes. He indicated that if the enrollment changes then too the budget would be changed. He quoted sections from the Charter School Law regarding accountability, tort liability and responsibilities of the Charter School Board. He concluded that if the charter is adopted that it the success or the failure of the Charter School is not the East Penn Board's responsibility.

Ms. Molly Watson, 2039 Hilltop Drive, Bethlehem spoke about the rejection of the Seven Generations Charter School application by the Board in February. She cited several sections of the Charter School Law dealing with the rejection and the two areas that did not comply according to the Board. On March 25, the charter submitted a revised application to the Board and it addressed the two areas of concern. She noted that the Seven Generations Curriculum Committee met with Dr. Seidenberger and the East Penn Curriculum Director Claudia Shulman during this meeting specific guidelines were given concerning a viable curriculum. The resubmitted curriculum addresses the concern. She noted that the resolution did not cite any other items of concern in the application. She said the physical facility and the financial plan were not listed as items of concern. She said that Dr. Seidenberger had expressed concern about the number of enrollees so last week they called the interested parties and found that the level of interest among parents was running at least 93%. She said the Board should find the application complete. Ms. Watson submitted the attached letter.

Mr. Grant Carter, 7145 Carls Hill Road, Zionsville, PA said he had reviewed the current and newly adopted contract along with the summary sheet. He alleged that there were expenditures that were not listed on the work sheet. He claimed there was a provision for adding four class advisors that were not listed, added cross country and Lacrosse coaches, and reconfigured salary chart. He asked if the Board was comfortable with the process and asked if they knew about the changes. If the Board was aware of the changes, then why was the public not aware of the changes? He questioned if it was a legitimate and binding contract since what was agreed upon was not known by both parties. He alleged that the vote occurred without knowledge of what was in the final contract. He said the items were thrown in by the teachers' union, and he asked what would be the recourse. He asked if the contract could be revoked or renegotiated.

Ms. Toni Daniels, 565 Chestnut Street, Emmaus wanted to ask why students in an alternative program are not placed on the EHS Honor Roll. Mr. Earnshaw informed her that confidential information about students should not be discussed in public and asked if she wanted to waive those rights as a parent. Ms. Daniels indicated that she would waive her rights. She complained that her daughter was in an alternative education program in Palmerton. She has done very well but is not eligible to be included on the Honor Roll. A high school guidance counselor told her the reason her daughter was not included was because she did not attend Emmaus High School.

5. Approval of Minutes

Motion by Kowalchuk, Seconded by Ballard

RESOLVED, That the East Penn Board of School Directors approve the minutes for the March 23, 2009 meeting.

This resolution was unanimously adopted by voice vote.

6. Education

-Curriculum Review

Mrs. Delvernois introduced the Chairpersons and acknowledged the teachers who worked on the committees: Deb Zosky and Stephanie Schwab, Brent Haley, Carol Collins, Dr. Peter Kolman, Janet Spence, and Deb Swann. They received a round of applause.

Mrs. Delvernois indicated that the teams looked at Best Practices to develop the Mission and Goals. They used curriculum mapping and benchmarking, and will be using the Understanding By Design template where learning outcomes are defined. There will be professional development for the new curricula and then implementation. Using the attached power point presentation, Mrs. Linda Delvernois, Supervisor of Secondary Education, reviewed the recommended curriculum changes for the following subject areas:

1. Business & Computer Applications
2. Computer Science
3. Gifted Support
4. Library Media
5. World Languages

Following the presentation, Mrs. Delvernois responded to questions from board members. Ms. Kowalchuk asked for clarification regarding the middle school curriculum in foreign languages. Mrs. Delvernois said the district had gone through a middle level scheduling program design about four years ago. All of the research showed that starting languages earlier was more advantageous. They looked at several opportunities with Michael Reddick that involved scheduling and additional staff. The staff was trying to be proactive in planning the curriculum revisions to be reflective of getting to that point. They have looked at options that include exploratories and spreading the language over a two year period. Mr. Jones indicated that his daughter is not having a positive experience with 8th grade French. He did not feel it was working. He felt there was a big problem with the scheduling. Mr. Prinzing asked about the Japanese I and II courses, noting it was not part of the revision. Mrs. Delvernois explained that it is not part of the East Penn curriculum and is offered through Seton Hill University. It is still being offered through distance learning. He asked if the district had considered offering mid-Eastern languages. Mrs. Delvernois responded that the district has investigated offering Arabic and Mandarin Chinese and the staff is looking for another connection using distance learning. Ms. Gannon asked about the exploratory in Grade 6 and offering a language over two years. She asked what is being offered for the student who could handle mastering the language. She pointed out that the curriculum is expanding at the high school and, if a student could take their foreign language earlier, then it might open up more options at the high school level. Mrs. Delvernois said that the issues involve scheduling and staffing.

Mr. Earnshaw commented on the variety of courses being offered at high school. He felt it was exciting to see that students are being exposed to college level courses while still in high school. He provided some personal reflections on the advanced technology with library experiences. He said he liked that the district is looking at the standards at a national and international level. Mr. Ballard said this is all an example of East Penn being ahead of the curve and attempting to meet the requirements that many political leaders have been asking school districts to embrace, adding it is a much different and dynamic, changing environment. Mr. Ballard also complimented the team.

-Textbook Adoption - Exhibit 1

The attached list of textbooks will be available for review in the Curriculum & Instruction Office until June 8. A recommendation for adoption will be presented at the June 8 Board Meeting.

7. Public Financial Management - Scott Shearer

Mr. Shearer reviewed the attached financial information for the refunding option and the new money update. The refunding target is Series of 2004 with a call date of May 15, 2009. Based on current rates, the net savings are approximately \$116,000. They will continue to monitor the market. He said over the past week or two they have actually seen the interest rates drop but they are not at the savings target. On April 28, 2006, the Board authorized and incurred about 20 million dollars. Approximately 10 million dollars was issued in the fall of 2007 and now they are ready to issue the balance. If the resolution on the agenda is adopted, they will come back on May 11. This will be a negotiated sale with RBC Capital Markets, the same firm used for the 2007 issue. He talked about the stimulus money that is being discussed. He said if the rates look good by May 11, then the Board may want to consider binding both of those transactions to save on issuance costs. He said the second issue could be a quasi competitive sale with five or six bankers. He would not make the recommendation this evening but it is something to consider for May 11. He reviewed the bond rates for a 15 year period that are part of the handout. He said overall the municipal bond market is alive and well. Mr. Ballard emphasized that none of these investments are derivatives or swaps. Mr. Shearer said East Penn does not have any interest rate swaps in its portfolio. There is some variable rate debt that is working well. Because of the investment markets, the rates are disappointing. Mr. Shearer pointed out that what is being considered this evening are traditional fixed rate bonds, the most conservative of financing. Mr. Ballard shared that what he learned at the PSBA Legislative Conference is that at the federal level 40% of the Bond Authority in PA is to be designated for the 100 largest school districts which East Penn would fit in to. The maturity rate for these bonds is 13 years. Mr. Shearer indicated that is the tricky part - you get a great rate but you must be able to afford the amortization. He said there is still a learning curve concerning these new funds. He indicated that PFM is the financial consultant for the Commonwealth. It appears that Goldman Sachs will issue all the debt for the Commonwealth and then that money can be divided up among the school districts. It will be better than having multiple issues by individual school districts.

Ms. Gannon asked how good the rates will be in this upcoming negotiated sale as compared to the competitive sale. He said they have a good working relationship with RBC and he explained how the sale would be conducted. Mr. Shearer said he will have to make the recommendation and the Board and PFM have the control.

Mr. Stolz asked how much money is in the Capital Reserve Fund. Dr. Seidenberg responded that at this time there is nothing for this project. Mr. Stolz asked about the possibility of re-bidding the Willow Lane project. Dr. Seidenberger said the project is under contract and the steel is up. The project is proceeding. He also cautioned Mr. Stolz about saying there would be a tax increase and that he had prejudged the presentation. Mr. Stolz asked how much debt the district has at this time. Mr. Shearer said this is not new debt and that it has already been authorized and incurred. He said now they are going to the third step of issuance. In round numbers, Mr. Shearer indicated there is probably 100 million dollars in fixed rate debt and 40 million dollars in variable rates. Mr. Stolz claimed that less than a decade ago the district was at a million dollars and is now paying 16 million dollars in debt service and this should be paid down and go toward education. Mr. Earnshaw countered by pointing out that the high school had been renovated and built with borrowed funds less than a decade ago so there is no way the district had less than a million dollars in debt. It was a 40 million dollar project by the time it was completed. Ms. Fuller said the new school is under construction and there are students who are currently in portables. There are students who are ready to go into the new school because of overcrowded conditions. Ms. Fuller emphasized that this is part of education - it is not bricks or books concluding that the two work together. Mr. Earnshaw said this financing will give the funds to finish the project and this debit is not for some nebulous project in the future. Mr. Prinzinger said while he understood Mr. Stolz' point, it would be foolish not to approve the funds to finish the project even though he did not originally support the resolution.

-Authorization for General Obligation Bond

Motion by Ballard, Seconded by Jones

RESOLVED, That the East Penn Board of School Directors does hereby authorize the administration to work with Public Financial Management, as Financial Advisor, and Rhoads & Sinon, LLP, as Bond Counsel, in conjunction with the issuance of General Obligation Bonds, Series of 2009, in the amount not to exceed \$10,000,000 for the purpose of providing funds for the Willow Lane Elementary School Project and other capital projects.

Note: These bonds were originally authorized and incurred at the April 28, 2006 Board Meeting.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzinger, Richwine, Stolz-----9

8. 2009-2010 East Penn School District Budget

Dr. Seidenberger indicated that there are a lot of unusual circumstances that evolve around the budget this year. He emphasized that this is a preliminary draft of the budget and should not be taken as a final budget, noting that anything can happen between now and final adoption in June. Some of the complications affecting the budget are the local revenue decreases, confusion centering on the uncertainty of stimulus funds, increases in the cyber charter schools/Seven Generations Charter School, undetermined state aid, and the increased debt service. It was decided that state aid would be budgeted at its current level. There is stable student enrollment that means there can be no decrease

in staff. Dr. Seidenberger explained the charter school funding that requires district to fund at the level of \$8,100 per student and asked that Representative Karen Beyer's bill that would put a cap on the amount that can be charged be supported. He reviewed the Board Policy that requires a budgetary reserve appropriation equal to 5% of the annual budget. He reviewed the attached list of district goals that includes the strategic plan, data-driven decision making (Performance Tracking), and other innovations. Dr. Seidenberger talked about plans with the IU to provide on line programs that would attract East Penn students back from the cyber charter schools. Referring to Willow Lane, he talked about staffing and grade configuration for the building and redistricting. He called attention to the many accomplishments that are mentioned in the building principals' reports and local newspaper articles. East Penn is a district that has marked student success in athletics, performing arts, and academics. He talked about investing in more aggressive marketing of the district. The administration will be looking at various programs (IEP Writer System; Aesop; and PA REAP) that will combine personnel and business functions as well as hiring substitutes. He is working with local municipalities (Lower Macungie Township and Borough of Emmaus) to look for ways that local tax dollars can be used more efficiently. He said re-districting is going to be challenging. He commented on what he had learned from ten days in Egypt and talked about globalization and what is needed in the areas of design and innovation in student and staff work.

Mr. Lynn Glancy, Director of Operations, discussed the local revenue sources (interim real estate, earned income tax, real estate transfer tax, and interest income) and how they are depressed. He noted that overall state sources are down 1.4% due mainly to decreased Revenue for retirement payments based on the state's half of retirement contributions for employees. He pointed out that the assessed growth has still increased at the rate of 2.9% by the building of a number of warehouses that will generate more revenue. By holding harmless in the area of state revenues, it is equivalent to a cut due to inflation. In the area of federal revenue, the stimulus funds are not included in this budget. The district is budgeting a total revenue increase of 1.4% and overall expenditures are budgeted to increase 3.0% which is significantly less than the 4.1% index.

Mrs. Debra Surdoval, Business Manager, cited the ongoing adjustments that have occurred in the expenditures such as a reorganization with fewer administrators, lower benefit costs due to negotiations and use of consortium reserves, lower transportation costs, and maintenance of programs. There are no new positions in the budget at this point. Internal cuts that have been implemented include reduction in instructional/staff assistants through attrition, Technology Department, student services, staff development, Athletic Department, charter school costs and making Community Education Self-funding. The district will continue to offer one free course in the Community Education Program for senior citizens. Mrs. Surdoval thanked Mr. Richard Miller and Mr. Gary Reigal for being mentors to her over the years.

The five areas that have the biggest expenditure increases are debt service, salary/benefits, charter schools (does not contain Seven Generations Charter School), IU student costs, and fuel and utilities. This represents an increase of 1.5 million dollars or a 10.2% increase. Starting in 2001-02, the charter school tuition costs have increased dramatically. This draft includes a 1.65 mill or 3.9% real estate tax increase, which amounts to \$122.92 extra on the average residential real estate tax bill.

Dr. Seidenberger reviewed the estimated allocation of stimulus funds that total \$2,656,329. This amount is not included in the budget because of the uncertainty of the stimulus funds. He talked about the consortium that helped reduce the health costs for employees to maintain stable costs. He cautioned that once Willow Lane opens next year there will need to be increases in staff. He encouraged people to work with the state legislators when looking at how charter schools are funded. It is the administration's hope that by the time budget adoption comes around at the end of June we will know the state aid subsidy amount. The district is also anticipating a low index due to the CPI being at zero for part of this year. In summary, Dr. Seidenberger said this is a constantly moving budget and the administration hopes to be able to reduce the tax increase and restore some technology and student services items that were cut. In addition, they will continue to examine line items and revenues and make adjustments that will be reflected in the May 11 tentative budget draft. The Board will receive a spreadsheet of the changes made to the budget in the Board packets the Thursday before the May 11 meeting. Dr. Seidenberger said if there are questions, the Board should forward them to the Board Secretary Cecilia Birdsell.

Mr. Ballard explained that he just returned from the PSBA Legislative Meeting in Harrisburg where he heard legislators and talked to members of the Appropriations Committee and they could not tell him when school districts would have numbers from Harrisburg on which they could rely. In addition, they could not tell him whether or not their would be a state budget approved by June 30. He concurred that the administration's concerns about funding were legitimate. To receive stimulus funds, states only have to maintain the level of effort in their 2006 budget. Referring to IDEA funding, Mr. Ballard explained that the maintenance of effort for the local spending cannot be reduced from the previous years. He reiterated that the district does not know how much money will be forthcoming nor do we know how we can use the funds when received. Mr. Ballard said 60% of the district's revenue comes from property tax so if the property tax is raised by 4% we only recognize an additional revenue of 2.4%. It is less than the inflation index rate for the entire state. He concluded that it was the first time in 20 years of his experience with the district, that he heard this district talk about reducing costs because we would not be able to sustain the effort through normal means.

Mr. Jones said he wanted to acknowledge the efforts the district administration has taken to cut costs. He said they are all interested in keeping the costs low but maintaining the educational value that brought people into this district, adding this year there is a delicate balance. He talked about inflation and reducing the quality of education. Referring to charter schools, Mr. Jones stated that, while supportive of the charter school concept, people who want different schools should pay for them. He was not in favor of how charters schools are funded. Dr. Seidenberger commented that currently the district is 13 classrooms short. The Lower Macungie Elementary School was reopened as a temporary

solution and there are four portable classrooms at Albury. When the economy turns around, the East Penn area will be a fertile place to grow again because there are many projects on the books, particularly in Lower Macungie Township.

Mr. Stolz asked what the index would be the next time. Dr. Seidenberger said it would probably be low again. Mr. Stolz said that he would not want a bait and switch pulled on the taxpayers and he did not want the district to apply for exceptions to go above the cap. Dr. Seidenberger retorted that he did not "pull bait and switches" and wanted to make that clear. He presents an honest budget. There are mitigating circumstances that make this a difficult budget year and it will be just as difficult for next year. Mr. Stolz said that there are two elementary PTOs paying for carpets in classrooms and that is a concern. He also said he had a problem with the number being reported to the public concerning the fund balance. He said it appears that the district is reporting different numbers to Harrisburg than we are to the public. He asked Lynn Glancy if he had any justification for that even though he just started with the district. President Earnshaw chided Mr. Stolz about chastising board members for not being open, then, in the middle of a board meeting, he pulls out a CD with information that he obviously had before the meeting but did not share. Mr. Earnshaw emphasized that if Mr. Stolz has concerns they should be submitted to the administration so they can be answered.

Mr. Richwine said that last year there was a discussion about whether to use the fund balance to apply to the amount of money to increase taxes. He said he did some preliminary work based on the numbers received. If that had been done last year, it would have significantly reduced the beginning fund balance and the taxes to balance this budget as presented we would wipe out our fund balance. He emphasized that to use fund balance for ongoing expenses you are going to have the same gap next year and then it has to be made up. Mr. Richwine talked about capping class sizes, noting the average class size is over 26. If the district tried to get into the class sizes originally calculated then the district would have to hire over 12 new teachers. Mr. Richwine felt the district does a good job of balancing a good education with taxes. He thanked the administration for coming up with a budget that makes hard decisions. Ms. Fuller, referring to overcrowded classrooms, remembered that the district has experienced considerable growth even though now it has appeared to stabilize. She, too, agreed that there are housing projects on the books that will move ahead once the economy improves. She concluded that Willow Lane is a necessary part of the district.

In response to the question from Mr. Stolz about the major object analysis and the fact that there is only 10% of the budget over which there is any control, Mrs. Surdovall explained that the breakdown is based on the state accounting requirements and 800 is other objects and 900 is Other Financing Issues. The 800 account is budgetary reserve and interest. The 900 account is Other Financing Sources which is the debt service principal as well as the athletic transfers.

Mr. Earnshaw thanked the administration for their presentation. He further stated that Dr. Seidenberger had been in Egypt as part of a school evaluation that was not covered by district dollars and he was on his personal vacation time. He brought back great learning experiences. He concluded that this is a preliminary budget with many unknowns.

9. Seven Generations Charter School - Discussion

At Dr. Seidenberger's request, Solicitor Marc Fisher explained that because there was a revised submission, the law requires the Board to act on the revised application at the first regularly scheduled meeting occurring 45 days after submission. In this case it would be Monday, May 11. The Board may, but is not required, to hold another public hearing. The Board cannot decide on the application tonight because it must be advertised that the discussion is taking place. He told the Board that tonight the decision was whether or not to hold another public hearing. Mr. Earnshaw asked what was the consensus of the Board and asked Dr. Seidenberger his preference. Dr. Seidenberger said he was interested in some feedback. On the curriculum revision, his staff would be ready to make a recommendation. They have been reviewing the documents submitted. Mr. Earnshaw asked if the Charter School group was only allowed to revise those portions related to the Board's concern. Solicitor Fisher responded that the Charter School group was free to revise any of the document. The application can be reviewed in its entirety. Mr. Ballard asked about the time line. Solicitor Fisher indicated it was the way the law was written for a resubmission. Mr. Ballard felt it was necessary to hold another hearing because he wanted to get some of the answers under oath. Mr. Jones also felt that there should be another hearing and wanted updated numbers to support the school. Mr. Richwine said in the latest submission there was a new budget prepared with revisions that showed a difference in expenses. He also noticed that the format had been changed. He said he would like to see a sensitivity analysis (93% are still committed) on the budget and how the 7% affects the budget and explain the savings in the budget. Mr. Stolz said he was in favor of the hearing and asked Solicitor Fisher how the district would be affected if the appeal was reversed. He wanted to know if the district would lose its oversight. Mr. Fisher responded negatively. Ms. Fuller said she would like to have another hearing. Ms. Gannon also asked for another hearing. Mr. Earnshaw said it seemed that there was a majority of board members who felt another hearing should be scheduled. Mr. Fisher added that the Board could limit the amount of time for the hearing. There was a brief discussion about dates and times and how questions would be submitted. The following resolution was introduced:

Motion by Ballard, Seconded by Gannon

RESOLVED, That the East Penn Board of School Directors schedule a public hearing for Monday, May 11, at 6:00 p.m. in the Board Room, prior to the 7:30 Board Meeting.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowlachuk, Prinzing, Richwine, Stolz-----9

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

Dr. Seidenberger called attention to the many accomplishments of students who are listed in the Administrative Reports. He reported on the outstanding performance by Fermata Nowhere at a recent Middle States Association Conference. The state auditors are going to be in the district beginning May 1 for four to six weeks. If there are any changes to numbers, they will be sure to review all records. The Annual Volunteer Brunch will be held on May 18 at LMMS. The annual Retirement Dinner will be held on June 11 at Bear Creek. Ms. Fuller pointed out that participants pay their own way for this dinner. Dr. Seidenberger will be responding to concerns expressed by a citizen who spoke this evening concerning the Collective Bargaining Agreement with the EPEA. The Board approved La Cross last year so it was added to the contract but the district has not increased the number of class advisors. He further stated that when a citizen has a question like this that they call the Superintendent's Office. Dr. Seidenberger said no one in administration has acted inappropriately to sneak a job by the Board.

1. Personnel

Motion by Kowalchuk, Seconded by Ballard

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

Retirements

- Sandra Schantz, ESL Teacher at EHS, effective June 18, 2009 (Exhibit 2)
- Elizabeth Moessner, English Teacher at EHS, effective June 18, 2009 (Exhibit 3)
- Sue Poremba, Grade 2 at Alburtis School, effective June 18, 2009 (Exhibit 4)
- Lois Anne Clark, Grade 2 at Alburtis School, effective June 18, 2009 (Exhibit 5)
- Renee Roberts, Biology Teacher at EHS, effective June 18, 2009 (Exhibit 6)
- Peter Haja, Social Studies Teacher at EHS, effective June 18, 2009 (Exhibit 7)
- Karen Werley, Grade 1 Teacher at Lincoln School, effective June 18, 2009 (Exhibit 8)
- Virginia Delph, Latin Teacher at EHS, effective June 18, 2009 (Exhibit 9)
- Stephan Cichocki, Administrative Assistant in Student Services, effective June 26, 2009 (Exhibit 10)

Mr. Ballard noted the length of service to the district and the students by the retirees. He said they have produced many fine students and the district is losing a lot of expertise.

Resignations

- Casey Yenser, Grade 2 Teacher at Wescosville School, effective June 18, 2009 (Exhibit 11)
- Mamta Malik, Instructional Assistant at Eyer MS, effective April 3, 2009 (Exhibit 12)

Temporary Professional Employee Appointment

Name/Address:	Amanda Schneck 522 North Linden Court, Emmaus
Education Level:	B. A. Degree (2005)
Undergraduate School:	Lycoming College
Effective:	April 28, 2009
Certification:	Instructional I, Elementary
Assignment:	Grade 1, Shoemaker School Vacancy created by T. Desiderio transfer.
Experience:	2008-09: East Penn SD
Salary:	\$42,900 (Step B, Year 2, Col. B)

Request for Compensated Professional Leave

Employee:	Ellen Nixon Grade 6 Teacher, LMMS
Effective:	1st Semester-2009-2010 School Term
Purpose:	Graduate Work, Penn State World Campus for Distance Education Certification
Reference:	Board Policy 438.1-Compensated Professional Leaves

Request for General Leave of Absence

Employee:	Kathleen Cole Instructional Assistant, EHS
Effective:	March 30-June 30, 2009
Reference:	Board Policy 439-General Leave

Leaves as per Collective Bargaining Agreement

Employee: Ruth DeLong
Kindergarten, Lower Macungie ES
Effective: April 17-May 26, 2009

Employee: Carrie Nawarynski
Kindergarten, Lincoln School
Effective: May 4-June 18, 2009

Change in Employment Status

Employee	From	To
Roxann Frei Food Service Assistant	6.75 hrs./day	6.00 hrs/day
Christine Butz Staff Assistant, Eyer MS	18.5 hrs./wk. (M. Malik resignation)	32.51/hrs.wk.
Patty Sanville Staff Assistant, Eyer MS	12.5 hrs./wk.	16.5 hrs.wk.

Co-Curricular Advisors

See Exhibit 13

Summer Maintenance Program

Former Employees: \$8.30/hour

Todd Bowers	Melissa Gehman
Stephen Racek	Brian Kurtz
Tyler Clark	

New Employees/Possible Alternates - \$7.55/hour

Austin Bean	Jordan Stenroos
Drew Reidenhour	Christopher Harnett
Nathan Clark	Alexander Neely
Rebecca Peek	Jarrold Ramer
Dylan Moyer	Christopher Ingalsbe
Sean Owens	Bobby Erney
Colton Andrews	Connor Keim
Patrick McCowan	Nicholas Wiener
Kyle Martin	Jordon Godfrey
Jenna Godfrey	Kyle Bower
Ryan Grube	Lindsey Graybill
Bryan Repischak	Troy Malinowski
Nicholas Klass	Michael Brittenburg
Maria O'Clair	Dominic Forziati
Bradley Bullman	

Additions to the 2008-09 List of Per Diem Substitutes

Pamela Lagler, Elementary
Zachary Baker, Social Studies
Mamta Malik, Instructional/Staff Assistant
Theresa Dudley-Vadino, Elementary
Ryan Ehrie, Social Studies
Scott Graham, Science
Matthew Miller, Health/Physical Education

Informational

-Administrative Reports (See Exhibit Section)

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----9

2. Educational Conferences-Exhibit 14

Motion by Ballard, Seconded by Gannon

RESOLVED, That the East Penn Board of School Directors approve the estimated expenses for the individuals attending the educational conferences listed on Exhibit 14.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine-----8

Nay: Stolz-----1

11. Other Educational Entities

-Carbon Lehigh Intermediate Unit

T. Richwine

Mr. Richwine reported on the IU Board Conference and the guest speaker, Andy Faust, from Sweet, Stephens, Katz, etc. He gave a speech on the challenges of serving on Boards, including how local control of school boards has been eroded through the legislative process. He is very supportive of the public education system. Mr. Earnshaw and Ms. Fuller received copies of children's book that can be put in a school library of their choice. At their IU Board Meeting, there was a presentation on the Flight Team that includes members from all districts. They respond in crisis situations to relieve staff. There was a presentation from the auditors who indicated the IU had a clean audit. He called attention the Good Shephard publication, "Sweet Charity" that included a story about PROJECT SEARCH that he described previously. The article featured a former student who graduated from Emmaus HS. He noted that there are 334 students in East Penn receiving services from the IU.

1. Motion by Stolz, Seconded by Ballard

RESOLVED, That the East Penn Board of School Directors nominate Terry Richwine as the East Penn candidate for the 2009 Ballot for the Carbon Lehigh Intermediate Unit Board of Directors.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----9

-Lehigh Career & Technical Institute

F. Fuller
A. Earnshaw
S. Kowalchuk
T. Richwine

Ms. Fuller reported that they had an opportunity to meet the EHS Co-op students as well as the various employers. A student involved in the Auto Body Department was offered a job on the site. LCTI is receiving endorsements and certifications that make our students more valuable in the work place. They recently were endorsed by the PA Builders Association and the Auto Technology Department was certified by NATAP. LCTI was able to take advantage of an energy program (Interruptible Load Resource) with PPL. LCTI has agreed to cut back its use during the demand response program, particularly in the summer months. LCTI will receive \$28,500 per year for its participation. She noted that a school district would be less likely to benefit from this program. Ms. Fuller cited in the Director's Report the value of education and the earning power of a high school diploma and Associates and Bachelor's Degree. She felt it illustrated what the Board is all about - equipping students for life long learning and the ability to become productive members of society.

12. Legislative

C. Ballard

Mr. Ballard submitted a packet of material from the Legislative Conference that he will forward to the Board. Mr. Ballard read excerpts from a speech given by Republican Thaddeus Stevens on April 11, 1834 that described the need for a free public education and the responsibility for providing that education. He is credited with saving the concept of free public education in PA.

13. Policy

Board members suggested a few editorial changes that will be made for final adoption.

-Second Reading:

-Board Policy 006, Meetings (Exhibit 15)

-Board Policy 801.1, Records Retention (Exhibit 16)

14. Facilities

1. Eyer MS Expansion/Brookside and Buckeye Road Intersection Improvements (Exhibit 17)

Motion by Ballard, Seconded by Kowalchuk
RESOLVED, That the East Penn Board of School Directors approve the Brookside Road/Buckeye Road Intersection Improvement Agreement as outlined in Exhibit 16 at a cost of \$12,828.85.

This resolution was duly adopted by the following roll call vote:
Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Prinzing, Richwine, Stolz-----9

15. Business Operations

1. Approval of Bill List

Motion by Ballard, Seconded by Gannon
RESOLVED, That the East Penn Board of School Directors approve the attached bill list, including the addenda, 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.

Special Disbursements - Exhibit 18

RESOLVED, That the East Penn Board of School Directors authorize the disbursement of funds from the Capital Reserve Fund and 2007 EGA Issue.

Establish Eyer Activity Account

RESOLVED, That the East Penn Board of School Directors authorize an School Store Activity Account for the Eyer Middle School.

Approval of Compass Energy Natural Gas Service Agreement - Exhibit 19

RESOLVED, That the East Penn Board of School Directors approve the Natural Gas Service Agreement with Compass Energy Gas Services, LLC, 1200 Smith Street, Houston, TX as outlined in Exhibit 19.

Parent/Guardian Transportation Contracts

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

<u>Parent/Guardian</u>	<u># of Miles</u>	<u>Time Period</u>
Naomi Ortiz 1214 Chew Street, Allentown	6 miles	March 17-March 27, 2009
Angelin Felix 443 E Susquehanna St. Allentown	5.9 miles	March 30-June 17, 2009
Margaret and Thomas Ruch 189 Lingleaf Drive, Blandon	34 miles	March 30-June 17, 2009

Facility Rental Request

RESOLVED, That the East Penn Board of School Directors grant permission for Prepare Test Preparation and Testing, 2250 West Union Street, Allentown to rent Classroom 357 in Emmaus High School for SAT Test preparation. This is a Group V organization and will be charged the following rental rates:

Time Period: April 29; May 6, 13, 20, 27; June 3

Rental Fee: \$16.00/hour

These resolutions were duly adopted by the following roll call vote
Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----9

16. Announcements

-Monday, April 27	7:00 p.m.-CLEAR Session, Superintendent's Conference Room (Litigation & Negotiations)
-Friday, May 1	7:30 p.m.-Board Meeting, Board Room
-Tuesday, May 5	7:00 p.m.-EHS Symphonic Band and Concert Band, Auditorium
-Thursday, May 7	7:00 p.m.-EHS Orchestra Concert, Auditorium
-Monday, May 11	7:00 p.m.-EHS Jazz Ensembles and Percussion Ensemble Concert
	7:30 p.m.-Board Meeting, Board Room

17. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion at 10:45 p.m.

Cecilia R. Birdsell, Board Secretary

ORDER OF BUSINESS

1. Call to Order; Pledge of Allegiance

President Alan C. Earnshaw called the regular meeting of the East Penn Board of School Directors to order at 8:10 p.m. in the Board Room located at 800 Pine Street, Emmaus, PA, followed by the Pledge of Allegiance. The start of the meeting was delayed because of the public hearing for the Seven Generations Charter School.

Board Members Present: C. H. Ballard, A. Earnshaw, F. Fuller, M. Prinzing, T. Richwine, J. Stolz

Board Members Absent: E. Gannon, C. Jones, S. Kowalchuk

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

Treasurer: Lynn Glancy

Board Secretary: Cecilia R. Birdsell

Press Present: Lorraine Fenstermacher, East Penn Press Reporter
Sarah Fulton, Morning Call Reporter

2. LCCC Honor Students-Graduates of Emmaus HS

President Earnshaw invited Natalie Cetrulo and Laura Smith, who are 2007 graduates of Emmaus HS, to share their experience at Lehigh Carbon Community College. Natalie explained that the Honors Program at LCCC had opened the doors for different opportunities. Laura said as EHS graduates they were well prepared to go on to school and became part of the Bucknell University Summer Program. Both Natalie and Laura have been invited to attend Bucknell University with a full scholarship for their Bachelor Degrees. Out of the eight students considered from LCCC, four of them were from Emmaus HS. The students thanked the Board for their time. The students received a round of applause. Mr. Earnshaw thanked them for being outstanding representatives from EHS at Lehigh Carbon Community College and extended the Board's best wishes.

3. Requests to Address the Board

Ms. Janice Kavounos, 1484 Laurel Lane, Macungie; Ms. Shelley Kouch, 1190 Grange Road, Wescosville; and Miss Marika Springer, 2159 Wisteria Road, Macungie asked that the district consider offering American Sign Language courses at the middle school and Emmaus HS. Ms. Kouch provided information that indicated sign language is considered another language in 35 states and four universities, including Harvard, are accepting it as a foreign language. She explained that the course offering will give students better options. Ms. Kavounos and Ms. Kouch are both parents of deaf children. Miss Springer is a senior at Emmaus High School who is fluent in American Sign Language. She will be attending college in the fall to prepare for a career in working with the deaf. As a student, she was unable to find course work in American Sign Language.

Mrs. Risa Donegan, 9 Coach Street, Macungie urged the Board to deny the charter for the Seven Generations Charter School. She talked about the financial liability for the school district and the local taxpayers. She felt the district was being used by the founders of the charter school. She felt East Penn was already doing many of the things that the charter school was claiming it could do for students. She concluded that East Penn has been historically a very good system but she felt the district was being stretched to its limits.

Mr. David Galligani, 7150 Moonbeam Lane, Macungie said he grew up in the area, then moved away and now has moved back to the Lehigh Valley and wanted to live in the East Penn School District. He said if Seven Generations had been here he would have moved back for that school as well. He said the district needs to look to the future and East Penn should be an education Mecca for different educational methods to draw people to the area.

Ms. Christi Dunning, 5772 Kings Highway S, Zionsville indicated she is a graduate of Emmaus HS, adding it is a great system. She described her daughter as a very active learner who will benefit from the Seven Generations concept.

Mr. Frank Distasio, 2762 Rolling Green Place, Macungie addressed three recent letters to the Morning Call that addressed the plight of senior citizens on fixed incomes. He reflected on the Social Security COLA not being raised. He commented on a conversation with Mr. Earnshaw regarding fixed incomes and asked him what he meant by his statements. Mr. Earnshaw pointed out that citizen input is not interactive. Mr. Distasio asked about accountability for conferences and the administrative involvement. He claimed that there should be itemized expenses for conferences by administrators as well as a conference report on how the ideas would be implemented. He felt it was "reprehensible" not to have this information.

4. Approval of Minutes

Motion by Ballard, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors approve the minutes for the April 27, 2009 meeting.

This resolution was unanimously adopted by voice vote.

5. Public Financial Management/Rhoads & Sinon

Mr. Scott Shearer said they were not able to price the transaction described at the last meeting but what they did have was the attached resolution. They are pricing the bonds near the end of next week, after the credit rating has been received, and then settling the transaction around June 1. They will contact the Business Office and be sure the interest rates and the numbers and millage impact are within the parameters in the resolution. He said he had discussed a refunding opportunity for the 2004 bonds but the rates have gone up enough that it is not feasible.

Mr. Jonathan Cox, Bond Counsel from Rhoads & Sinon, reviewed the attached resolution.

Mr. Ballard questioned the maximum interest rate of 8% that is included in the resolution. Mr. Cox responded that this would give flexibility to the underwriter in pricing and sizing. He assured the Board it would not be anywhere near 8%. He pointed out that part of the resolution is subject to review and approval of the officers and administration through consultation of the advisor. Mr. Shearer indicated that the 8% is the standard interest rate for districts, counties, and cities across the Commonwealth. The actual interest rates will not even be close but they do need to set a cap. Sometimes bonds are sold at par or at premium (5.5% interest rate). This is common practice for these transactions. The Confirmation Agreement will have to show comparisons of other deals and why we are justified in accepting a specific quote. Mr. Ballard said he would not recommend accepting 8%. Mr. Shearer said the common rate has been 8% but it could be lowered, adding that even considering 6% the rate would be substantially lower. They do have to justify the market conditions. Mr. Prinzing asked if the rate could be set at 5.05%. Mr. Shearer responded that it would be cutting it very close and it would be his recommendation to go for the 6%. Mr. Stolz said he was not comfortable with voting on this motion. He just received the information and he could not support the recommendation. Referring to the Charter School, he said the district should be held to the same standard as they want for the charter school. Mr. Earnshaw said he was concerned because in the past they always approved the resolution on the settlement date. Mr. Shearer said they wanted to make sure the funds were available prior to the time that the construction funds were needed. Mr. Glancy said the timing was a concern but his preference would be to move forward so there would not be a concern with the funds being available. He pointed out that over a million dollars a month is being paid out for construction right now. Mr. Richwine said he would be comfortable with the 6%, citing another option would be a special meeting. Ms. Fuller said she would support 6% or a special meeting, depending on the preference of the rest of the Board. Mr. Ballard and Mr. Earnshaw said that they had confidence in the integrity and the ability of the consultants to do what is right for the district. Dr. Seidenberger was supportive of following the advice of the consultants. The following resolution was introduced:

Motion by Ballard, Seconded by Prinzing

RESOLVED, That the resolution be approved and that the interest rate in the resolution be amended to 6% from 8%.

Motion by Earnshaw, Seconded by Stolz

RESOLVED, That the motion to approve the attached resolution and amendment to the interest rate be tabled.

This resolution was defeated by the following roll call vote:

Nay: Ballard, Fuller, Prinzing, Richwine-----4
Aye: Earnshaw, Stolz-----2
Absent: Gannon, Jones, Kowalchuk-----3

Motion by Ballard, Seconded by Prinzing

RESOLVED, That the resolution be approved and that the interest rate in the resolution be amended to 6% from 8%.

Mr. Stolz said he would not support the resolution because he would like to see something and have time to review it before he votes on it. Mr. Earnshaw said he would vote affirmatively but asked that in the future the timing be planned a little better.

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

Aye: Ballard, Earnshaw, Fuller, Prinzing, Richwine-----5
Nay: Stolz-----1
Absent: Gannon, Jones, Kowalchuk-----3

6. Seven Generations Charter School

Motion by Stolz. Seconded by Richwine

RESOLVED, That the East Penn Board of School Directors approve the application of Seven Generations Charter School to establish a charter school in the East Penn School District.

Note: Public Hearings have been held on December 1, 2008, January 20, 2009, and May 11, 2009. The original application was denied on February 9, 2009.

Mr. Ballard said the law as it stands only provides a few reasons for legal rejection and finances is not one of them. The law sets up the process on approval, the criteria for approval, and the payments. From a taxpayer's standpoint, he has to look at the legal reasons against the law. Although Mr. Ballard had certain reservations about the ability of the group to perform the specific items that are required and the budget they will have when the school attempts to open, he has no reason to turn down the charter. He still has reservations, particularly in the area of curriculum and whether it meets Chapter 4. He will be voting reluctantly on the charter and only if they teach the curriculum presented in the charter, provide special education services under the laws of the Commonwealth of PA, and resolve all of the issues with the Borough of Emmaus regarding busing and safe transportation for students from East Penn and other districts. Mr. Ballard presented the following motion:

Motion by Ballard, Seconded by Richwine

RESOLVED, That the motion be amended to approve the application as stated with a list of conditions to be specified by the Board and reviewed by the Solicitor and attached to the Seven Generations Charter School application that is signed by all parties under penalty of perjury.

As requested by Mr. Richwine, Solicitor Fisher reviewed the following conditions:

1. The applicant teach the curriculum presented in the application;
2. The applicant provide the special education required under the law;
3. The applicant resolve all of the issues with the Borough of Emmaus, including but not limited to transportation issues.

Mr. Fisher read the legal requirements that had been listed in his November 17, 2008 letter to the Board. Mr. Richwine said if the Board is not comfortable with the financial plan it is not a reason to reject the charter. Solicitor Fisher explained that each charter school, including Seven Generations, must have a financial plan that has considered all budgeting issues so the school has the necessary funds to operate. It does not mean that you have to have all of the details. Mr. Ballard said his comment was that the impact on the school district budget could not be a consideration. Mr. Richwine talked about the myths about charter schools being competition to public schools and the misconception that there is no cost to the district. He said East Penn could compete with any other school and we are not afraid of the competition. It is a myth that any money saved is not even close to what has to be paid out. If the charter schools did not cost anything, districts would obviously demand they be set up correctly but there would not be as much concern. He said there are a couple of comments - the need because of the environmental crisis in the world and the need to educate our youth to address the issues are not unusual but his reaction was why the school would start in kindergarten rather than at the secondary level. The children being sent to this school are being sent by their environmentally conscious parents so basically they would be preaching to the choir and the students who would need this environmentally rich curriculum are being left behind. He further stated that if Seven Generations worked in conjunction with East Penn he was sure that some things could be done in house and probably at a lower cost. The administration sent out interest questionnaires and got a poor return and not overwhelming support that the students were going to go to the charter school. While their representatives claim that they have the numbers, East Penn did not receive the hard evidence that would confirm that assumption. Mr. Richwine mentioned that a citizen drew a correlation with the one million dollars for the charter school and East Penn's Willow Lane project for 20 million dollars. He said Willow Lane will be around for 50 years where the charter school could cost 1.5 million dollars next year and increase as grades are added. This could cost up to seven or eight million dollars in seven or eight years. He said the special education issue bothers him and the admission that they would not be able to handle a special education student with profound disabilities. Also, the funding from the state level is going to be at the lower level of the spectrum cost wise because of the type of student who would go to a charter school. He commented on the ugly things that have been said and written by individuals involved with Seven Generations. Mr. Richwine came into possession of an email that expressed disdain for the Board that he felt was disgusting. Referring to comments by people involved in Seven Generations who claimed the school would be good for their child(ren), Mr. Richwine said the district does try to address the needs and learning styles of the children who will be attending school. He said he did not doubt for a minute that the school has taken a lot of time and work. He still has questions about the sustainability of the school and the level of support and indicated he would not support the resolution.

Mr. Earnshaw recognized Mr. Stolz, adding he was sorry that Mr. Stolz could not join the rest of the Board for the earlier hearing. Mr. Stolz retorted that "he had no interest in taking part in a public lynching of some very fine people in the audience." He did catch part of it and he could understand why some members of Seven Generations would feel animosity toward some members of the Board. He asked if the 1.3 million dollars that would be given for the charter is the initial outlay or does it include the 30% that would come back to the district next year. Dr. Seidenberger responded that the district would receive the 30% in the 2010-2011 school year. Dr. Seidenberger said it is also dependent on the legislation citing provisions in SB 850. Mr. Stolz alleged that if every East Penn student went to a Charter School it would cost the district 52 million dollars. He said every charter school should be run by people who were as dedicated as the members in the audience and as committed to education as they are. He claimed that the district would still be six million dollars less than the budget that the Board is voting on this evening and to say there is not a savings with charter

schools was incorrect. He said he had no reason to vote against the charter because of cost, even though he considered himself a fiscal conservative. He supported the charter school, feeling that "everyone has the right to compete in the arena of ideas." He concluded the charter school was a cost saving and served a purpose and he would be voting in favor of the charter.

Ms. Fuller pointed out that the nineteen founding members of the Planning Board included seven people who are the most vocal and do not live anywhere near East Penn. They had an idea; they had an agenda; and they found a place to grow that idea. She felt East Penn money was being used to promote an idea that, while she did not disagree with it, perhaps if an overture had been made to the district a cooperative program could have been developed instead of a program that takes money from the district. She was undecided on how to vote.

Mr. Prinzing criticized Mr. Stolz and his figures regarding the cost per pupil if East Penn students all attended a charter school. It did not fit the economy of scale when taking into consideration all costs. He talked about the driveway and the renovations that would be needed to have the roadway go around the building, the removal of mature trees, moving utility poles, and moving a water main. He did not see how that would be feasible with a limited budget. Another possibility would be to have buses stop along the curb that would back up traffic on Minor Street. He commented on the asbestos in the building and children attending school in that environment. He said no one has been able to give a guarantee that the building is free of lead paint. He felt simple documentation could have been provided. He did not feel that these things fall within the spirit of the law and the Board should not vote "yes" to send children to a building with those hazards. He felt legislators would have corrected those items. He was not against the green movement and felt there were some valuable lessons dealing with using resources more wisely. He was still concerned about the primary academy only having the one textbook. He said the curriculum is for man-made global warming and he did not see anything in the curriculum about cyclical global warming.

Mr. Earnshaw said he did not see anything in the Charter School Law that would say Seven Generations has not met that criteria. He said the law does not make the inadequacy of the facility a part of the criteria. Mr. Earnshaw said he has serious concerns about the budget that was presented. He mentioned the bridge loan and nothing budgeted for interest expense. He did not think the revenue projections are adequate and the costs could be higher. He indicated another decision by the Board is how long to grant the charter. Mr. Ballard and Mr. Richwine agreed to a friendly amendment of three years. The representatives could come back for re-chartering which the law then stipulates is for five year periods. Ms. Fuller asked what would be the ramifications of a three-three vote, citing the absence of board members this evening. Solicitor Fisher indicated that would defeat the motion since five votes are needed to approve the charter. He stipulated that the Board must vote the charter up or down tonight. Mr. Ballard talked of his support for public education all his life and he disassociates himself from a group of elitists who separate themselves from the rest of the public by trying to destroy public schools with ideas about choice and vouchers who just want to get themselves out of a system that they perceive does not teach what they want. He said he took great offense to someone who abdicated their public responsibility by not coming to a hearing. Mr. Fisher clarified that the charter simply has to indicate a facility in which the school will be located. He was not suggesting that any board member does not have legitimate concerns about the facility and it does have to be approved the Borough. Mr. Fisher indicated that the conditions that had been suggested must be complied with under law by the Seven Generations Charter School. Referring to sustainable support, the Board has to look at whether or not there is support sufficient to sustain the school as a majority. Mr. Fisher asked for the Presidents permission to get the applicants to agree with the conditions because they are, in fact, required by law. The conditions were re-read for the benefit of the Seven Generations Charter School representatives. Attorney Joshua Pollak, representing Seven Generations Charter School, agreed to the conditions.

Motion by Ballard, Seconded by Richwine

RESOLVED, That the motion be amended to approve the application as stated with a list of conditions to be specified by the Board and reviewed by the Solicitor and attached to the Seven Generations Charter School application that is signed by all parties under penalty of perjury and that the charter be granted for three years.

1. The applicant teach the curriculum presented in the application;
2. The applicant provide the special education required under the law;
3. The applicant resolve all of the issues with the Borough of Emmaus, including but not limited to transportation issues.

This resolution was defeated by the following roll call vote:

Aye: Ballard, Earnshaw, Fuller, Stolz-----4
Nay: Prinzing, Richwine-----2
Absent: Gannon, Jones, Kowalchuk-----3

Mr. Earnshaw said that since this was an amended motion, they would return to the original motion that did not include the conditions or the three year term. Mr. Earnshaw asked Mr. Prinzing and Mr. Richwine what rationale they would have on the rejection of the charter. Mr. Prinzing said he objected to sending students to a school with asbestos and lead paint and he did not think that is what the legislators intended. In answer to a question raised by Mr. Richwine, Mr. Fisher said the Board may review the public comments from the hearing, the actual application, teachers, parents, community members and the Board may consider any other fact regarding the support for the school in general. You

must look at it in the aggregate. Mr. Richwine talked about the special education situation. Mr. Earnshaw said they cannot make any conditions for an exception. They would have to find a way to provide for the student. Mr. Richwine said he had not heard any support except by the people who have been attending the hearings. His conjecture was that if it went to referendum it would be defeated. His concerns were not legal justification for not approving the charter. Mr. Fisher said he could vote "no" for a variety of reasons but the question is whether it would be sustainable under an appeal is a question. He counseled Mr. Richwine on the reasons. Mr. Earnshaw said he understood the concerns being expressed. The students will not have the same opportunities as East Penn students who have many of the same environmental concepts (outdoor classroom at Wescosville; outdoor garden at Alburtis, award-winning Envirothon Club) but having said that his concerns do not rise to the standards of the law where the Board can reject the charter. Mr. Earnshaw pointed out that there have been students in East Penn in schools with asbestos. However, the schools were remodeled and renovated.

Motion by Earnshaw, Seconded by Ballard

RESOLVED, That the East Penn Board of School Directors approve the application of Seven Generations Charter School to establish a charter school in the East Penn School District for a period of three years.

Note: Public Hearings have been held on December 1, 2008, January 20, 2009, and May 11, 2009. The original application was denied on February 9, 2009.

Despite all of his misgivings, Mr. Richwine said he feels that things should be done fairly and in the right way. His vote is only going to kill this resolution because three members of the Board are not present. Mr. Ballard asked if this motion fails could a person on the opposing side bring this up at the next meeting for reconsideration. Mr. Richwine indicated that he would change his vote to "yes" because he did not want to take advantage of the situation. Mr. Ballard said his vote remains the same but, if one those conditions fail, he will call for revocation of the charter. Mr. Prinzing asked that Ms. Fuller reconsider her vote in favor of the charter school. He asked how they would feel if after ten years there are 225 students who have a health problem when they knew about the chemical agents in the school. Mr. Prinzing said he was disgusted that the Board would even be considering this action.

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

Aye: Ballard, Earnshaw, Fuller, Richwine, Stolz-----	5
Nay: Prinzing-----	1
Absent: Gannon, Jones, Kowalchuk-----	3

7. 2009-2010 East Penn School District Budget - Tentative Adoption

1. Motion by Ballard, Seconded by Fuller

RESOLVED, That the East Penn Board of School Directors adopt the tentative 2009-2010 budget in the amount of \$114,893,209 with the following tax levies:

43.84 mills on the assessed valuation of real estate
0.5% (.005) Act 511 Earned Income Tax
1.0% Act 511 Real Estate Transfer Tax

Dr. Seidenberger explained the challenges to the budget. He said the district has still not received anything definitive on state aid. There is no further information on the stimulus funds and cited SB 850. Revenues and investment income has decreased. There is a 1.5 million dollar debt service obligation in this budget and conversely there is stable enrollment. The administration has worked fastidiously on the budget that included looking at internal expenditures and they have been committed to cutting costs. He cited his administrative reorganization that came through leadership and sensing what the organization needed. He felt the right decisions were made. The areas that have been reviewed are curriculum and instruction, staff development, athletics, travel, technology and student services. There may be staff needed but there are no additions to personnel in this budget. He noted the bus contract will save the district \$250,000 next year and complimented the former Director of Business and Fiscal Affairs, Gary Reigal, and former Director of Personnel, Leslie Daniel, for their work on the contract. The employee contracts have also included language for co-pays. He said they are also looking at non-instructional positions where they can tighten their belts and eliminate positions through attrition. The original budget discussed had a 1.65 mill increase and the budget presented for tentative adoption is .99 mill increase. Director of Operations Lynn Glancy reviewed the revenues and the decreases. This information is included on the attached handout. Business Manager Debra Surdoval reviewed the attached list of changes from the preliminary budget projections. Referring to the senior citizen tax rebate program, Ms. Surdoval reported that in 2008 there were 347 claims and so far in 2009, there have been 292 claims that represents a \$130,208 in rebates. They are projecting a total of 370 claims for a total of \$164,175.29. Other benefits for seniors includes the Golden Age Card that entitles them to free admission to all home sports events, concerts, plays and special events sponsored by the school district, one free East Penn Community Education class per semester, and an invitation to the complimentary annual district Thanksgiving Dinner.

Referring to the Seven Generations Charter School approval, Dr. Seidenberger said that in his original evaluation of the application the group met every standard but two which they subsequently met with the new

submission. He had concerns about the school on several levels such as sustainability, survey results that showed a marked decrease in interest among the parents and he was skeptical of the budget figures concerning enrollment. He said the charter school is a "want" and not a "need." East Penn could provide the education for those students without an increase. The costs involved are actually expanding the district. There is a consequence for choice and it is probably the worst year for a charter school to be starting because of the uncertainty of state and federal funding. If SB 850 becomes law, the charter school reimbursement will be cut. The administration will be working with local legislators (Reichley, Wonderling, and Beyer) to move toward an agreement on the state budget. Dr. Seidenberger said in his 21 year career he has never worked on a budget with so little information.

Mr. Earnshaw emphasized that this is a tentative budget and could possibly be reduced further. Mr. Richwine commented on the accusations of "runaway spending." It is the second year that positions have not been added and class sizes are increasing. This year 2.1 million dollars is being taken out of the fund balance. He explained the pitfalls of continuing that practice and the negative effect on funding. Mr. Ballard said for the first time in 20 years a resident has proposed an increase for the charter schools. The district has a situation where revenues are going down because of the economy. He talked about the impact of inflation, the index level of 4.1%, and the 3.7% increase in the real estate tax. This equates to a 2.8% increase in revenues. He said most costs are fixed by contract and state mandates. He said the staff did an extraordinary job in keeping a number of the contracts under the index level. Mr. Ballard stated that there are people trying to cast the district in a bad light who do not even understand the basic finances of the district. He will support the preliminary budget.

The Board had a recess from 10:15 p.m. to check a policy question. The Board reconvened at 10:25 p.m.

Mr. Earnshaw announced that a tentative budget adoption required a majority of the board members voting in favor. For the final budget adoption, a majority of the board must vote affirmatively. Mr. Stolz said he was told that the all weather track would not require a tax increase; however, a tax increase is being proposed. Dr. Seidenberger responded that the funds are in budgetary reserve and he would not recommend that action. Mr. Stolz talked about selling the delinquent debt for \$600,000. Dr. Seidenberger responded that it is a one-time solution and very dangerous to do in these economic times. Mr. Stolz countered that there are senior citizens who cannot pay their taxes and are being forced out of their homes. Dr. Seidenberger talked about the kindergarten enrollment, noting that there is a reduction and a staff member can be trimmed. He has looked at not filling non-educational positions and he has looked at curriculum and professional development. He said the district cannot shut down entirely because there are requirements to do staff development. They have looked at utilities and salaries by not replacing key individuals. The district will be limited on how much money can be generated from the fund balance. He said the track was a \$400,000 donation. Mr. Stolz said he supported it because there would be no tax impact. Dr. Seidenberger responded that the tax impact was not because of the track. It did not affect this budget one way or another. Mr. Stolz suggested taking \$400,000 out of the capital reserve fund to offset the tax increase. Mr. Ballard interjected that action could not be done. Dr. Seidenberger said the administration has worked diligently to get this budget down and again stated that this year there are many unknowns. He said they have looked at every aspect, including field trips. At this point, Mr. Stolz claimed the Science Olympiad Team did not get \$3,000 for their state competition. Dr. Seidenberger said he was not aware of any cut in that activity. He pointed out to Mr. Stolz that it is why he should ask him when these situations arise. Mr. Stolz said he was looking at cutting non-educational expenditures. Dr. Seidenberger responded that option has already been considered. Mr. Stolz said there was a whole discussion about the "rainy day" fund. Mr. Earnshaw pointed out that there is no such thing as a "rainy day" fund and that last year the concept caused a great deal of confusion. Solicitor Fisher pointed out that Mr. Stolz had the terms confused and explained there is a budgetary reserve and a fund balance. Mr. Stolz said he felt it was time to tap into the budgetary reserve in order to help taxpayers this year. Dr. Seidenberger responded that he had no idea how many charter school students are going to show up. The uncertainty of having a state budget by June 30 could impact on the district and only those districts that have a sufficient fund balance will be able to survive a budget stalemate. Mr. Stolz said he was painted as being anti education but he has not proposed cuts that will affect educational programs. He has no interest in harming education at the high school. He said he would be interested in doing a curriculum review to improve it overall. Mr. Stolz reflected on the economic times and claimed Dr. Seidenberger and the teachers would not feel the pain because they had received salary increases. He said for the district to levy a tax increase that would contribute to citizens being evicted and that was the definition of unconscionable.

Mr. Prinzing countered the claims made by Mr. Stolz regarding the Science Olympiad Team. There were no funds slashed and the advisor did not feel it was the right time to request the funds that had been unbudgeted so the administration was never made aware of the situation and blaming Dr. Seidenberger is totally unrelated. He criticized Mr. Stolz' support for Seven Generations since day one, citing his approval even though they did not meet the criteria and it represents a one million dollar increase. Mr. Ballard said there is a total misunderstanding about the budgetary reserve - what it is; why a district has one, etc. It shows a lack of understanding about a municipal state government agency. He talked about the risks that come up such as timing, legal issues, and budget estimates. Budgetary Reserve is there to absorb unexpected shocks. You do not try to use it to get through a sticky situation that could be offset by normal means. If you have expenses not being met by your revenue, then you have to cut programs or you have to dip into your savings account unless there is some systematic way of cutting next year that expense is back again at the same level. Mr. Ballard explained that even using the budgetary reserve to fill in a temporary hole is the height of fiscal irresponsibility. It is annoying to hear the old faceless reason that seniors are being driven out of their homes by school taxes. The facts are that inflation over the last 50 years has risen approximately 3% and he provided a scenario that

showed the correlation between inflation and taxes. This district does more than 90% of what other districts do to help senior citizens. The Board is about to approve a real estate senior tax rebate program that is not common in the state and we double the rebate over what the state will give them back. There are senior citizens who get 100% of their tax rebated by the state and the district. He criticized Mr. Stolz for putting out information with the only purpose being to deliberately embarrass this district and he challenged Mr. Stolz that he would not stand for that action on his watch. This administration has struggled to do the best they can under a very difficult economic situation. He concluded that someone trying to demean this school district under the circumstances is truly contemptible.

Mr. Richwine said East Penn was the first district in Lehigh County to offer the rebate program. When you look at the qualifications (\$35,000 household income), people who have reasonable incomes can still qualify and with the combination with the state they can get quite a bit of the rebate. East Penn has always had the senior citizens in mind and acted accordingly. He said the argument about seniors losing their homes is not accurate. Nationwide more people go bankrupt due to medical expenses. He pointed out that basic subsidy is flat while the charter school reimbursement is going up. The combination of those two classifications show that charter schools have been going up. He talked about the state Costing Out Study. East Penn is one of the three lowest in Lehigh County and there are six districts that have higher taxes than East Penn. When he hears people say that taxes are too high then the next question is where are you going to move? Addressing Mr. Stolz, he said his comments were mean spirited and uninformed. East Penn has done what it can to keep taxes as low as possible.

Ms. Fuller said in the interest of time she would not go on any further but she concurred with Mr. Richwine, Mr. Ballard, and Mr. Prinzing. She indicated her support for the budget and for the administration.

Mr. Earnshaw said he would support the budget with the understanding that this is a tentative budget and something that will change before the final adoption of the budget. It is his sincere hope that something will change in the Legislature so the Board can bring the tax increase down. Mr. Richwine asked about the time frame for the Charter School and numbers. Dr. Seidenberger said as soon as they appoint a Principal then he will work with that person, citing transportation routes. Referring to Seven Generations, Mr. Stolz said that legally the Board had to vote in favor. He said he is in favor of school choice and did not feel that was necessarily being anti-public education. Citing educational conferences, he criticized Mr. Ballard for his attendance at the NSBA Conference in San Diego. He said that maybe the senior citizens do not have the police showing up at the door but he has been door to door on a yearly basis and there have been senior citizens who have been forced to leave their homes because property taxes have reached a level where they could no longer keep the home. He felt it was a shame. He criticized Mr. Richwine for his remarks that if people do not like it they should move. He continued that he had a problem with the way the Board looks at members of the public and how their concerns are addressed. He criticized Mr. Earnshaw for not responding to a citizen. Mr. Richwine rebutted that he did not imply that if people don't like it they should move. He said when the statement about having to move is asked he has replied, "Where are you going to move?"

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

Aye: Ballard, Earnshaw, Fuller, Richwine-----	4
Nay: Prinzing, Stolz-----	2
Absent: Gannon, Jones, Kowalchuk-----	3

2. Senior Citizens Real Estate Tax Rebate Program

Motion by Ballard, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors continue the Senior Citizens Real Estate Tax Rebate Program for the 2009-2010 year with the income eligibility guidelines to be established at final budget adoption.

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

Aye: Ballard, Earnshaw, Fuller, Prinzing, Richwine, Stolz-----	6
Absent: Gannon, Jones, Kowalchuk-----	3

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

1. Personnel

Motion by Prinzing, Seconded by Ballard

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

Retirements

- Kathy Bonner, Music Teacher at Shoemaker School, effective June 18, 2009 (Exhibit 1)
- Christine Newhard, Grade 2 Teacher at Shoemaker School, effective, June 18, 2009 (Exhibit 2)

Resignations

- Jessica Silfies, Grade 4 Teacher at Shoemaker School, effective June 18, 2009 (Exhibit 3)
- Marisa Dawson, Grade 5 Teacher at Wescosville School, effective June 18, 2009 (Exhibit 4)
- Lisa Talarico, Staff Assistant at Emmaus HS, effective April 24, 2009 (Exhibit 5)

Leave as Per Collective Bargaining Agreement

Employee: Tanya Piasecki
Grade 1, Jefferson School
Effective: June 1-June 18, 2009

General Leave of Absence

Employee: Deborah L. Mientus
Instructional Assistant, Eyer MS
Effective: May 14, 2009
Reference: Board Policy 439, General Leave

Appointment of Temporary Professional Employee

Name/Address: Christopher Stuchko
1573 Pinewind Drive, Alburtis 18011
Education Level: B. A. Degree (2003)
M. Ed. Degree (2007)
Undergraduate School: University of Maryland
Graduate School: Lehigh University
Assignment: Emmaus High School: Special Education/Autistic Support
Unbudgeted - More cost effective to transfer services from
Carbon Lehigh Intermediate Unit services
Effective: 2009-2010 School Term
Experience: 2007-2009: Allentown SD
Salary: \$52,110, Step 3, Col. M)

By adding this staff member and bringing students back from the IU, the district will save \$112,000.

Summer School Middle School Staff

Jane Shingler, LA/English	Sarah Pomerhn, LA/English
Lisa Breiner, Social Studies	Tracy Urban, Special Education
Bridget Bokansky, Mathematics	Mike Hubbs, Science

Co-Curricular Appointments

Heidi Rauch	Eyer, Science Club	\$138.00
Joe DiRado	Eyer, Science Club	\$138.00

Summer Maintenance Program

Former Employees:	Derek Hensinger	\$8.30/hour
New Hires/Alternates:	Mark Lechmanik	\$7.55/hour

Additions to the 2009-2010 List of Per Diem Substitutes

Yvette Campbell, Guest Teacher	Cynthia Hynes, Elementary
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Appointment of Staff Assistant

Name/Address: Jennifer Fegley
1681 33rd Street, SW, Allentown 18103
Effective: May 12, 2009
Assignment: Eyer MS
Vacancy created by resignation of Malik and subsequent transfers
Salary: \$12.01/hr., 12.5 hrs./wk.

2009 Emmaus High School Graduates (Exhibit 6)

RESOLVED, That the East Penn Board of School Directors approve the list of students in the Class of 2009 for graduation.

Educational Conferences (Exhibit 7)

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

Referring to statements made at previous meetings, Dr. Seidenberger addressed statements that were made regarding the Collective Bargaining Unit Contract for 2009-2013. There were supposedly six positions that were not included in the previous contract. Dr. Seidenberger asked Mr. Stolz how many class advisors he had while at Emmaus High School. The class advisors were - Sally Hanzlik and Bonnie Raub. There have been two class advisors for many years so where is the increase. Mr. Stolz said there were things included in the contract that were not on the sheet given to the Board outlining the changes. Dr. Seidenberger pointed out that Mr. Stolz took the opportunity to write a newspaper article alleging the district was spending \$17,000. Dr. Seidenberger illustrated that in the last two contracts as well as the upcoming contract (2003-07; 2007-09; 2009-2013), there was language (page 31) about the coaching positions (middle school cross country-2; class advisors-2) and the new agreement has the exact language. Dr. Seidenberger said he wished that Mr. Stolz had asked him the question before he published an article that was inaccurate. The problem was that in the 2007-09 contract the language had been inadvertently omitted when the contract was printed. There are no new additional class advisors or cross country coaches. There have been the exact same number in place for over ten years. Dr. Seidenberger said he was offended because Mr. Stolz obviously gave a report to someone that resulted in an editorial calling the administration untrustworthy. Mr. Stolz denied providing the report to anyone. Dr. Seidenberger informed the Board that he was meeting with the editor of the Lehigh Valley Commentator tomorrow to find out what happened. Dr. Seidenberger stated that when an article is written like that it is a serious allegation and puts the administration in a negative light. He further stated that if Mr. Stolz had any contact with Gary Reigal and Leslie Daniel he would know that they would have never acted in an underhanded fashion. There are three board members who sat in on those negotiations who gave their time. He asked Mr. Stolz if he thought for a minute that Mr. Ballard would approve a contract that "snuck in" some positions with his preciseness? Mr. Stolz said things can be missed and if it was a matter of typos that is acceptable and he would be happy to make sure that a correction is printed if he is asked to do a column in the future. Dr. Seidenberger said he would appreciate that action. He again encouraged Mr. Stolz to simply ask the question. This was a simple correction that Ms. Daniel and the Association worked out when the contract was published.

Dr. Seidenberger then clarified the other allegation about the district providing two sets of numbers to Harrisburg. Using the attached information regarding unreserved designated and undesignated Fund Balance, Dr. Seidenberger explained that every fiscal transaction of the district is audited by the local auditors and the state auditors. He talked about the reporting process again emphasizing that the information is audited. Mr. Stolz asked why the state reports in a different fashion than the school district and if that is the case, why doesn't the district report the same as the state when charts and budgets are prepared. Mr. Earnshaw clarified that if the district was to report the unreserved, undesignated funds then the 6.3 million dollar would not appear on any budget documents. If the funds were removed, it would be like hiding money from the public and that would be absolutely wrong. No one knows why the state reports it in a different fashion. Dr. Seidenberger said this is his fifth district and every budget is slightly different. The district reports the numbers honestly and two sets of numbers were not submitted. Mr. Ballard said Act 8 requires that no district have a number greater than 8% in an undesignated fund balance. Mr. Stolz requested that the district report in the same fashion as Harrisburg to avoid confusion. He also requested a list of accounts that go toward both numbers. Mrs. Surdoyal pointed out that the accounts were listed on the information that was just provided. Using the audit report for June 30, 2008, Mr. Richwine reaffirmed that the total fund balance was the same as what was reported in the budget handout for this evening. He said there are so many ways to look at these numbers and obviously it has been reported accurately.

Dr. Seidenberger referred to information that was brought up about carpets. He said he does not intervene on what a PTO wants to spend. He looked at the 5 x 7 area rug that was purchased at Wescosville. He reiterated that PTOs are not in the business of buying carpet. When people hear that they think it is wall-to-wall carpeting and it is not. The district does not carpet elementary classrooms. Lower Macungie Elementary School is carpeted. If a principal has a concern, then the purchase would be made through district accounts. When asked by Dr. Seidenberger about whiteboards, Mr. Stolz said they would be portable whiteboards. Mr. Stolz had reviewed the grant requests from Wescosville, but he had returned them to the person who let him glance through them. As far as the carpets, he said it was to replace old and torn ones. Dr. Seidenberger agreed that the PTO should not be replacing district maintenance items. Mr. Stolz admitted that he was basically confused about the fund balance numbers and the reporting. Mr. Glancy said that the first year there was a dramatic increase because it was the first year to report a reserve. This was done at the recommendation of the auditor, it was changed and the district has continued the practice. Mr. Stolz said when he first saw the reports he had a suspicion that Harrisburg reports a different way than the district. He said he understood the district was not reporting two sets of numbers. He wanted to see footnotes to alleviate confusion. Dr. Seidenberger pointed out that when there is a question Mr. Stolz should come in and check on the information. Mr. Ballard further noted that the district reports the figures to Harrisburg in the fashion required by law and what they do with the

information is totally up to Harrisburg. Mr. Prinzing questioned Mr. Stolz about the administration having to make footnotes on how Harrisburg is going to report it before they report it. He did not feel that made much sense. Mr. Earnshaw summarized that Mr. Stolz wanted the numbers to be reported the way Harrisburg reports it and we do not know how they are going to report it. Mr. Earnshaw said they change things quite frequently. He cited the statement about the district having one million dollars ten years ago. Harrisburg changed the reporting method and the district actually had 115 million dollars in debt service. Charts of accounts change routinely. Mr. Stolz said his concern was that the district was being consistent with the public. Dr. Seidenberger retorted that the district has always been consistent. Mr. Stolz said he talks a lot about process and bringing something up questions like this behind closed doors is not being open and he provided a story about a misbehaving child being asked about wrongdoing without warning. He criticized Dr. Seidenberger for admonishing a board member as doing something reprehensible because he is bringing something up in a public meeting as a matter of public deliberation adding it was reprehensible. Mr. Earnshaw said that he had just made an interesting analogy to the administration of an adult catching a child doing something wrong as if Mr. Stolz was the adult who knew what was right and wrong and he had caught the administration doing something wrong. Mr. Earnshaw said rather sternly that it was not only offensive but slanderous. As it turned out, it was nothing. Mr. Stolz said it could have been explained in a meeting. Mr. Earnshaw countered that Mr. Stolz brought up numbers in a public board meeting that had to be researched. Mr. Glancy said that the report actually had to be found on the PDE website. Mr. Earnshaw said he could not remember every number that is in the budget. To expect someone to respond. Without warning, out of budget of 115 million dollars, is like a pop quiz on a subject that has not be studied. Mr. Stolz again interjected his concern about the perception of how people in the public are treated at a board meeting. Dr. Seidenberger said Mr. Stolz could have come in before he wrote articles about increasing the staff and he did not admonish him at all because Mr. Stolz was the one who made the allegation in the Board Meeting and he did not respond. Dr. Seidenberger said that any time a question like that is raised it reflects on him as the Superintendent and, if there is something going on that looks like he is not "watching the store" then it is offensive. The allegations were out of line and the people serving in those capacities would never have done something like that. He, again, invited Mr. Stolz to come and see him when he has questions.

Mr. Richwine said the ending fund balance is a combination of funds that will not be touched and covering the budgetary reserve. It might be helpful to include a line for budgetary reserve and that is the part PDE does not include in its number.

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

Aye: Ballard, Earnshaw, Fuller, Prinzing, Richwine, Stolz-----6

Absent: Gannon, Jones, Kowalchuk-----3

9. Education

-Textbook Adoption - Exhibit 8

The attached list of textbooks will be available for review in the Curriculum & Instruction Office until June 8. A recommendation for adoption will be presented at the June 8 Board Meeting.

10. Facilities

1. Bid Opening Report - Refinishing of Gymnasium Floor (EHS) & Maintenance Equipment for Willow Lane Elementary School - Exhibit 9 - Informational

2. Bid Award: Refinishing of Gymnasium Floor (EHS)

Motion by Ballard, Seconded by Richwine

RESOLVED, That the East Penn Board of School Directors award the contract for refinishing the gymnasium floor at Emmaus HS to the following low bidder for a base bid of \$15,900.00:

Jack Devine Gym Floor Restorations
3034 Main Street
Voorhees, NJ

Replacement of Metal Barrel Roofing - LMMS

RESOLVED, That the East Penn Board of School Directors award the contract for replacement of metal barrel roofing at Lower Macungie MS through Pennsylvania Education Joint Purchasing Council Contract AEPA-005A-W500-PA to the following company for a total project cost of \$251,492.050:

Weatherproofing Technologies, Inc.
3735 Green Road
Beachwood, Ohio

Change Order: Willow Lane Elementary School

RESOLVED, That the East Penn Board of School Directors approve the following change order for the Willow Lane Elementary School:

EC-1	Wind Gap Electric, Inc.	Additional duplex outlet in kitchen & under counter wall outlet in health suite.	\$345.00
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These resolutions were duly adopted by the following roll call vote:

Aye: Ballard, Earnshaw, Fuller, Prinzing, Richwine, Stolz-----6
Absent: Gannon, Jones, Kowalchuk-----3

3. Special Services Contract - Barry Isett & Associates, Inc.-Steel & Masonry Inspection Services for Willow Lane Elementary School - Exhibit 10

Motion by Prinzing, Seconded by Ballard

RESOLVED, That the East Penn Board of School Directors approve the Special Inspection Services Contract with Barry Isett & Associates, Inc., 7450 Tilghman Street, Allentown to perform inspection services during the erection of all steel components and during the erection of all exterior and interior masonry walls for a total cost not to exceed \$16,560.00.

Note: Items 14.1 and 14.2 will be deleted from the contract.

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

Aye: Ballard, Earnshaw, Prinzing, Richwine, Stolz-----5
Abstain: Fuller-----1
Absent: Gannon, Jones, Kowalchuk-----3

Ms. Fuller is an employee of Barry Isett. A copy of the Conflict of Interest Memorandum is attached to the permanent minutes of this meeting.

11. Policy

-Adoption of Revised Board Policies 006 and 801.1

Motion by Ballard, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors approve the following revised Board Policies:

-Board Policy 006, Meetings (Exhibit 11)
-Board Policy 801.1, Records Retention (Exhibit 12)

Mr. Richwine talked about the tapes and his personal experience. He said even though there is a lot said about tapes but he did not see them as a panacea. Mr. Stolz spoke in favor of web casting the meetings.

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

Aye: Ballard, Earnshaw, Fuller, Prinzing, Richwine, Stolz-----6
Absent: Gannon, Jones, Kowalchuk-----3

12. Legislative

C. Ballard

Mr. Ballard reported that there was not much happening in the budget. He reported that SB 850 is dead in the House.

13. Business Operations

1. Approval of Bill List

Motion by Seconded by

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

Appointment of the Treasurer and the Board Secretary

RESOLVED, That the East Penn Board of School Directors appoint Lynn A. Glancy as Treasurer for a term effective July 1, 2009 to June 30, 2010; 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 to be paid by the East Penn School District; and,

Be it further

RESOLVED, That Cecilia R. Birdsell be re-appointed as Board Secretary for a four year term effective July 1, 2009 to June 30, 2013 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. Fuller thanked Miss Birdsell for agreeing to continue as Board Secretary and welcomed Mr. Glancy on board. Mr. Stolz thanked Miss Birdsell staying on board, adding she does a good job with minutes even though he knows he can be difficult at times.

Designation of 2009-10 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 2009-2010 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
East Penn Bank Division of Harleysville Bank
Embassy Bank
First Star Savings Bank
Lafayette/Ambassador Bank (Fulton Financial)
M & T Bank
National Penn Bank
New Tripoli Bank
PA Treasury/Invest Trust
PA Local Government Investment Trust
Quakertown National Bank
Sovereign Bank
US Bank Corporate Trust Services
Wachovia Bank (Wells Fargo)

Earned Income Tax Commission

RESOLVED, That the East Penn Board of School Directors set the following commission to paid to the appointed Municipal Earned Income Tax Officers for the collection of the District's earned income taxes during the period July 1, 2009 through June 30, 2010:

Borough of Alburtis	5%, plus 1/2 of printing & postage costs
Borough of Emmaus	2.5%
Borough of Macungie	5%, plus 1/2 of printing & postage costs
Lower Macungie Township	1/2 of cost of salaries, benefits, and office expenses of the EIT office.
Upper Milford Township	5%, plus 1/2 of printing & postage costs

Earned Income Tax Bonds

RESOLVED, That the East Penn School Board of Directors direct the East Penn School District Municipal Earned Income Tax Officers to provide fidelity bonds to the School District in the following sums:

Borough of Alburtis
Joann Conrad, or Successor
Bond required: \$50,000

Borough of Emmaus
Berkheimer Associates
Bond required: In accordance with contract

Borough of Macungie
Rose Nonnemacher, or Successor
Bond required: \$120,000

Township of Lower Macungie
Cathleen O'Brien, or Successor
Bond required: \$1,000,000

Township of Upper Milford
William Weber, or Successor
Bond required: \$250,000

Budget Transfers - Exhibit 13

RESOLVED, That the East Penn Board of School Directors authorize the budget transfers as outlined on Exhibit 13.

Special Disbursements - Exhibit 14

RESOLVED, That the East Penn Board of School Directors authorize the special fund disbursements from the 2007 EGA Issue and the 2007 GOB issue for the items listed on Exhibit 14.

Parent/Guardian Transportation Contract

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

Parent/Guardian	# of Miles	Time Period
Ruben Pastor 117 E. Ettwein Street Bethlehem	11.2	April 21-June 17, 2009

Aesop Contract-Exhibit 15

RESOLVED, That the East Penn Board of School Directors approve the Aesop Customer Agreement as presented in Exhibit 15 with Frontline Placement Technologies, 5 Great Valley Parkway, Malvern, PA for a cost of \$12,350.00. This is a system for calling per diem substitutes.

Note: Agreement has been reviewed by the Solicitor.

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

Aye: Ballard, Earnshaw, Fuller, Prinzing, Richwine, Stolz-----6
Absent: Gannon, Jones, Kowalchuk-----3

14. Announcements

Monday, May 11 6:00 p.m.-Public Hearing, Seven Generations Charter School
7:30 p.m.-Board Meeting

Monday, May 25 Memorial Day - All Schools and Offices are closed.

Mr. Earnshaw noted that Eyer Band Director Carrie England acknowledged the Board's support for the music programs in the district at the Eyer Concert last week.

15. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion at 11:40 p.m.

Cecilia R. Birdsell, Board Secretary

ORDER OF BUSINESS

1. Call to Order; Pledge of Allegiance

President Alan C. Earnshaw 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.

Board Members Present: C. H. Ballard, A. C. Earnshaw, F. Fuller, E. Gannon, C. Jones, S. Kowalchuk,
M. Prinzing, T. Richwine, 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: Loretta Fenstermacher, East Penn Press Reporter
Kelly Martin, Morning Call Reporter

2. Classrooms for the Future Presentation:

Board members watched a video that illustrated how the technology was being used in the classrooms as a result of the Classrooms for the Future Grant. Dr. Seidenberger indicated that the grant was for \$188,000. The teachers, Sarah Kinzell and Melissa Moxley, reported that 20 teachers were trained and recently students were selected for a presentation at the Capitol Rotunda in Harrisburg. Students interviewed felt that the project gave them the opportunity to increase their level of learning and to apply the research they were learning. Teachers talked about their increased energy and caused them to be more excited about what they are teaching. Ms. Kinzel explained that the CFF Coach works with students and teachers to incorporate and infuse the technology into the classroom.

Ms. Moxley talked about the visit to the Capitol Rotunda and the state initiative that was part of Governor Rendell's budget. Over 150 schools applied for this presentation and only 30 schools were selected. Teachers talked about student engagement in projects, the increased level of collaboration, and how it impacted the relevance and rigor of learning. She explained the process for interviewing community members who had served in Viet Nam. It was an opportunity for students to learn how to interview without being invasive and to work on their interpersonal skills. Ms. Moxley said it provided a first person point of view. The students created documentaries by using primary sources. She said when the students were tested after the project their scores showed an increase of at least ten points over previous test scores. She concluded that the technology is about getting the students prepared for the 21st Century work place.

Students Brianna Wink, Nonye Acholonu, and Leslie Donegan talked about their experience of presenting at the Capitol Rotunda. They also had the opportunity to see what other students were doing in their schools. They all indicated they were excited about what they learned through the process, especially the Viet Name project. Each board member received a Flip the Switch Video and another video with student work.

They received a round of applause and were photographed by the East Penn Press reporter Loretta Fenstermacher.

Mr. Richwine asked if this would be expanded for other classes. Ms. Kinzel said it looks like this program will be cut from the state budget this year. Dr. Seidenberger said it is still being negotiated in Harrisburg but the district's intent is to make more technology available to the students and staff. Part of the stimulus money may be used to expand the program at the high school. The high school has wireless and the district has the ability to do this type of program in every high school classroom. He talked about the computer carts that have 30 computers and the six Apple carts in the high school. Ms. Kowalchuk asked if some of the training can be incorporated into the district's Professional Development. Dr. Seidenberger said the technology offerings have been expanded for teachers and cited some examples. Ms. Kowalchuk is there any possibility of having the 20 trained staff then train other teachers. Dr. Seidenberger explained that the district has its own Technology Training Center developed. There will be plenty of opportunities to train other teachers. He also talked about his experience last year in Fife, Washington and East Penn will be using the website to showcase student projects.

Mr. Earnshaw thanked the students and teachers for their outstanding presentation.

3. Requests to Address the Board

Mrs. Risa Donegan, 9 Coach Street, Macungie voiced her opinion regarding a comment made by Mr. Stolz at the May 11 Board Meeting under the discussion of the Seven Generations Charter School. She was offended by his comment that included the word "lynching" and then shared the various definitions she found on the internet. She felt he could have used other words to express his opinion. Mr. Stolz wanted to respond but Mr. Earnshaw indicated he could respond by a letter or later in the board meeting. Mr. Stolz insisted that the remark was made in public and deserved a public response. Mr. Stolz acquiesced to Mr. Earnshaw's request to respond to the comments at a later time in the meeting. Mr. Stolz asked Ms. Donegan if she could stay for the meeting to hear his response.

Mr. Grant Carter, 7145 Carls Hill Road, Zionsville, PA spoke about the adoption of the teachers' contract last fall before copies of the complete contract were available. He criticized the use of a one page sheet as a basis for approving the contract. After he received a copy of the contract, he compared it to the previous contract and claimed there were discrepancies as to what was voted on and the new contract. In April, Mr. Carter appeared before the Board to challenge the discrepancies that he alleged were in the contract. Following the meeting, he received a letter from Dr. Seidenberger explaining the alleged discrepancies. Mr. Carter read portions of the letter with the explanations and he criticized the request for a public apology for his comments. He said he did not owe the teachers or Dr. Seidenberger an apology. He expressed his disapproval of Dr. Seidenberger's attitude and he felt it served to illustrate the problems within the administration and offered an insight into why the taxes have been skyrocketing and why the debt level ballooned. He accused the Board of being secretive, sloppy, and irresponsible.

Mr. Otto Slozer, 121 E. Elm Street, Emmaus, PA read the attached letter concerning Dr. Seidenberger's letter to Lehigh Valley Commentator Editor Andy Geissinger and the perceived disrespect for a fellow board member.

Mrs. Claire Kowalchuk, 2980 Keystone Avenue, Emmaus said she had attended the May 11 meeting in support of Seven Generations Charter School. She indicated she would not be sending her children to Seven Generations and they will remain at Lincoln School. She was not interested in the environmental education but was more interested in the project based concept. She commented positively on the earlier presentation by students and the approach to the hands-on project based learning. She also spoke positively about the teachers that her children had in East Penn. She concluded that East Penn was a fine school system and she hoped that there would be district wide support for creative teaching. She talked about the passion of the Board for students and their well being and thanked the Board for all they do for the students.

4. Approval of Minutes

Motion by Kowalchuk, Seconded by Ballard

RESOLVED, That the East Penn Board of School Directors approve the minutes for the May 11, 2009 meeting.

This resolution was unanimously adopted by voice vote.

5. Public Financial Management

Mr. Scott Shearer, Senior Managing Consultant for Public Financial Management, reported on the history of the bond re-financings over the past ten years. He pointed out that through the re-financings the district has saved \$6,992,000 in refinancing and \$4,446,893 in the variable rate debt portion of the debt portfolio for a total of \$11,438,893.

Referring to the most recent bond issue, Mr. Shearer reported that they switched from Moody's where the district had an A1 rating to Standard & Poors Rating Service that assigned its AA minus long term rating. The district has a very favorable credit rating. There were ongoing interaction between PFM and the Business Office to establish a period when the market would be moving in the right direction and cutting down on the debt service cost. The final interest rate incurred with the last issue was 3.9% yield of the issue even though the Board had approved a maximum interest rate of 6%. He compared transactions that also took place at the same time as East Penn. He said that right now is a tough time for competitive sales and you will see higher bond commissions. The firm was happy with the results and confident to have the President sign the addendum to the bond purchase agreement. He apologized for the timing but they were trying to get the best rates for the school district.

Mr. Ballard thanked him for the many years of service that PFM has given to the district. He asked about the bond rating and asked if they were in the business of making school districts look good and indicated their role is to look at all the financial information that determines the financial strength of the school district. East Penn has maintained a solid financing rating with good reserve levels. There is nothing that they came across that suggests there is something underhanded or nefarious in the financial standing of the district. Mr. Shearer pointed that they not only scrutinize the numbers but S & P puts a high emphasis on leadership of the district. He said right now is a time when a lot of entities are being downgraded and they were able to see the opposite for East Penn. Mr. Ballard said it is important that the district's fund balance levels are kept in a reasonable range to demonstrate that the district is able to handle financial setbacks if they occur. It was stated in the bond documents that East Penn's fund balance has remained strong and there is a formal policy. Mr. Jones asked about the history of other bond ratings. Mr. Shearer said it has been a Moody's A1 rating for at least the past five to six years. Mr. Jones was impressed that it has not changed in the past two years. He commented on his experience at a recent conference where the municipal bond market was discussed. Mr. Jones also complimented Mr. Shearer for his services. Referring to another district's experience, Mr. Richwine said there were fees that were not specifically noted to the Board and administration that would make the cost of the transactions more than they appeared. Mr. Shearer said all the fees are reflected in the numbers presented and PFM has a policy of full disclosure. There are no other hidden fees or third party involvement.

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

1. Superintendent's District Update

Dr. Seidenberger announced that Secretary of Education Dr. Gerald Zahorchak will be stopping at Emmaus High School at 10:30 a.m. on Wednesday, June 10. The purpose of this visit is for a press conference to highlight the

issues regarding the state budget. Dr. Seidenberger talked about the Costing Out Study, SB 850 and Governor Rendell's budget. They are not optimistic that information will be forthcoming before final budget adoption. At least one quarter of the IDEA funds can be used to offset local costs. The budget will show a reduction of \$400,000 thus reducing the tax increase by .2 of a mill. There are new forms that will need to be completed before July 10 regarding the use of IDEA funds. The district has received approval for \$149,000 in extraordinary special education aid. The district was also notified by Opus that one of the warehouses may not be completed so it would be a wash. The district must appoint a representative to the County Wide Earned Income Tax Commission by September 15. The group will then study and recommend a firm that will collect Earned Income Tax on a countywide basis. The all weather track is being constructed and will be ready by August 16. Dr. Seidenberger reported that Mr. Ramella and Mr. Glancy and he are working on some ideas about the Wescosville ball fields that will be considerably less in cost. Mr. Earnshaw asked if Dr. Seidenberger would prepare a report on all the cost cutting measures that have been considered in the budget.

2. Personnel

Motion by Ballard, Seconded by Kowalchuk

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

Resignations

- Sarah Tiede, Music Teacher at Alburtis School, effective June 18, 2009 (Exhibit 1)
- Lauren Engler, Staff Assistant at Shoemaker School, effective May 18, 2009 (Exhibit 2)
- Irene Opilla, Staff Assistant at Shoemaker School, effective June 18, 2009 (Exhibit 3)

Awarding of Tenure

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

Laurie Hillanbrand Grade 3 Shoemaker School

Appointment of Administrative Assistant

Name/Address: Adam Brauchle
1615 South Halstead Street, Allentown 18103
Effective: June 22, 2009
Assignment: Business Office (Replacement for J. Lehmann's retirement)
Salary: \$24,300, 35 hrs./wk.

Request for General Leave of Absence

Employee: Linda Christman
Staff Assistant, Jefferson School
Effective: May 1-June 17, 2009
Reference: Board Policy 539, General Leave

Summer Book Repair Program

Sharon Woodeshick Debbie Moyer

LMMS Summer Band Program-June 27-July 31, 2009

8:00 a.m.-12:00 Noon Anthony Simons, LMMS Summer Band Camp

Extended School Year Teachers

See Exhibit 4

2009-2010 Head Teachers, Team Leaders, Subject Area Leaders, Grade Level Leaders, and Department Chairs

See Exhibit 5

Change in Assignment

Name: Tami Fenstermaker
1034 Pennsylvania Avenue, Emmaus
From: Administrative Assistant, Eyer Library

To: Administrative Assistant, Student Services
Vacancy created by S. Cichocki retirement
Effective: June 22, 2009

Elementary Summer Fitness Program

Todd Breiner Justin Reiss Amy Wilkert Nancy Krajcir
\$33.00/hour

Co-Curricular Advisors

Jenifer Tratuman	LMMS Spring Musical	\$ 520.00
	Costume Design, Director	
Kelly McConahy	LMMS Spring Musical	\$1767.00
	Vocal Director	

Summer Employees - Information Technology Department

Returning Employees:	Gregory Yankovoy	Ben Roth	Joseph Plowman
New Employees:	Jordan Mosser	Daniel Reinert	

This resolution was duly adopted by the following roll call vote:
Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----9

3. Educational Conferences - Exhibit 6

Motion by Stolz. Seconded by Kowalchuk
RESOLVED, 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: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----9

4. Informational: Administrative Reports (See Exhibit Section)

Mr. Richwine commented on the achievements of students at Emmaus High School, citing the Computer Science students who competed on an international level. He noted that most of the schools they are competing against are magnet schools and specialty schools. EHS was one of the few public high schools that were able to compete on an international level. He commented on how district students excel academically, athletically, and artistically and felt the Board should be proud of the students at the high school. Dr. Seidenberger said the administration would be looking at Willow Lane a little differently and would bring a proposal to the Board in August. He said at the administrative retreat the administration will be looking at what a magnet school would look like with an emphasis on science, technology, mathematics, and engineering. The administration has been looking at this for a year and the concept was mentioned at a recent PAC Meeting.

7. Education

1. Textbook Adoption - Exhibit 7

Motion by Ballard, Seconded by Kowalchuk
RESOLVED, That the East Penn Board of School Directors adopt the textbooks listed on
Exhibit for use in the school district, effective with the 2009-2010 school year.

Mr. Stolz indicated he would not be voting in favor of this resolution because he did not believe the district should be doing a program for Spanish for Native Heritage speakers. Ms. Fuller said it is an example of technology at work. She continued that this program was being addressed because of the changing demographics and it is wise for those who hear the language to understand the syntax and grammar of the language. She concluded that the district was forward thinking in including this in the program of study.

This resolution was duly adopted by the following roll call vote:
Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine -----8
Nay: Stolz-----1

8. Facility

1. Approval of Change Order - Willow Lane Elementary School

Motion by Ballard, Seconded by Stolz
RESOLVED, That the East Penn Board of School Directors approve the following change order:

GC-1	Perrotto Builders, Ltd.	
1.	Engineer driven revision to HOP plan and associated design Change	\$ 8,170.87
2.	District's request to change Kitchen equipment	\$ 6,384.72
3.	District's request to add #3 Stone to construction drive	\$ 9,632.00
	Total	\$24,187.59

Contract Awards - Willow Lane Equipment - Exhibit 8

RESOLVED, That the East Penn Board of School Directors award the contracts for the Willow Lane Equipment to bidders listed on Exhibit 8.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----9

3. Informational: Plancon Part K: Project Refinancing - Exhibit 9

PDE acceptance and approval of Plancon Part K: Project Refinancing has been received and is being made part of the permanent minutes of this meeting.

9. Other Educational Entities

-Carbon Lehigh Intermediate Unit T. Richwine

1. Return Ballots for CLIU Board of Directors

Mr. Richwine asked that board members to return the CLIU ballots to Ms. Birdsell. He explained the process for selecting board members from sponsoring districts. He reported on the May 18 meeting that had a presentation on the Transition Academy at Muhlenberg College for students who are reaching the end of their special education program through the IU. The board members received their budget books that contain 47 different budgets. There was a presentation by the Human Resource personnel.

-Lehigh Career & Technical Institute
F. Fuller
A. Earnshaw
S. Kowalchuk
T. Richwine

Ms. Fuller reported the meeting was a celebration of students' achievements and the awards they received at state and national competitions. There was an update on the Emerging Engineering Professionals Program which is an initiative this year opened to seniors who are interested in the engineering profession. It is a cooperative effort between LCTI, LCCC, Penn State Lehigh Valley, and a consortium of Lehigh Valley industries. It is a combination of mathematics courses used in the engineering field and job shadowing to get a real world experience at a variety of places. There were ten students who participated. Mr. Earnshaw later shared that of the ten students who were involved in the program, nine were going to continue their studies in engineering, and one decided against a career in engineering. He also noted one of the students in the Emerging Health Program was accepted as a pre-med student at Penn State. He pointed out that LCTI has moved well beyond the days of being considered a technical school for automotive studies.

1. Purchase of Elberta Street (Exhibit 10)

Ms. Fuller explained this is a street that has been used by LCTI as a bus access to Route 309. This is a purchase by LCTI and must be approved by sponsoring districts. There is no cost to the district. It is simply a clarification of a long standing use of the road.

Motion by Fuller, Seconded by Ballard
RESOLVED, That the East Penn Board of School Directors authorize the purchase of a piece of land referred to as Elberta Street from KidsPeace Corporation for a cost of \$5,000 dollars as described in the attached resolution (Exhibit 10).

Note: Elberta Street is located between the south end of the LCTI property and Route 309. LCTI has been using Elberta Street since 1970 as a means of egress for employees and school buses. LCTI has maintained this property since 1970.

KidsPeace, Inc. is the present owner and is willing to sell it to LCTI for \$5,000. LCTI does maintain an easement for use of the property and it is in their best interest to obtain ownership.

Ms. Gannon asked if the road could be used even if LCTI did not purchase it. Ms. Fuller said the feeling was that it is time that the road ownership be taken over since it has been maintained by LCTI. In response to another question by Ms. Gannon, Ms. Fuller indicated that there are no risks associated with the road.

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

Aye: Ballard, Earnshaw, Fuller, Jones, Kowalchuk, Prinzinger, Richwine, Stolz-----8

Nay: Gannon-----1

10. Legislative

C. Ballard

Mr. Ballard talked about a lawyer who presented at a conference who cautioned about costing out studies, noting that the studies usually show that the Legislature needs to spend more money for education. In Pennsylvania, this has been substantiated and in East Penn the state is providing only 20.8% of the funding for education. He referred to the EIT Committee and talked about the functional and political aspects of collecting the revenue from the tax. He said other entities may have more to say about who collects the taxes. He felt there needed to be a discussion dealing with this particular committee. Mr. Earnshaw said this would come up in an August meeting. Mr. Ballard commented on SB 850 and the lack of action on the state budget level. The Governor has started to talk publicly and is floating the idea of an increase in the personal income tax. He has the Secretary of Education doing a bus tour around the state with scheduled stops in front of schools throughout the state. He said the real problem is that enough constructive debate is not taking place to deal with any of the positions. He said unless there are some deep back room negotiations then there will not be a state budget by June 30. The district will have to guess what the state contribution will be for the funding. He talked about the difficulty for the school district that involves using various projections for funding as well as the complications with tax bills and sending rebate checks. He talked about legislation that would increase physical activity to one hour a day for students. There is also talk for standardized exams nationally. He announced that if anyone has a proposal for a legislative platform item it should be presented at the next meeting for Board approval. Mr. Ballard distributed a brochure from PSBA describing their services. He also distributed cards for My Coke Rewards to collect points for a school account for purchasing school items.

Mr. Earnshaw asked if Mr. Ballard would be willing to represent East Penn at the press conference on Wednesday and Mr. Ballard agreed.

11. Business Operations

1. Informational: Bid Opening Report - Computer Supplies; General School Supplies (Exhibit 11)

2. Bill List Approval

Motion by Ballard, Seconded by Jones

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

Approval of Food Service Management Contract Addendum-Exhibit 12

RESOLVED, That the East Penn Board of School Directors approve the Food Service Management Contract Addendum for The Nutrition Group as the food service management provider for the 2009-2010 school year.

2009-2010 Increase in Breakfast and Lunch Prices

RESOLVED, That the East Penn Board of School Directors approve the following price increases in breakfast and lunch prices for the 2009-2010 school year:

Breakfast

\$.15 increase per paid breakfast. This is the first increase in breakfast prices since the program began in 2000.

Lunch

\$.05 increase per paid lunch all levels. Lunch prices were last increase by \$.15 in 2006.

Special Fund Disbursements - Exhibit 13

RESOLVED, That the East Penn Board of School Directors authorize the expenditure of funds from the Capital Reserve Fund and the 2007 GOB Issue as outlined on Exhibit 13.

Record of Investments - Exhibit 14

RESOLVED, That the East Penn Board of School Directors approve the list of investments as outlined on Exhibit 14.

Contract Awards - Computer Supplies (Exhibit 15) & General School Supplies (Exhibit 16)

RESOLVED, That the East Penn Board of School Directors award the contract for computer supplies and general school supplies as outlined on Exhibits 15 and 16.

In response to a question from Mr. Prinzing, Mr. Glancy explained that the price increase is needed to balance the cost so there is no profit or loss. There are costs involved for equipment repair and replacement and for some of the district employees who support food services. The program would be operating at a deficit if the increases are not approved. Mr. Earnshaw noted that even with the increases the cost of lunch/breakfast will be among the lowest in Lehigh County.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----9

Mr. Stolz said the party who addressed his comments had left the meeting but, since he did know her, he would talk to her at another time. He talked about his vote for the Seven Generations Charter School, adding that he had every confidence that they would do what they needed to have the school. He said during the first couple of hearings he and members of the group did not like the way they were received by the Board. They tried to work with the district and there seemed to be hostility about what they were trying to do. He felt some of the charges were wrongfully leveled. Ms. Kowalchuk talked about the responsibility of a board member to ask the difficult questions since district funds were going to be committed to this school; there are state guidelines to consider; and it was the purpose of the public hearing to ask those questions. If Mr. Stolz looked at the hearings as asking untoward questions, then that is the responsibility of the Board. Ms. Kowalchuk said everyone has their own opinion, that is part of being on the Board, and everyone has a vote.

Mr. Prinzing thanked everyone for the hard work that went into graduation on Sunday, adding that he was proud to be part of it.

Mr. Richwine mentioned that there had been an earlier comment about fund balance and he felt that it had been fully explained at the last meeting.

12. Announcements

-Monday, June 8	7:00 p.m.-CLEAR Session (Litigation, Negotiations, Personnel, Real Estate) 7:30 p.m.-Board Meeting
-Monday, June 22	7:30 p.m.-Board Meeting
-Monday, July 13	7:30 p.m.-Board Meeting

13. 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 Alan C. Earnshaw 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.

Board Members Attending: C. H. Ballard, A. Earnshaw, F. Fuller, E. Gannon, C. Jones, S. Kowalchuk, M. Prinzing, T. Richwine, 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: Loretta Fenstermacher, East Penn Press Reporter
Sarah Fulton, Morning Call Reporter

2. Student/Teacher Recognition: Rita Cortez, Vocal Music

Ms. Cortez relayed how she found out about the opportunity for the students to be able to perform at Carnegie Hall. She said the trip was cost free and the sponsoring organization selected six schools by reputation in the tri-state area. EHS student Steven Rosenkrantz talked about the excitement of the students, the level of performers, and how fortunate they felt to be performing on the stage where so many other well known performers had appeared. The following students from the high school also spoke about how lucky the students felt to have the privilege to perform: Julia Wagner, Daniel Lomauro, Nick Lomauro, Patrick McCowan, Mesalie Toggia, and Kaila DeRienzo. They thanked Ms. Cortez for their education and the Board for supporting the arts to enable them to have this experience. Ms. Cortez concluded that the district does value the arts and when something like this happens the administration and Board share in the excitement. In answer to a question from Ms. Fuller, Ms. Cortez said the concert was produced by Mid American Productions. The selections performed were a Heyden Mass and another Heyden work with the orchestra. Ms. Kowalchuk thanked Ms. Cortez and said this exemplifies the quality and talent of our students. Ms. Gannon commended Ms. Cortez for always looking for opportunities for students.

3. Requests to Address the Board

Mr. Earnshaw explained why the Board has a no dialogue policy. He said many times when people come to the meeting the Board knows the answers and has researched the information. However, there are times when the Board does not know the answer and more information is required or the questions involve student or staff confidentiality that cannot be shared. He said rather than show partiality the Board chooses to not answer to make it fair to everyone.

Kate Hart, 3548 Vista Drive, Macungie said she values her East Penn education since she is a graduate of Emmaus High School. She has returned to East Penn as a resident and is paying her taxes to the district. East Penn encourages life long learning and community contributions. She supports the Board for maintaining a structure that is fiscally sound as well as achieving academic excellence for all its students. She thanked the Board.

Mrs. Jo Sadrovitz, 130 North Fourth Street, Emmaus asked for information about the Willow Lane School and asked if there was anything new.

Ms. Lori Ross, 5753 Fresh Meadow Drive, Macungie, who is also President of Support Teens of East Penn and the parent volunteer group at the high school, spoke about providing substance free activities for students at the high school. She noted that there were over 700 students who attended the After Ball Party and there was another accident free prom night and weekend. This was a tough fundraising year because of the economy but many merchants and friends stepped up to provide a safe environment. She noted the ad in the East Penn press on June 17 that listed all the donors. She concluded that she was looking forward to next year's After Ball Party.

Mr. Otto Slozer, 121 East Elm Street, Emmaus said Mr. Richwine commented about the budgetary reserve/general fund question at the last meeting and indicated that he felt it had been answered. Mr. Slozer contends that the question has not been fully answered. He did not understand what is different with the state reporting over the last five years even though comments have been made about the figures being audited by the state and local auditors. He questioned what has been changed.

4. Approval of Minutes

Motion by Fuller, Seconded by Gannon

RESOLVED, That the East Penn Board of School Directors approve the minutes for the June 8, 2009 meeting.

This resolution was unanimously adopted by voice vote.

5. 2009-2010 East Penn School District Budget

1. 2009 Homestead and Farmstead Resolution

Motion by Ballard, Seconded by Gannon

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, 2009, 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, 2009:

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 \$1,755,864.00.

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 \$36,824.59.

c. Aggregate amount available. Adding these amounts, the aggregate amount available during the school year for real estate tax reduction is \$1,792,688.59.

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 15,803.

b. Farmstead property number. The number of approved farmsteads within the School District is 27.

c. Homestead/farmstead combined number. Adding these numbers, the aggregate number of approved homesteads and approved farmsteads is 15,830.

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 \$1,792,688.59 by the aggregate number of approved homesteads and approved farmsteads of 15,830, the maximum real estate tax reduction amount applicable to each approved homestead and to each approved farmstead is \$113.25.

4. Homestead exclusion calculation. Dividing the paragraph 3 maximum real estate tax reduction amount of \$113.25 by the School District real estate tax rate of 43.64 mills (.04364), the maximum real estate assessed value reduction to be reflected on tax notices as a homestead exclusion for each approved homestead is \$2,595.00, and the maximum real estate assessed value reduction to be reflected on tax notices as a farmstead exclusion for each approved farmstead is \$2,595.00.

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 \$2,595.00. 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 \$2,595.00. 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.

Mr. Ballard pointed out that with this homestead exception as more people apply the less the tax relief amount will be for taxpayers. The dollar figures are provided by the state and the district does not have input on the amounts.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzinger, Richwine, Stolz-----9

2. 2009-10 Budget - Final Adoption

Motion by Ballard, Seconded by Prinzinger

RESOLVED, That the East Penn Board of School Directors adopt the 2009-1 budget that was tentatively adopted on May 11, 2009, and revised; and,

Be it further

RESOLVED, That the East Penn Board of School Directors, Lehigh County, Commonwealth of PA, hereby authorize expenditures totaling \$115,123,103 as set forth therein; and,

Be it further

RESOLVED, That the East Penn Board of School Directors levy a tax of 43.64 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 2009-10 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 authorize the collection of school property taxes in installments in accordance with the previous year's schedule.

Dr. Seidenberger talked about reviewing the revenue situation and the uncertainty surrounding the funding from the state, the stimulus funds, and federal funding. The district will be receiving IDEA funds in the amount of 1.3 million dollars. The district will need to be vigilant about the way stimulus funds are used. He emphasized that in Pennsylvania you cannot reduce staff based on economics so stable enrollment is significant. The debt service is increasing at 1.5 million dollars. The cyber charter schools and charters schools are increasing. He pointed out that there is a Board Policy to keep a 5% budgetary reserve. He indicated that there has been a reduction of one Kindergarten teacher by attrition. He reviewed the attached list of budget cuts that were reviewed by the Central Office. The total budget cuts amount to 1.5 million dollars. He complimented former Director of Business and Fiscal Affairs Gary Reigal and Director of Personnel Leslie Daniel for their work with the transportation contract that yielded a \$236,000 savings. Referring to enrollments, Dr. Seidenberger reviewed the attached list of enrollment trends that show increases in charter and cyber school enrollments and the special populations such as ESL, Alternative Education, IEPs, Autistic, Gifted, and Speech. The staff in these areas has not been increased and he was not sure that will continue since the staff is stretched. By consolidating positions at the Central Office level, he has projected a savings of \$266,783.67. There has been a reduction in technology spending that amounts to \$94,130. Dr. Seidenberger said that now the district can install its own Smartboards and can do its own wireless and cable work. The district now has five file servers and we are looking at green computing. One of the goals is to be as paperless as possible. He talked about working with the staff to bring a special education student back to the district for a savings of \$23,000 and the pressing need for a countywide alternative education facility. He reviewed the lighting upgrades to reduce energy consumption. They will also be looking for opportunities for working with other municipalities in the district. They will be reviewing Joint Purchasing options.

Director of Operations Lynn Glancy reviewed the attached real estate bill analysis and the expenditure budget. The current economic slowdown is affecting the revenue and interest earnings. Dr. Seidenberger pointed out that charter

schools represent a 131.5% increase in the budget. He talked about reaching out to legislators to provide a moratorium on new charter schools. There is also the PA Inspired Leadership Program that requires every administrator to take 180 hours of professional development to maintain their certification. This is another unfunded mandate that will cost the district. These are not options but mandates. He felt the administration had done everything to bring in a responsible and fiscally prudent budget.

Mr. Richwine concurred that this has been one of the most difficult budget years. He said that class sizes are beyond what he would like to see but by holding the staff number we are sacrificing on the educational part by not having more desirable class sizes. The district is also using part of the fund balance but it is not something that should be done on a long term basis. He said no one wants to raise taxes but the reductions have been balanced. He said he supports special education because of the benefits to society but it is expensive. Over the last ten years, the special education costs have increased 11% each year and the staff funding has only increased about 3% each year. In 1999-2000, the cost for special education represented 1.92 mills; however, in 2009-2010, it will represent 6 mills. It is a cost where the district does not have a lot of control. He talked about East Penn's Senior Citizen Rebate Program which is offered by only one other school district in Lehigh County and he could not find any district in either Berks or Bucks Counties and none in Carbon or Montgomery Counties. There are a few district in Northampton County that offer the rebate program. The Board has tried to address the issue about lightening the tax increase for senior citizens. He reviewed the local rebate figures, noting 28 mills were paid representing a 33% decrease. He said many board members and residents have had children go through East Penn who were very well prepared for the college/university experience. He concluded that the district does a good job and the Board does its best to keep taxes reasonable. East Penn has the third lowest tax rate in the county.

Mr. Prinzing thanked the administration for the cuts that were made. He asked how close the estimate for the charter school students was to the actual enrollments so far. Dr. Seidenberger said the district projected 100 students; however, the survey showed fewer students. The Seven Generations representatives had indicated 100 students are interested in enrolling. As of this date, no students have been withdrawn from East Penn or the local parochial school. If there are more than 100 students then the funds will need to be found elsewhere. He said that Parkland, IU 21, and East Penn will be looking at developing courses online to attract students back to the district. Mr. Prinzing said he disagreed with the 5% reserve and would have considered waiving the policy to reduce the tax burden.

Mr. Ballard said the property tax reduction went down \$4.95 from last year. He said the Legislature is trying to find the "magic bullet" in gambling to solve the tax problem. He concurred that East Penn does more than any other district in the Commonwealth to take care of deserving senior citizens. There are other districts where rebates are granted if they work in the district. He talked about the state share, SB 850, and what is in the Governor's budget. Business Manager Debra Surdoyal indicated it has been very difficult to make comparisons. Dr. Seidenberger said the Governor's budget called an increase of \$943,000 in basic education subsidy, plus another \$322,000 in stabilization aid. Mr. Ballard cautioned the public against looking for rebates if the state budget is approved at a higher aid rate than is currently listed. He said that the cost involved to process rebates outweighs the savings. He said Lehigh County will be printing the bills the day after the district's budget is approved.

Mr. Ballard reflected on the several commentaries for the public and the Board about budgetary reserve. He reiterated that the budgetary reserve is there for emergencies that occur; major catastrophic events. He explained that 5% of the budget will run the district for approximately three weeks. Having an adequate reserve enhances the district's standing with rating agencies that have given the district an excellent financial standing. He further stated that there is a lot of confusion about budgetary reserve that is set up to keep the same money across the board every year. It is kept as a fund from year to year. He explained that the fund balance is whatever is left over at the end of the year that includes the budgetary reserve. Referring to the state reporting, it has been said many times that the numbers reported to the state in terms of budgetary reserve and fund balance have not changed; however, what did change was what the state reported out of that on a particular web site. He suggested that if someone has a question about what is reported that they talk to the state representatives. The numbers have been audited by state and local auditors and the state required internal audits have been the same with adjustments to the budget and there has been no million dollars disappearing. The state decided to report a number in a column differently five years ago. Mr. Ballard further stated that someone looking for malfeasance/misfeasance is trying to "do something up a rope." It is self-serving information that is trying to take care of a mindset. He talked people trying to compare personal budgets with budgets in the public sector that don't work like a personal budget. In the public sector there are mandates and a Board is an arm of the state Legislature and the Constitution delegates that Board's provide a thorough and efficient system of education. He said neither of those words implies cheap. He said that this budget has illustrated the lengths we have gone this year to maintain those efficiencies in the face of extremely difficult financial times. The Board does not have control over 90% of the budget. The Board is not given credit for some of the cost saving measures through contract negotiations. Mr. Ballard said his personal opinion about why people are not listening is as follows: "I do not like taxes. I wish I had more money to spend on things that I would like to spend it on. If I go out and say some institution like East Penn School District is taxing me too much, without having some justification, I might look like a cheap tightwad. Unlike some of the figures in his township who praise the Pennsylvania Dutch for being tightwads but anywhere else in the country calling someone a tightwad is not a compliment. Therefore, there must be a justification for the scenario of complaining about taxes and therefore there must be malfeasance/misfeasance somewhere in the school district that justifies me having this particular mindset and vernacular and accuse people of all kinds of machinations and affronts to the taxpayers and anything else imaginable because they must justify themselves." Mr. Ballard said he has not found anyone who can justify that situation in the district after fourteen years. The Board has kept the taxes as low as humanly possible. The district could have raised the millage 1.7 mills to coincide with the 4.1% state index but instead the district has come in at 1.37 mills in a year when there has been a loss of 2.3 mills in revenue. Mr. Ballard concluded that if anyone else feels they can do better then they

had better have concrete program cuts to propose and some new ideas that they plan to use when they run for school board. The facts are not out there and this budget is fair. Mr. Ballard indicated his support for the budget.

Ms Kowalchuk thanked the administration, noting this has been a very difficult budget year and felt the administration had done an excellent job. She indicated her support for the budget.

Mr. Jones said he appreciated the administration's efforts and indicated his support for the budget. He concurred with the comments made by Mr. Ballard. He said it is very difficult for people to accept things that are outside of their control. He said no one on the Board has any personal interest in raising taxes unless it is to maintain the quality of education.

Ms. Gannon said she would be supporting the budget even though she would like to see a 0% increase but she recognized that would be unrealistic. She said the administration and Board have done the best they can and looked at all the areas to cut and she thought they had done an excellent job in a difficult year.

Ms. Fuller indicated her support for the budget and all departments have been affected. She thanked the administration for finding ways to keep the tax increase at the minimum. She thanked the administration for their prudence in past years that has given East Penn stability now. She said the district is not finding itself in dire conditions as other districts have found themselves. She thanked Mr. Ballard for sharing his thoughts and hoped others in the audience found them helpful.

Mr. Stolz said he would not be supporting the budget. He said he felt it was a compromise budget and asked what the possibility would be next year for applying for exceptions and raising taxes above the minimum level. Dr. Seidenberger said he would not be discounting anything but they have done everything not to go that way. He said a lot depends on state aid. If enrollment increases and the economy goes crazy, he said all bets are off. He said the first reaction is not to do the exceptions. Mr. Stolz brought up the option to collect delinquent taxes even though it is a one time infusion of revenue. Dr. Seidenberger said they did not look at it this year and he had talked to representatives of various agencies at the PSBA /PASA Conference in October and he was not comfortable with the answers. He said as an experienced superintendent he would avoid a spike at all costs. Mr. Stolz said he would have liked to see that in front of him to at least offset the budget cuts for a teacher at the elementary level. He felt that certain situations qualify as an emergency and he would have submitted a policy request to change the budgetary reserve if he had the support which he doubted. He said he had not supported the teachers' contract because he was concerned about the budget nor did he vote for bonuses during the year.

Mr. Earnshaw thanked the administration for the extensive job that they did in trimming costs. He talked about the stimulus funds being used for staff and the future implications to the district when stimulus funds will not be available. He talked about petitioning the legislators both individually as well as the PSBA. We have been left guessing about state aid. There is still no state budget with the June 30 looming. He said since he has been on the Board the Legislature has not adopted a budget before June 30. He did not think there would be revenue higher than projected. He felt there would continue to see strong fiscal discipline from the administration. He said the challenge with the one time dollars is that those dollars will not be there next year and explained the short fall for future years. The one scenario where this would work is with a one time expense for a capital project. However, replacing ongoing operation expenses is not prudent financial planning. He said this is the best that can be done in the current financial climate. He talked about what other districts are eliminating. He indicated his support for the budget.

Mr. Prinzing expressed his frustration with the state and indicated he would be contacting the state legislators tomorrow.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Richwine-----7

Nay: Prinzing, Stolz-----2

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

1. District Update

Referring to Ms. Cortez, Dr. Seidenberger reported that he had nominated Ms. Cortez to Yale University for the Yale Distinguished Music Educator Award, adding that she was not selected and it was Yale's loss. Dr. Seidenberger said she is a tribute to the educational profession. He reported that there was an Administrative Retreat scheduled for June 23 and 24 to discuss priority items such as project-based learning, redistricting, and a Magnet School concept for Willow Lane. He estimated several options concerning redistricting will be reviewed in the early fall.

2. Personnel

Motion by Ballard, Seconded by Gannon

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

Resignations

-Mr. Gregory Nolan, Assistant Superintendent, effective June 30, 2009 (Exhibit 1)

Ms. Fuller said that Mr. Nolan served the district well and was very instrumental in helping with the Superintendent Search. She was also delighted to see that Kristen Campbell was being recommended as the Assistant to the Superintendent. Mr. Richwine wished Mr. Nolan good luck in his new position as a Superintendent and thanked him for his service. He, too, commended Mrs. Campbell on her appointment as Assistant to the Superintendent. Mr. Ballard and Ms. Kowalchuk also thanked Mr. Nolan for his service and had positive comments about Mrs. Campbell as a teacher and principal. Mr. Nolan will be Superintendent of the Flemington-Raritan (NJ) School District. Mrs. Campbell was welcomed by the Board and she informed them that she was ready to accept the challenges.

Dr. Seidenberger complimented Mr. Nolan for his service to East Penn, wished him good luck in his new position as a NJ Superintendent, and noted that he has had five colleagues move on to superintendent positions.

-Denise Donmoyer, Hall Monitor at EHS, effective June 7, 2009 (Exhibit 2)

-Robert Sawicki, Social Studies Teacher, effective July 31, 2009 (Exhibit 3)

Appointment of Assistant to the Superintendent

Employee:	Kristen Campbell
	Principal, Lincoln School
Reference:	New Position (Vacancy created by resignation of Mr. Greg Nolan, Assistant Superintendent)
Effective:	July 1, 2009
Salary:	\$105,000

Temporary Professional Employee Appointments

Name/Address:	Nancy Cleff 3248 Sequoia Drive, Macungie
Education Level:	B. A. Degree (1980)
Undergraduate School:	Cedar Crest College
Certification:	Instructional II, Elementary
Assignment:	Grade 3 Teacher, Shoemaker School Vacancy created by C. Newhard retirement
Effective:	September 1, 2009
Experience:	East Penn SD-8/04-6/09 Allentown Diocese-9/84-6/86 Sarasota Diocese-9/80-6/81
Salary:	\$48,965 (Step 6, Col. PC)

Name/Address:	Rebekah Menk 65 S. Second Street, Emmaus
Education Level:	B. S. Degree (2008)
Undergraduate School:	Kutztown University
Certification:	Instructional I, Elementary
Assignment:	Grade 5, Shoemaker Vacancy created by M. Dawson resignation
Effective:	September 1, 2009
Experience:	9/08-6/09: East Penn SD
Salary:	\$44,044 (Step 2, Col. B)

Name/Address:	Chandra Gossai 2325 W. Livingston Street, Allentown 18104
Education Level:	B. A. Degree (2008)
Undergraduate School:	Muhlenberg College
Certification:	Instructional I, Elementary
Assignment:	Grade 1, Alburis School Vacancy created by L. Clark retirement
Effective:	September 1, 2009
Experience:	9/08-09: East Penn School District
Salary:	\$44,044 (Step 2, Col. B)

Name/Address:	Jasmyn Kandel 1834 Majestic Drive, Orefield 18069
Education Level:	B. A. Degree (2002) M. A. Degree (2005 & 2008)
Undergraduate School:	Boston College
Graduate Schools:	San Diego State Columbia University
Certification:	Instructional I, Elementary/Reading Specialist

Assignment: Grade 2, Alburtis School
 Vacancy created by S. Porembo retirement
 Effective: September 1, 2009
 Experience: 9/08-10/08-Northampton Area SD
 8/03-6/06: Del Mar, CA
 10/08-6/09: East Penn SD
 Salary: \$57,184 (Step 5, Col. M +36)

Request for General Leave

Employee: Lisa Jones
 Instructional Aide, Jefferson School
 Effective: June 8, 2009-June 7, 2010
 Reference: Board Policy 539, General Leave

Jump Start Program Instructors

See Exhibit 4

2009-2010 Head Teacher Appointments

Francine Confer	Alburtis School
Jackie Vogel	Alburtis School
Patrice Arnold	Shoemaker School
Sarah McDonald	Shoemaker School

EHS Summer School Teachers

Debra Zosky	Aaron Gavin
Stephanie Schwab	Derek Grabfelder
Barry O'Connell	Susan Arnold
Stuart Speicher	Stephanie Larkin
Lori Sheip	Jayne St. Mary
Jeannine Martini	Sandra Teplitz
Beth Witte	Sarah Kinzel
Heather Day	Charles Sonon

Extended School Year Staff

Liz Inman, Health Room, Wescosville School
 Deb Janney, Health Room, Wescosville School
 Andrea Hajducko, Speech Teacher, Emmaus HS
 Alison Horner, Learning Support, EHS

Co-Curricular Advisor

Danielle Sirinsky	LMMS Spring Musical	\$1104.00
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Appointment of Chief School Physician

That the East Penn School Board appoint Dr. Robert A. Barnes as Chief School Physician for the 2009-2010 school as stipulated in the attached Agreement. (Exhibit 5)

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----9

3. Educational Conferences (Exhibit 6)

Motion by Stolz, Seconded by
 RESOLVED, 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: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----9

4. Act 80 Exception

Motion by Ballard, Seconded by Stolz
 RESOLVED, That the East Penn Board of School Directors approve a request to the PA Department of Education for an Act 80 exception that will provide the 2008-09

school calendar days of October 13, 2008 and March 9, 2009 be considered as Act 80 days for PM Kindergarten.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----9

7. Facilities

1. Change Order - Willow Lane Elementary School Project

Motion by Ballard,, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors approve the following change order:

GC-2	Perrotto, General Contractor	
	-Stage Front bullnose enlargement	\$ 692.52
	-Remove and replace recently installed Storm pipe to accommodate elliptical pipe	\$10,791.54
	-District request modify door configuration in Kitchen area	\$ 1,424.45
	-Provision of additional steel plate to support Masonry in MPR	\$21,564.69
	Total	\$34,473.20

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

Aye: Balard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----9

2. Approval for Professional Services for Modifications to EHS Nurse's Suite- Exhibit 8

Motion by Prinzing, Seconded by Ballard

RESOLVED, That the East Penn Board of School Directors authorize The Architectural Studios to provide professional services for modifications to the nurse's suite at Emmaus High School as outlined in Exhibit 8 and that the appropriate personnel be authorized to submit to PDE a Self-Certification for a Non-Reimbursable Project.

Mr. Earnshaw indicated that the motion would be amended to read "at a sum not to exceed \$20,000" after the word "authorize." Mr. Prinzing objected because he felt it was exorbitant to think that a bathroom could cost \$90,000. He did not want to give free reign to the architects to come in at a high number since a lot of the work has been done already. The following amended motion was proposed:

Motion by Ballard, Seconded by Richwine

RESOLVED, That the East Penn Board of School Directors authorize a sum not to exceed \$20,000 The Architectural Studios to provide professional services for modifications to the nurse's suite at Emmaus High School as outlined in Exhibit 8 and that the appropriate personnel be authorized to submit to PDE a Self-Certification for a Non-Reimbursable Project.

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

Aye: Ballard, Earnshaw, Fuller, Jones, Kowalchuk, Richwine-----6

Nay: Prinzing, Stolz-----2

Abstention: Gannon-----1

Ms. Gannon indicated that she had filed a Conflict of Interest Memorandum with the Board Secretary. A copy is attached to the minutes of this meeting. Ms. Gannon's son is participating in an internship program with The Architectural Studio.

8. 2009-2014 Teamsters 773 Contract - Exhibit 9

Motion by Ballard, Seconded by Jones

RESOLVED, That the East Penn Board of School Directors approve the tentative collective bargaining agreement with the Teamsters 773, subject to the solicitor's approval, and authorize the appropriate personnel to affix their signatures thereto.

Mr. Stolz indicated he would be voting against the contract, not because of the salary increase, but because he did not think the school district should be collecting the union dues, even though he knows it is common practice. Mr. Prinzing served on the Negotiations Committee and indicated the group had negotiated the best possible economic

contract. He concluded that it was very favorable for salary and benefits. Mr. Ballard, who also served on the Negotiations Committee, also felt that the increases in medical co-payments had been very favorable. He felt the precedent would serve the district well in the future. Mr. Earnshaw said the process was started in October and they have been meeting with the union over the past five months with many late nights. He thanked Mr. Reigal and Mrs. Daniel for coming back after their retirements to help with the negotiations.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine-----8

Nay: Stolz-----1

9. Legislative

C. Ballard

Mr. Ballard reported that SB 850 and HB 1493 were being bandied about and are supposedly "dead on arrival." There does not appear to be much happening with the budget and he was projecting that there would not be a state budget until August. A .5% state income tax increase has been discussed. There are also complications thrown into the budget because of the stimulus funds. There has been correspondence between the U.S. Secretary of Education Arne Duncan and PS Secretary of Education Zahorchak on how these funds are to be used. Representative Reichley has said that as a member of the Appropriations Committee he does not know what is happening. Mr. Ballard talked about the bus tour to promote the Governor's Budget. He talked about the problems being experienced by other districts. In other legislation, Mr. Ballard reported on HB 1569 requiring a Certified Safety Committee, the status of the Keystone exams, the use of EPI pens by students younger than ten, and tax exempt charter schools' property. There is discussion between the Newspaper Association, the Legislature, and PSBA concerning advertising and what is the appropriate venue. The House Education Committee is working on drop out rates. There is a lot of miscellaneous legislation being discussed.

10. Business Operations

1. Approval of Bill List

Motion by Gannon, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors approve the attached bill list, including the addenda, 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.

Approval of District Insurance Policies

RESOLVED, That the East Penn Board of School Directors approve the following 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 \$240,312.

Note: Last year this policy was awarded to Insurance Company of NA for a total premium of \$236,197.

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 \$24,800 through USI Insurance Services.

Note: Last year this policy was awarded to Old Republic Insurance Company for a total premium of \$25,048.

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 at a quotation rate of \$32,816 through the Miers Insurance Agency.

Note: Last year this policy was awarded to the Pennsylvania School Boards Insurance Trust for a total premium of \$38,533.

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 School Boards Insurance Company of Pa., Inc. (PSBA Insurance Trust Program) at the quotation price of \$397,608 through USI Insurance Services.

Note: Last year this policy was awarded to SBIC for a total premium of \$352,845.

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 \$20,459 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 \$17,963.

Authorization to participate in contracts issued by the Department of General Services for the 2009-10 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 2009-10 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 Scholl District hereby requests authorization to participate in purchase contracts of the Carbon Lehigh Intermediate Unit, Lehigh Career & Technical Institute, U.S. Communities, Pennsylvania Education Joint Purchasing Council, PENNCON, and PEPPM.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----9

2. Special Fund Disbursements (Exhibit 7)

Motion by Ballard, Seconded by Richwine

RESOLVED, That the East Penn Board of School Directors authorize the expenditure of funds from the Capital Reserve Fund and 2007 GOB issue as described in Exhibit 7.

Ms. Fuller indicated she would abstain since she is an employee of Barry Isett. A copy of her Conflict of Interest Abstention Memorandum is attached to the minutes of this meeting.

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

Aye: Ballard, Earnshaw, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----8

Abstain: Fuller-----1

11. Announcements

Mr. Prinzing commented on a recent news story about a girl being suspended for possessing an eye brow trimmer. He felt it was an illustration of the lack of legislative intention, citing Seven Generations Charter School as another example.

Mr. Ballard requested that the topic of maintaining email accounts for board members on the district's website be discussed. Since Dr. Seidenberger will not be available for the July 13 Board Meeting, it will be discussed in August.

It was noted that the following board members will not be attending the July 13 meeting: Elaine Gannon, Francee Fuller, Chris Jones, and Sue Kowalchuk.

-Monday, June 22

7:00 p.m.-CLEAR Session (Negotiations, Litigation, Confidential Matters)

-Friday, July 3

7:30 p.m.-Board Meeting

-Monday, July 13

All offices closed.

7:30 p.m.-Board Meeting

(Only meeting in July)

-Monday, August 10

7:30 p.m.-Board Meeting

-Monday, August 24

7:30 p.m.-Board Meeting

12. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 9:45 p.m.

Cecilia R. Birdsell, Board Secretary