

**MARPLE NEWTOWN SCHOOL DISTRICT  
WORK SESSION  
JANUARY 9, 2007  
BOARD ROOM  
MINUTES**

**PRESENT:**            **Board:** President Carol DeLuca, Vice President Robert Moldoff, Mr. Richard Carpenter, Mrs. Nancy Galbraith, Mr. David McGinley, Mr. Edward Partridge, Dr. Jeffrey Shapiro, Mr. Won Shin and Mr. Richard Sokorai

**Solicitor:** Mr. Mark Sereni, Esquire

**Administration:** Mrs. Merle Horowitz, Mr. Joseph Violanti, Mr. Bill Gasior, Mrs. Karen McGinnis, Mr. Joseph Driscoll, Mr. Lance Freeman, Dr. Connie Bompadre, Mr. Stan Piecara and Mr. Michael Dumin

**Press:** 2

**Audience:** 3

**1. CALL MEETING TO ORDER and 2. PLEDGE OF ALLEGIANCE**

Ms. DeLuca opened the meeting at 7:05pm, welcomed all in attendance and led in the Pledge of Allegiance.

Ms. DeLuca held a moment of silence in memory of Linda Mandell who was a food service employee for nearly 16 years and for Mr. David Covell for his continued recovery.

**3. ROLL CALL**

Mr. Driscoll stated that all Board members are present.

Ms. DeLuca stated that in place of committee chairs, liaisons will be appointed. The 2007 liaisons are as follows:

The Curriculum, Instruction and Technology Liaison is Mrs. Galbraith.

The Budget and Finance Liaison is Mr. Shin.

The Human Resources and Policy Liaison is Dr. Shapiro.

The Facilities and Transportation Liaison is Mr. Moldoff.

Ms. DeLuca stated that we will not be filling any positions on the Legal Oversight Committee. The formation of the Legal Oversight Committee came in response to countywide concerns about legal billing processes. The purpose of the Legal Oversight Committee was to review the legal billing process and to ensure that the district and its taxpayers received the legal services for which we paid. There has always been a process which remains in place today and will continue to remain in place for the review of legal bills. Presently, the Board is satisfied that the process in place is working and that a Board committee is no longer necessary.

Mr. Sereni stated that he enjoyed very much working with Dr. Shapiro who is the Chair of that committee. I thought he spent a lot of time and put a lot of effort into fulfilling his responsibility to the district and the taxpayers. The process that has been in place and will remain in place is that the Solicitor will generate bills on a monthly basis. The bills are written and detailed. They itemize the task that the particular attorney or legal system is performing. They spell out the amount of time that it takes and the corresponding charge. The bills are broken down into seven or eight accounts. The bills are sent out on a monthly basis to the Board President with copies to the Chair of the Finance Committee and also to the Business Administrator of the district. The bills are reviewed by the administration. If there are any questions or concerns a raised, they are asked of us and we do our best to answer them and then they are brought to the Board for approval on a regular basis.

Dr. Shapiro stated that Board Policy 005 as he reads it is unclear to him that the committee can be discharged by the President. The only language in this policy with respect to discharging a committee is in the last sentence. "Members of committee shall serve until the committee is discharged." The mechanism is not clear.

Mr. Sereni stated that Ms. DeLuca did ask him that question in substance. That particular committee was not formally created by Board policy or any action of the Board itself. It was created by the then Board President in response to the countywide concerns that Ms. DeLuca has pointed out. Therefore, in my view if the Board President creates it, it can be not filled by the Board President just as well. If there is any feeling by the majority of the Board to do something differently than that, I know that she would welcome any input along those lines. She felt that the democratic thing to do if there was concern from the majority of the Board would be to put it up to a Board vote.

Mr. Partridge stated that Ms. DeLuca had said that the Board decided that the committee was no longer necessary. How did you ascertain that?

Ms. DeLuca replied that she asked members of the Board individually.

Mr. McGinley stated that he was not asked. Maybe it is because I was not around but I was not asked.

Ms. DeLuca stated that in that case, we should have discussion. How do you feel about that Mr. McGinley?

Mr. McGinley stated that he thinks that we should do away with the committee.

Ms. DeLuca apologized for the oversight.

Mr. Partridge stated that he thinks the committee should be abolished.

Dr. Shapiro stated that he does not think that the committee should be abolished. I am certainly not looking for the extra work, nor am I looking for the position to be given back to me but I think at least the way I discharged the duties, it was more than just looking at bills. I think at times, there were things that were brought to discussion as a result of review of legal documents that I am not convinced otherwise would have received discussion and thought. Unless the people who are copied on all of the legal documents are going to put that time in, my concern is that there will be things that don't get discussed by the Board as a whole. That would be beneficial to be discussed. It was clearly a different Board President that established this committee than is now discharging the committee. I do think this policy ought to be re-worked to make it clearer. I think it is a mistake to abolish it for the reasons that I stated.

Ms. DeLuca stated that the Delaware County Legislative Liaison is Mrs. Galbraith. PSBA Legislative Representative is Dr. Shapiro. PTO Liaison is Mr. Moldoff. Intermediate Board is Mrs. Galbraith. Marple Township Liaison is Ms. DeLuca. Newtown Township Liaison is Ms. DeLuca.

Mrs. Horowitz introduced and welcomed the new Director of Operations, Mr. Michael Dumin. I want to thank Mr. Gasior for the detailed time he is spending with Mr. Dumin in transition throughout the month of January. We have had a wonderful beginning already thanks to Mr. Gasior's efforts with Mr. Dumin. Welcome Mr. Dumin, we all look forward to working with you.

Ms. DeLuca asked for everyone's patience as we navigate our way through this new meeting format. This is a work in progress and there may be a few items to work out as we go and I ask that you please bear with us.

#### **4. APPROVAL OF THE AGENDA**

Mrs. Galbraith made a motion and seconded by Mr. Shin to accept the agenda, as presented.

Mr. Carpenter stated that he hopes his comment is not an unfair one. To me, this agenda is nothing more than a preview to the Regular Board meeting. I think the Work Session deserves an agenda that reflects what business is going to take place at the Work Session. I am particularly distressed that there is no provision for any New Business or any Old Business. The whole idea of the committee format was to give the Board the opportunity to discuss with the rest of the Board new ideas and subject matter that may not be on the Regular Meeting agenda and to offer the same opportunity to the public. Neither of those things appear to be on this agenda at all. I think that is a very serious problem. It's not fair to the people that come here with ideas to expect them to sit around until the end of the meeting to express an idea. The agenda should be prepared in a way that reflects what the Work Session is all about. I object to this agenda.

Mr. Shin stated that to a certain extent he agrees with Mr. Carpenter's comments. I do agree that this agenda does seem both in form and in function and in substance to resemble our Regular Board meeting agenda. I think that with respect to tonight, understanding that we are endeavoring in "un-chartered waters" I don't have a problem with moving forward with this agenda for tonight. I think that in the future we should make more of an effort to tailor our agenda to address exactly the matters we are going to cover in the Work Session as opposed to looking very much like our Regular Meeting agenda.

Mr. Partridge stated that he agrees with Mr. Carpenter and Mr. Shin.

Mr. McGinley stated that he agrees as well.

Dr. Shapiro stated that he would like to offer a correction. Item 13.03 is to approve professional appointments, items 1 through 4 but the appointments are listed as 1, 3 and 4.

Mr. Shin asked Mr. Sereni if the Working Session agenda has to be so formalized as this. Can it be a working document that can be added to or revised throughout the course of the meeting?

Mr. Sereni replied that a lot of that depends on what the Board would like. I think that what our Superintendent did was model this after what other school districts do that have Work Sessions or Study Sessions. In fact, I represent one district that does that so to me, this looks exactly the way the district does it with its Work Session. As I understand the philosophy behind it, the purpose is for the Board to study the matters that the Superintendent and the liaisons are suggesting be brought forth to the Board at the Regular meeting. That is why this agenda looks a lot like the Regular Meeting agenda. I don't think there is anything legally wrong or from a Board process wrong with viewing this document to be a working document so that certain things can be added as you go along. It is a working document in that sense but it is also made to look like what a Regular Meeting agenda so that you can have the opportunity to study what you anticipate the Superintendent wanting you to take action in two weeks from now.

Mr. Partridge asked if we are voting to accept the agenda or not.

Mr. Sereni stated that in the future, he would suggest that we add the italicized statement that the approval of the agenda “Applies to the Regular Meeting agenda only.”

Mr. Moldoff asked if we are supposed to have public comment on this agenda. I thought that we were supposed to have Public Comment even at a Work Session meeting.

Mr. Sereni replied that the Public Comment would apply only at the end of the Work Session is my understanding of the intent of the Board. A Work Session does not take the place of the voting meeting.

Mr. Moldoff replied that as stated earlier, one of the benefits of the committee structure was that we were able to get a little bit more public comment and public interaction.

Mr. Sereni stated that if that is the Board’s desire then that is perfectly appropriate. There is no legal problem one way or the other. You could even put public comment in each section of the agenda.

Mr. Partridge asked given the way this meeting was advertised, can the Board choose to do official business at this meeting?

Mr. Sereni replied no. There can be no official action by the Board at this meeting. The only type of vote that I would foresee as proper would be a procedural type of vote like a Robert’s Rule type of vote to adjourn the meeting or something like that.

Mr. Carpenter stated that in the procedure that was outlined to the Board for the Work Session preparation, it was made clear that only items that were approved in advance would be acceptable for the agenda and that the people who were going to be the ones to approve those agenda items were the individual liaisons. There is no format that I see that allows a person with an idea that they would like to discuss at the Work Session. I question whether one Board member, the liaison has the authority to decide what is going to be on the agenda and what is not going to be on the agenda. I think that it is very unclear about how you get new ideas presented to the Board for the Regular Board if they don’t have a way to put it on the Work Session agenda and discuss it at that time. I see no provision for that at all, either in the procedure or in the agenda format as we have it.

Mr. Partridge asked Mr. Sereni asked about Policy 005, Organization Section 6 that refers to committees. We made a decision to move to a Work Session as opposed to the four standing committees. Do we need to take formal Board action and revise Policy 005 of our manual in order to change from a committee structure to a Work Session? If you read Section 6, Committees, I don’t think that any one Board member or a few Board members can change what we did. Since it was discussed and I looked at the policy, I thought that we would really need to take formal Board action to have this type of meeting tonight.

Mr. Sereni replied that he has recommended that this policy be looked at and revised to what the Board would like to do with the Work Session format. I don’t think there is any legal problem with proceeding tonight. I think we may at best be supplementing the policy at this point. I do think it is a good idea that the policy is amended to conform with what the Board would like to do with this Work Session type of format.

Mr. McGinley asked that Public Comment and New Business be added into each category to accommodate that at least tonight.

Ms. DeLuca asked if the Board agreed.

The Board agreed.

## **5. PUBLIC COMMENTS (Agenda Items Only)**

*Applies to the Regular Meeting agenda only.*

## **6. WE ARE PROUD OF OUR STUDENTS AND TEACHERS**

*Applies to the Regular Meeting agenda only.*

## **7. COMMENDATIONS**

*Applies to the Regular Meeting agenda only.*

## **8. SUPERINTENDENT'S REPORT**

*Applies to the Regular Meeting agenda only.*

## **9. STUDENT REPRESENTATIVES' REPORT**

*Applies to the Regular Meeting agenda only.*

## **10. SECRETARY'S MINUTES**

*Applies to the Regular Meeting agenda only.*

## **11. OTHER REPORTS**

### **11.01 Special Education Agreements**

Motion: To approve a special education contract for Student No. 0701.

Motion: To approve a special education contract for Student No. 0702.

Mrs. Horowitz stated that there are two special education agreements on the agenda for the January 23<sup>rd</sup> meeting for a vote. Due to confidentiality on behalf of these students, both the Solicitor and the Board members will be aware of the nature of these agreements and therefore they are on the agenda as motions.

## **12. CURRICULUM, INSTRUCTION AND TECHNOLOGY**

### **Liaison – Mrs. Galbraith**

Mrs. Galbraith stated that she has a daughter who is an employee of the district. It has been my practice since I have been on the Board to abstain from any Human Resources vote that would in any way, shape or form involve my daughter. I would like to say publicly that I will continue to do that throughout this year.

### **12.01 Board Policy**

### **ATTACHMENT 1**

MOTION: To approve the second reading of Board Policy No. 130 – Homework.

Dr. Shapiro stated that back when we discussed this initially in committee, he expressed a perspective as a parent who has two children in the district one of whom will hopefully graduate in a few short months. It has been my experience as a parent that homework is not formally checked most of the time. I recognize that with teaching loads and a certain number of kids in a class that certain subject areas would prove to be somewhat difficult if not impossible for a teacher to check 120 math pages every night and actually check them. I know at that time our Superintendent expressed a thought that there would be an administrative guideline that goes along

with this policy that addresses that issue. I would like to get more clarity from Mrs. Horowitz as to what is being contemplated in that area in the guideline and how it will be enforced.

Mrs. Horowitz stated that we have monthly meetings of the elementary administrators and the secondary administrators as well as a monthly administrative counsel with all administrators. Upon approval of this policy our Directors of Elementary and Secondary Education will be working carefully and closely with our building administrators to develop an administrative guideline which is the interpretation of the policy. It will be communicated to all professional staff members at the next available in-service opportunity with our expectation that our principals will do as best a job as they can to monitor the guideline. We will share feedback with the Board in a subsequent session.

Dr. Shapiro stated that then as a parent, once this is voted upon by the Board and if it goes in the form that it is currently in, would he as a parent have a reasonable expectation that his children's homework assignments will actually be checked by a teacher.

Mrs. Horowitz replied that it would be her expectation that once the guideline is developed and shared with professional staff and feedback assorting, there will then be appropriate communication out with parents via all the conduits available right now with PTO meetings, email, monthly newsletters. It is my expectation to enhance communication and parent involvement this year by that method.

Mr. McGinley asked if the homework will be checked.

Mrs. Horowitz replied that through monitoring by our building administration request that as often and as frequently as possible, homework be checked by professional staff members so that children do have feedback. The frequency of that is yet to be determined. We are going to step this up as an initiative on behalf of the administration of this school district.

Mr. Moldoff stated that homework is a graded exercise and I have seen some of them graded in Edline. When I go in, I can see if my kids have done it or not turned it in.

Dr. Shapiro asked if Mr. Moldoff knows that it has been physically checked or is the grade only that there is something on the paper. I would submit to you that it is the later.

Mr. Sokorai stated it is not clear to him that this can be addressed in the policy. I can't imagine a situation where a student would go home, do homework and turn it in and wouldn't get something back marked up saying this is what you did right and this is what you did wrong. Otherwise it was a waste of time. If the teacher is going to bother to assign it, the teacher has got to check it. That has to be mandatory every time. If I missed it this week, next week it's too late. You build on what you learn each week.

Mrs. Horowitz stated that we did discuss this to some extent at the Curriculum, Instruction and Technology meeting some time in the fall. Certain assignments are checked in different ways. Some are checked as a whole body where teachers go around the room asking which student has the answer to the questions. I can't guarantee that every single assignment is checked in exactly the same fashion by every teacher. In certain respects writing assignments now that we have theme editors are involved in grading writing assignments, which are homework assignments on behalf of the school teacher. I did make a commitment, as did our directors to increase and enhance this process in the district. That is something that we are working on this year.

Bonnie Callahan asked if Edline is available for middle school and high school.

Mrs. Galbraith replied that it will be available for the high school first and then shortly after that it will be available for the middle school.

Bonnie Callahan asked for just a brief synopsis of what the homework policy is.

Mrs. Horowitz replied that this was a policy from 1995 that was well over-due for revision. We took a look at homework as it should be assigned and what its purpose is which is significant for us to examine. We also looked at the fact that it is for practice, preparation, extension and integration of the matter that is taught in the classrooms. We looked at that there are the developmental levels of the student guides and should look at format, length and frequency. This is a very brief policy. The administrative guidelines will be in much more detail.

### **13. HUMAN RESOURCES AND POLICY**

#### **Liaison – Dr. Shapiro**

Dr. Shapiro stated that his wife is a special education assistant in the district. I will abstain from any votes and discussions whose impact relates to her position while I am liaison of the Human Resources committee as well as for the remainder of my time on this Board regardless of what position I may hold.

Mr. Shin stated that he is concerned as to whether or not you have to abstain. The public has elected nine people to serve on the Board to address all of the issues that face a school district. If an issue comes up in which you feel you should abstain and it ends up 4-4, haven't we lost the benefit of that ninth Board member? Is there a legal responsibility that if you have an employee of the district that you have to abstain? If you don't have to abstain and you can objectively look at the issues, I don't see why you should abstain.

Mr. Sereni replied that there are some circumstances under the state ethics act and under the school code where a Board member would have to abstain in dealing with a relative. The questions of abstention is a difficult one because some people get the impression that there has to be a reason behind an abstention and the law does not require any reason behind it. I would be reluctant to make a blanket statement right now. Perhaps, the better thing for me to do is take it on a vote-by-vote basis. If it becomes relevant then we could address it at that time. I would feel more comfortable if we could deal with it when we have specific facts available. The bottom line is that there may not be a legal need to abstain but the Board member may feel it is still proper as not to create the appearance of any impropriety.

Mr. Shin stated that he suggests for any Board member who may have some type of conflict with an employee or child in the district to not make a blanket statement in the beginning and address it on a vote by vote and issue by issue basis and consult with our Solicitor at that time as to what the appropriate course of action would be.

Mr. Partridge stated that to the extreme, if we had enough abstentions it could render the Board powerless to conduct business where we wouldn't have a quorum to vote on an item.

#### **13.01 Resignations**

CLASSIFIED

Motion: To approve the classified resignation, items 1 and 2.

1) Steven Moyse – Bus Driver  
Transportation

Effective: December 1, 2006

Reason: Personal

2) Kathleen Lisacchi – Non-Instructional Assistant  
Loomis Elementary  
Effective: January 2, 2007  
Reason: Personal

### **13.02 Leaves**

#### PROFESSIONAL

Motion: To approve the professional leaves, items 1 through 4.

1) Heather Molyneaux – Social Studies Teacher  
High School  
Effective: January 2, 2007-March 2, 2007  
Reason: Medical Leave

2) Christina Fink – Special Education Teacher  
Paxon Hollow  
Effective: December 4, 2006 – March 4, 2007  
Reason: FMLA

3) Theresa Kohler – Special Education Teacher  
Worrall Elementary  
Effective: January 2, 2007 – June 18, 2007  
Reason: Extension of Child Rearing Leave

4) Christina Ayoub – Fourth Grade Teacher  
Culbertson Elementary  
Effective: January 2, 2007 – June 18, 2007  
Reason: Extension of Child Rearing Leave

### **13.03 Appointments**

#### PROFESSIONAL

Motion: To approve the professional appointments, items 1 through 4.

1) John Lockyer – LTS Foreign Language Teacher  
Paxon Hollow  
Salary: \$38,933 (Pro-rated)  
Effective: November 27, 2006  
Reason: Replaces Mary Bollinger (Medical Leave)

3) Brian Isselman – LTS Social Studies Teacher  
High School  
Salary: \$38,933 (Pro-rated)  
Effective: December 18, 2006  
Reason: Replaces Heather Molyneaux (Medical Leave)

4) Geraldine Goebel – LTS Special Education Teacher  
Paxon Hollow  
Salary: \$38,933 (Pro-rated)  
Effective: January 2, 2007  
Reason: Replaces Christina Fink (FMLA)

**CLASSIFIED**

Motion: To approve the classified appointments, items 1 and 2.

1) Frideriki Biuikdus – Part-time Custodian  
District  
Salary: \$12.67 per hour  
Effective: December 18, 2006  
Reason: Replaces Zaron Holbrook (Reassigned to Full-Time Custodian).

2) Ellen Lemaitre – Special Education Assistant  
Loomis Elementary  
Salary: \$11,641 (Pro-Rated)  
Effective: January 2, 2007  
Reason: New Position

**13.04 Activity Contracts**

Motion: To approve the following revisions to activity contracts for the 2006-2007 school year. The amount of the salary revision is in accordance with the present MNEA negotiated agreement, items 1 through 7.

1) Janice Ricks – Senior Project Advisor  
High School  
Experience: 5 years  
Amount: \$778.00  
Reason: Renewal

2) Kathy Vetter – Social Studies Curriculum Coach  
Culbertson  
Experience: 1 year  
Amount: \$756.00 (Pro-rated 12/1/06 – 6/30-07)  
Reason: Vacant

3) Brenda Smerigan – JV Basketball Coach- Girls  
High School  
Experience: 6 years  
Amount: \$3,753.00  
Reason: Replaces Rodger Claar (Resigned)

4) Frank Long – JV Basketball Coach  
High School  
Experience: 6 years  
Amount: \$3,753.00  
Reason: Replaces Josh Flannigan (Resigned)

5) Tim Layer – Freshman Wrestling Coach  
High School  
Experience: 4 years  
Amount: \$3,501.00  
Reason: Replaces Jim Pearson (Resigned)

6) Matthew Quigley – Varsity Basketball Coach  
High School  
Experience: 1 year  
Amount: \$4,320.00  
Reason: Replaces Levi Tucker (Resigned)

7) Bill Smerigan – Freshman Boys Basketball Coach  
High School  
Experience: 1 year  
Amount: \$3,240.00  
Reason: Replaces Lenier Tucker (Resigned)

### **13.05 School Police**

Motion: To authorize the administration to present the following employees to a Magisterial District Judge (in both townships) to take and subscribe to the required oath to act as school police officers for the Marple Newtown School District and to grant said school police officers all powers and duties in accordance with the PA Public School Code, Article VII, Section 778.

1. Brandon Rhone
2. Joseph Veloric

Mr. Partridge asked for an explanation of the motion.

Mr. Freeman replied that the school code does allow for a school district to apply to the courts for authorizing for school police but it also requires that those persons can be presented before the District Justice to be sworn in to represent the Marple Newtown School District to have powers of arresting and powers of issuing citations. These are two people who we are recommending that also be given their power in addition to those we already have who have been sworn in already.

Mr. Gasior stated that he has asked Tony Caso to put something in writing that is more specific. We now have a total of six sworn police officers and these two additions will make eight. This statement explains what they can do different than a security guard.

Mr. Partridge stated that the district serves two townships that each have their own Magisterial District Judge. Is it required that each person is sworn in by each Magisterial District Judge so that they have jurisdiction in both townships?

Mr. Gasior replied that is correct. Our security police are armed. We have ten security people. Two are not armed. When they are not armed we are also not permitting them to drive a police car. They don't want you to be in a police vehicle if you are not a police officer.

Mr. McGinley asked if there is an increase in pay for this.

Mr. Gasior replied no.

Mr. Sokorai asked if there were any negatives to this or any downsides.

Mr. Gasior replied no there are only positives to this.

Mr. McGinley stated that at the football games, we bring in Newtown Square policemen to help us. Are we still going to be doing that or will this reduce that?

Mr. Gasior replied that it could reduce it. When you brought in outside police it was usually for an event that was not really totally sponsored by the district. The Newtown Police had insisted that we bring in two of their officers in on board and pay them in addition to what we already have.

Mr. McGinley stated that we still have to bring them in during a special event even if we have our own.

Mr. Gasior replied that when a special event happens, they reimbursed the police officer for being there.

Mr. Sereni stated that the current language for Justice of the Peace is Magisterial District Judge.

Dr. Shapiro asked Mr. Sereni if he recommends that it state explicitly that this would need to be done by the Magisterial District Judges in both townships.

Mr. Sereni replied that it would certainly be a good idea to make that explicit.

### **13.06 Tuition Reimbursement**

### **ATTACHMENT 2**

Informational item (These reimbursements are in accordance with MNEA Contract).

Ms. DeLuca asked if there was a duplication on the first page, the 13<sup>th</sup> and 15<sup>th</sup> line down.

## **14. BUDGET AND FINANCE**

### **Liaison – Mr. Shin**

#### **14.01 Items for Board Discussion**

##### **A. Local Tax Study Commission's Recommendation**

Mr. Shin stated that in December the Local Tax Study Commission (LTSC) has made a recommendation to the Board as per their charge. It is now incumbent upon the Board to look at that recommendation and begin discussing whether or not we are going to accept that recommendation or come with a recommendation on our own. There are strict timelines involved for us to adhere to.

Mr. Driscoll replied that the primary election is May 15<sup>th</sup>. The School Directors must submit a referendum question for the Board of Elections by March 15<sup>th</sup>. There are several steps that need to take place on this referendum question before then. The Board has to hold another Public Hearing. The LTSC held a Public Hearing but the Board actually has to hold a hearing. We have to advertise that the hearing will take place. That would be the time that the Board would take public comment and come up with either its own or to finalize what it would like to take to officially adopt. This has to be done by March 13<sup>th</sup>. We have a Work Session scheduled for March 13<sup>th</sup>. If we want to try to stay on our normal regularly scheduled public voting meetings, the meeting would have to take place on February 27<sup>th</sup>. We would need to put an advertisement out this week or next week to schedule a hearing before the end of this month. After that we would have to advertise for three weeks that the Board intends to take action on that referendum question on February 27<sup>th</sup>.

Otherwise, we could gain a couple more weeks by holding the hearing and adopting it by March 13<sup>th</sup>. I am in the process of working with the Solicitor's office on all the language that is necessary.

Mr. Shin asked Mr. Driscoll if any other additional information, specifically with respect to the amount of people that complete their homestead questionnaires. Do you think any of that information would come in after our February Board meeting and prior to March 13<sup>th</sup>?

Mr. Driscoll replied no. Year one will be something significantly less because of the collection lag. Some districts are saying that they will go out there with the year two number. The district cannot give away money that it does not have. The applications of the approved homestead numbers are not due back until March 1<sup>st</sup> and we won't hear back from the county until April. That would be past the March 13<sup>th</sup> deadline so you can't even consider it because we won't have it. Listening to the other business administrators of the county, I am not hearing that anyone is doing anything different than what their LTSC recommended. That doesn't mean that they won't. It just means that the other Boards have yet to discuss it.

Mr. Shin asked if we could have the Public Hearing the same night as our Regular Board meeting in January.

Mr. Sereni replied that he is not aware of any requirement that it must be on a separate night.

Mr. Driscoll replied that the Public Hearing is an opportunity for the Board to discuss it but it is more of an opportunity for the public to have another opportunity to be involved and understand what the Board is contemplating and to take input from the public so that the Board can make a final decision whether it is going to stay with the LTSC recommendation or maybe modify it based on any input it had based on that report.

Mr. Sereni stated that a Public Hearing is an opportunity for the public to come forward and speak their mind about what is being proposed. The focus would be on what the LTSC has proposed and getting feedback from the public about that recommendation.

Mr. Moldoff asked if we have to take action on the night of the hearing.

Mr. Driscoll replied no. First, you need to have the Public Hearing then you have to advertise for three weeks before you intend to vote.

Mr. Shin stated that his recommendation is for the Board to schedule a time under the January Regular Board meeting to conduct this Public Hearing. The Public Hearing would provide a recap of Act 1, what the requirements are of the Board, recap the recommendation made by the LTSC and how they came to that recommendation and give an opportunity for the public to speak towards the issue and then as a Board, discuss the issue at that meeting. Let's not try to make additional meetings if we don't have to. If we realize at the end of January that we can't be efficient in this area, it gives us additional time to have a secondary Public Hearing if we need it.

Mrs. Horowitz asked if Mr. Shin is recommending that at the end of the Regular Meeting on January 23<sup>rd</sup>, to advertise that there will be the Public Hearing at that time or did he recommend it to be held prior to the Regular Meeting.

Mr. Shin replied that he recommends advertising that the Public Hearing will happen before the Regular Meeting. If we can't conclude the Public Hearing within 45 minutes, let's have a motion or some administrative action to schedule a second date to conclude it and then we could move on with our Regular Board Meeting.

Mr. Partridge recommended separating the two meetings. You could have time conflicts and I feel this is a big public issue. I don't know how you would manage the time between the two meetings. I don't know if you would have to have full Board participation and I am not sure if the Budget and Finance Committee still doesn't exist as it did because we didn't change Board Policy 005. The actual committee that was in place maybe could do that meeting on a separate night that way you would avoid any potential time constraints.

Mr. Shin asked Mr. Driscoll if he had any information concerning the requirements of the Board at the Public Hearing. Do a certain number of Board members have to be there?

Mr. Driscoll replied that he is not aware of that. The opportunity is there for the whole Board to be part of the Hearing so that they could hear public input. I don't think there is anything mandatory in the Act.

Mr. Sereni stated that it is his understanding of the intent of the legislature that it be a hearing in front of the entire Board. I would have to recommend that it be in front of the entire Board just to play it safe as opposed to a committee.

Mr. Partridge asked if someone could look into that in the next few days so that if we could do it with a committee we could have that option.

Mr. Sereni agreed to check on that.

Mr. Shin stated that if the majority of the Board members feel that limiting our time by having it prior to the Board meeting is a concern then we should have it on a separate night. Maybe we could have it on the following Tuesday, January 30<sup>th</sup>.

Dr. Shapiro asked if the Public Hearing is the appropriate time and place for the Board to discuss the issue amongst themselves.

Mr. Driscoll replied that he believes so.

Mr. Sereni replied that if it is the Board's desire to deliberate then you could advertise a Public Hearing and a Special Meeting so that you could deliberate and vote if you wanted to but at least deliberate.

Mr. Shin recommended that we advertise it as both a Public Hearing and a Special Meeting so that the Board has enough flexibility to discuss the issues as needed.

Dr. Shapiro stated that it would be prudent to have a second meeting.

Mr. Carpenter agreed.

Mr. Partridge agreed.

Mr. Sokorai recommended that the Board invite the members of the LTSC. Maybe they could offer some insights if there are questions by the Board.

Mr. Shin agreed. I suggest that we also check the retainer on Randy Lawlace to see if he could be here to give the Board a quick presentation on Act 1.

Mr. Shin stated that 7pm on January 30<sup>th</sup> is fine.

Mr. Driscoll stated that part of Act 1 has the expanded rent rebate real estate tax rent rebate program for disabled people and low-income support. I put a link on our website that people can click to go to the state web site to get the forms and to see what needs to happen. That money then would come from the state.

#### **14.02 Bills for Payment**

#### **ATTACHMENT 3**

Motion: To approve and authorize payment of General Fund bills in the amount of \$1,438,165.27, Capital Fund-RFB bills in the amount of \$9,265.00 and Food Service bills in the amount of \$161,060.80.

#### **14.03 Transfers and Monthly Reports**

#### **ATTACHMENT 4**

Motion: To approve the monthly financial reports for October and November 2006, Treasurer's Report for October and November 2006 and budget transfers for November and December 2006.

Informational item (monthly financial reports for December 2006)

#### **14.04 Preliminary Budget**

Motion: To approve the Preliminary Budget for the 2007-2008 school year in accordance with Act 1 of 2006 in the amount of \$59,500,000.00. This includes a tax levy of 14.66 mills (\$1.466 per \$100 of assessed value) or .01466 of assessed valuation of real estate and a levy of one-half of one percent (.50) tax on real estate transfers within the school district.

Mr. Driscoll stated that this is another area that is very new to us. We have been ahead of the state deadlines for adopting and getting out the preliminary budget. Technically the budget that I put out needs to be on the state form which was not available until yesterday. I still have time to get it on the state form and get us in line with the January 25<sup>th</sup> meeting.

Mr. Partridge asked if Mr. Driscoll submits just the budget or this whole package.

Mr. Driscoll replied no. This is specifically for the Board's digestion. The content that goes to the state is only the projected 2007-08 budget. No historical data or my narrative goes to the state.

Mr. Partridge stated that the summary states that the district has been enjoying several years of revenue growth and has helped to offset the increase in taxes to balance the operating budget and so on. It suggests that in the future we will not see the revenue growth that we have previously enjoyed and district would need to redefine its mission in order to decrease expenditures or face possibly failed referendums. At this point, we have public information that suggests the polar opposite of this.

Mr. Driscoll stated that what he meant was that we are still going to have growth but sometime in the future, we won't. It could be five years or it could be eight years from now but eventually it will catch up to us.

Mr. Partridge stated that we have public information that for the next 20 years not only will we have growth but we will have significant growth. There is public information that this district will realize a projection of \$110 million over the next 20 years. This went public in the Township of Newtown. I think we would be facing the opposite.

Mr. Driscoll stated that then we would be fortunate. I was aware of some of that information but this is the first time that I am hearing \$110 million. I don't have that data.

Mr. Carpenter asked if the budget that Mr. Driscoll sent the state has the same figures that you are showing us now as our preliminary budget. Is the anticipated revenue the same?

Mr. Driscoll replied yes. The state requires that the Board adopt a preliminary budget by February 14<sup>th</sup> and submit it to the state under Act 1. There are a lot of changes that can take place from this point forward on both sides of the equation.

Mr. Carpenter asked what impact that has on the budget that you are sending the state this month.

Mr. Driscoll replied that the budget that was sent to the state are the numbers that we discussed in November.

Mr. Carpenter stated that he would like to talk about the numbers. I question very much the revenue figure and I question the necessity for a tax increase. I question the anticipated revenue. I know that Mr. Driscoll has advised us that he doesn't have the information needed in order to accurately forecast what he can anticipate as the actual revenue. I would like to point out that in the past five years, those projections that were made a part of the budget were inaccurate by the tune of about \$2 million a year for five years. We have in effect received from the taxpayers somewhere between \$9-\$11 million more than what was specified on the revenue budget figures. This is an ongoing trend that is now five years old. Even though you can't project in advance where you are going to get the money, I submit that we should anticipate that we are going to get a significant sum of money that you can't accurately forecast just because of that trend. In the same budget and in each of these years where the overages occurred we have had a tax increase which was more than what we needed and it has repeated itself for five years. The result of it is that we now have a fund balance of over \$5 million which is about twice as much as what we actually need. I understand that Mr. Driscoll's recommendation for that excess money is to use it to pay off some of our debt. I don't disagree with that. Although, it is different paying off the debt than it is charging the taxpayer more money than what they really require. I believe that we should be looking at a real honest to goodness tax non-increase in taxes this year and you have built into the budget a 3.4% tax increase. I believe that is an item for discussion.

Mr. McGinley stated that the expenses on the preliminary budget are pretty sound because you have data for all of that. Therefore, if it could be proven to the Board that revenues would increase \$2-3 million this next year unexpected to what you might think, would it be fair to say there would not need to be a tax increase at that point.

Mr. Driscoll replied yes, if there were data or even based on experience that you wanted to make that assumption and build it into your budget. What most people would do is earmark fund balance. They would do this because if you can't say with any certainty of where that money is going to come from, you can't just budget un-anticipated revenue and hope it comes in but what you can do is earmark un-reserved fund balance to balance the budget in the hopes that it comes in. The numbers can't be disputed over the last several years that got the fund balance up but the fund balance was about \$5 million at the end of June 30<sup>th</sup> however now that we have drawn it down to pay off that one loan, I believe it is still only about \$2.8 million. You have to be careful if you want to earmark a part of fund balance to try and reduce the tax rate.

Mr. McGinley stated that this was not his question. If it could be proved to this Board that the expected revenues will, in fact, be \$2-\$3 million more than what you have originally projected is it fair to say that we would not need a tax increase?

Mr. Driscoll replied sure. If it is repetitive revenue that is better. If it were one-time revenue then the following year we would have to make that up if it doesn't come in. We can't build a revenue budget on data that we don't have. If there is data that someone has, I would like them to share it with us.

Mr. McGinley stated that part of what Mr. Carpenter is speaking about is the DuPont Estate is supposedly bringing in approximately \$7 million in revenue per year. It is a 55+ community which means there will be very few children to be educated from that money. If we can see that this year and the following and the next, it is conceivable that we won't need a tax increase?

Mr. Driscoll replied sure. There is risk involved. If you feel certain that \$3 million is going to come in next year from a development in the township that we may not see because it is not going to be on the tax roles but there is data out there then sure. If you can reasonably expect to get it within 90%, then I would say you could budget it but I don't have that data. If it doesn't come in, then the Board can't make an informed decision.

Mr. Partridge stated that based on history over the last five years, what has been the difference between the local revenue projections and the local revenue actual.

Mr. Driscoll replied that it has been coming from different sources. Three years ago, it was coming from the housing market. Last year, half of the \$2 million came from a one-time refund from the IU of \$300,000 and \$750,000 from interest rate increases from the federal government.

Mr. Carpenter stated that we have a significant trend that we haven't been able to identify in advance in any one of those years, but it is there. There is no reason to believe that it won't continue. Why did we pay down our fund balance without considering whether or not we would take a look at reducing the tax increase after we talked about that at the last meeting?

Mr. Driscoll replied that the Board took action last May to pay down that debt. The Board earmarked \$2.2 million of fund balance for the early retirement of the loan. That is not a decision I made, it was a decision I followed.

Mr. Shin stated that these numbers are accurate. The overages that were seen in the district budget over the last few years, I don't dispute. When statements were made that the overages were caused by tax increases, I will take exception to that. The majority of the overages that occurred in those years did not come from local property tax revenue. When it comes to where we have anticipated revenue and where we have anticipated growth coming from for the 2007-08 budget, we looked to all the factors that make up our incomes out of our budget. I believe that the overages came from the local property tax revenue have been pretty much on target. I don't think that we can anticipate in a preliminary budget without knowing what those interest rates are going to be in the future, without knowing if we are going to have additional money in there that would generate interest, whether we could budget another \$700,000 in interest income.

Mr. Carpenter stated that we spend the total revenue that we have. It has come from different sources and it has been sufficient each year to give us a couple of million dollars more money than we thought we were going to get.

Mr. Shin stated that if the anticipated revenue does not come in, then the only way to balance the budget is through fund balance. The district has done that historically. It is a very bad practice to balance a budget with fund balance because it is one time money. If the anticipated money doesn't come in how do we balance the budget?

Mr. Driscoll stated that the numbers from June 30<sup>th</sup> are different from the numbers now. Technically, as of today the fund balance is \$2.8 million because we spent \$2.2 million of it. The un-reserved fund balance remains the same as June 30<sup>th</sup> what has changed is the reserved fund balance. We spent the money that was earmarked. When I do things, I tie them to the financial statements.

Mr. McGinley stated that historically what Mr. Carpenter said can't be disputed. It is about \$2 million of extra revenues every year. Locally, I think it is a fair prediction to say it will be minimally an extra \$2 million this year. Since historically, it has been \$2 million the last five years and there is every indication that it is even going to be higher this year, then we don't need a tax increase this year.

Mr. Shin asked when the properties have to be on the roles for us to collect tax revenue on these properties.

Mr. Driscoll replied that the tax bills go out July 1<sup>st</sup> so if any taxes that made the role on July 1<sup>st</sup> are what gets taxed. Other money comes in that drives that revenue.

Mr. Partridge stated that we are projecting \$1.6 million now. We could take that up to \$2 million if it pleased the Board and the way we could cover that \$400,000, if necessary with the budgetary reserve.

Mr. Shin stated that we have these types of discussions every year during budget season. They are very important as we determine what we are going to pass in June. We have to remember that we are not passing a final budget. We don't have to decide what the final revenue numbers are. We do need to decide if we are ready to pass a preliminary budget at the end of this month to meet our state requirement deadlines and then continue to have this conversation through February, March, April and May. As we continue to get more information hopefully we are able to confirm and firm up the projections that are hopefully happening in Newtown Square before the final budget. For us to have an exhaustive conversation about this may be a little early and we may not be doing ourselves a benefit by trying to do it all tonight.

Mr. Partridge stated that the Board has to have a comfort level with the preliminary budget. What I am hearing is that a couple of them don't have a comfort level with the revenue projections in the preliminary budget so therefore does warrant discussion from that point of view.

Mr. Shin stated that he does understand that but doesn't know if this is an issue that we are going to be able to resolve. We have to pass a preliminary budget.

Mr. Partridge asked about the increase in the benefits. Looking at the projections over the last two to three years to the actual benefit expenses incurred. Do you know the variance for the past three years going backwards?

Mr. Driscoll replied no but he could get that. There were some variances in the benefits last year.

Mr. Partridge asked of the 8.61%, how much of the retirement increase is driving that.

Mr. Driscoll replied that it is about 6.24%. On the state side of the budget you will see that 50% of that cost gets shared by the state. If we budget for 100% of the employer pension cost then the state pays us back 50% of that revenue.

Mr. Partridge asked how much we have to cover a bond issue.

Mr. Driscoll replied that there is \$750,000 worth of appropriations for any possible debt.

Mr. Sokorai asked if approving a preliminary budget has any type of binding effect whatsoever.

Mr. Driscoll replied no, that budget could be changed.

Dr. Shapiro stated that he has concerns on the revenue side but also has concerns on the expenditure side. I think the expenditure side bears some close looking at. Last year we discussed the thought that in this budget cycle if we could, do a zero based budget exercise.

Mr. Partridge stated that as long as all of the Board members have resolved themselves to the fact that the financing that this preliminary budget essentially includes a \$30 million bond for the next school year...

Mr. Shin asked if this was a \$30 million bond or half of that.

Mr. Driscoll replied that half of that is not in the budget.

Mr. Shin stated that this budget builds in the first part of the debt service.

Mr. Moldoff stated that he would like to see some documentation of the projected revenue increases for Newtown Township in the future.

Mrs. Macheoto, Newtown Square, stated that she has owned a house here since 1983. You have raised my taxes every year until my taxes are doubled. You are forcing me out of my house because I can't afford to live there. I live on 252 and because of the traffic, my property value is going down although my house is lovely. I have complained to Mrs. Houldin when I paid my taxes. I am being forced out of my home. I would really like to go back home. I am very nervous and very upset about what you are doing.

## **15. FACILITIES AND TRANSPORTATION**

### **Liaison – Mr. Moldoff**

#### **15.01 Items for Board Discussion**

Mr. Moldoff stated that he will consult with Mr. Sereni before he feels he may have to abstain from a vote because he too has a relation that is a part time employee in the district.

#### **A. Safety and Security Recommendations**

Mr. Gasior stated that over the past several months we have been looking at some security issues. A month ago, I present the Facilities and Transportation Committee with what you have shown as page 1. This is all the input from principals at every building. The next discussion was to get someone here to give us some prices. I put a package together based on the principals' ideas, wants and needs in totality. I think that we need to put more thought into what we really want. I have been working with Mr. Dumin on this. Our recommendation would be to at least get item 1 initially until we find out what we are going to do. Item 7, came from the High School wanting 2-way radios. I figured if we put 2-way radios in one building, we will have to put 2-way radios into all buildings. Mr. Dumin and I both felt that the need for 2-way radios is a big question. We already have the telephones in every room, Nextels and 2-way walkie talkies that are good for 1 ½ mile. I think we need audio, video and a recorder at every entrance at every building. We are asking the Board to approve an RFP that would differ from all of this to bring in some experts to see what we really need.

Mr. Partridge stated that Mr. Gasior is bringing to the Board the motion under item 1 (\$42,600) at the next Board meeting and the other things should be discussed in the near future.

Mr. Gasior replied yes. We could bring that forward but I would also recommend an RFP to see what an expert can come in and do. The only item that I would add on this that may be another \$6,000-\$8,000 is for panic buttons. They would be used at the front desk in case there was an alert. It would go through our present system. Once it is pushed you are going to get immediate dispatch.

Mrs. Horowitz stated that she had intensive discussions with our professional staff particularly with elementary and Paxon Hollow. There are issues during recess time when teachers go outside. I have required that every exterior door be locked. When a teacher takes the children outside and the door locks there is no way they can get back into the building unless a child walks around to the front of the building to get a custodian to open that door. Our association has asked that we look at the keypad system because elementary children do go out at recess time and classes go out separate from after lunch. At Paxon Hollow, the rear door is used by health and physical education staff. Unless they use a cell phone to call in, they are locked out. The teachers don't all have keys. On behalf of them, I ask that we give some consideration to that.

Mr. Moldoff suggested getting an RFP for all items to see what funds we may need. Then we could pick and choose what we want to budget for.

Mr. Gasior stated that a keypad system or a swipe card is what was projected in that particular number is quite a bit more expensive. We would need to have a device included that tells us what time it was swiped and by whom.

Dr. Shapiro stated that all of these thoughts and discussions are important given the state the world that we find ourselves in, unfortunately. It strikes me that every time we have these discussions; I am left with the thought that we are expert enough to develop an RFP. I would like to put forth the idea that before we go out for an RFP that we do spend the money on a consultant to help us develop and RFP.

Mr. Shin stated that this was an RFP for a consultant.

Mr. Gasior stated that this is for a firm coming in and telling us from an expert point of view what we should have.

Dr. Shapiro asked if this information that Mr. Gasior has compiled would in any way bias their opinion.

Mr. Gasior replied no, it would not.

Mr. Shin stated that security is not just about locks on doors, keypads and panic buttons. All those things are there to address an incident when it is too late. What can we do at the Board level, administration level, school level, teacher level and every level of the school to identify threats that we don't know about? How do we develop a culture of level in our district that raises a level of everyone in our district to see if they can identify any potential threats whether it be through a student hotline, teacher hotline or and form of communication. We have to identify potential threats before they happen. We need cultural improvements and policy improvements.

Mrs. Horowitz stated that we have had several professional development sessions through the work of our crisis plan with professional staff and administration. Several of us have attended countywide exercises for safety and security. When we come back, we share them with our administrative colleagues and professional staff. We are beginning to change the culture. There has been a sense of anxiety present amongst our professional, support staff and administration. I think it is a good thing and sometimes it is a catalyst for change.

Mr. McGinley asked if Mrs. Horowitz has any plan to have our own set up of an emergency here. Have we done it? Are we going to do it routinely?

Mrs. Horowitz replied that we did a phenomenal emergency exercise here a year ago with 100% of our professional staff with Tom Morgan leading that. We will continue working in that vein to help everyone be prepared for an emergency situation.

Mr. Moldoff stated that we have instituted the bullying programs but there may be other potential things that we need to explore. It only takes one flaw to make a problem. We need to revisit it and practice. It is better to be proactive than reactive.

Mr. Sokorai asked if we have an annual class wide program for students that teach preventative measures of what to look for in fellow students that could be signs of trouble.

Mrs. Horowitz replied that there are several ways this is covered through health education classes, bully prevention classes and various student assistant programs.

Mr. Sokorai stated that every year, in National Guard, he has to do an annual briefing. One of the things that I tell them are the ten warning signs that they need to look for in their fellow soldiers. We have the same problems that everyone else in the world has. We are all human beings. It makes me think about it every year. We actually take it a step further and have this discussion. Do we have something like that?

Mrs. Horowitz stated that we have classes that the guidance counselors facilitate to share this information with children. The bully prevention programs have special principles that share these kinds of guidelines.

Mr. Partridge asked Mrs. Horowitz to put a proactive program together for the Board as far as safety. To Mr. Sokorai's point, as part of the beginning of the year initiative should be that every teacher or principal will gather the children together and have this discussion on a regular basis as part of opening the schools. Maybe Mrs. Horowitz could put together a program that will be in place every year and then incorporate all the pieces that we already have and give that to the Board.

## **16. DELAWARE COUNTY INTERMEDIATE UNIT REPORT**

*Applies to the Regular Meeting agenda only.*

## **17. LEGISLATIVE REPORT**

*Applies to the Regular Meeting agenda only.*

## **18. BOARD PRESIDENT'S REPORT TO THE BOARD**

*Applies to the Regular Meeting agenda only.*

## **19. COMMENTS FROM THE AUDIENCE**

No comments were made.

## **20. COMMENTS FROM THE BOARD**

Mrs. Horowitz pledged to take a more active role in the budget. Once Mr. Driscoll put together the original preliminary budget estimate of 3.69% presented in November, he and I decided that we would sit down together and go line by line through everyone's budget. If I saw a budget line with \$5,000 in it and for the past two years, zero expenditure in that line, I said we are cutting that line or we are leaving a band aid of \$500 in there in the event of an emergency. I don't like transfers either and I'm not going to leave any line open with money that hasn't been spent for several years.

Mr. Partridge stated that we have agreed that we need to revise Policy 005 in order to move from a committee structure to a work session structure and also around that we would need to have some rules and guidelines of

the Work Session. I assume that revising the policy and putting together those rules and guidelines would be something that would need to be approved by a Board majority and not set out at the pleasure of any one member of the Board. Do you agree with this, Mr. Sereni?

Mr. Sereni replied yes. That is the process for amending a Board policy that it would require a majority of the Board to take official action to amend it. It is my understanding that this analysis is in place right now.

Mr. McGinley stated that he was very skeptical of this process but thinks it worked well for the first time.

Mr. Moldoff stated that we need to do a general policy review. I know that Ms. DeLuca has that as one of her goals that she sent out also. I would like to ask the administration on an ongoing quarterly review that we review the status of where we are with any of the plans; whether the technology plan, the strategic plan or anything along those lines.

Mr. Sokorai asked what the process would be if there was something that somebody wanted to raise and it was not on the agenda.

Mr. McGinley stated that you could raise it whenever you want to try to get it put on the agenda.

Mr. Carpenter suggested that in the reconfiguration of the agenda that some provision be provided for New Business and that if there are items that can be treated as an agenda item that are new, that they be placed under that category.

## **21. ADJOURNMENT**

Mr. Shin made a motion and seconded by Mrs. Galbraith to adjourn the meeting.

Ms. DeLuca adjourned the meeting at 10:00pm.

**Respectfully submitted by Heather Welsh, Secretary to the Board.**