

**COLONIAL SCHOOL DISTRICT
PLYMOUTH MEETING, PA 19462
MINUTES, DECEMBER 7, 1998**

President Kessler convened the December reorganization meeting of the Colonial Board of School Directors at 8:23 p.m. in the board Room of Colonial Elementary School on December 7, 1998.

Board Members Present: Stuart Kessler, Marc Orlow, Robert Carroll, Rich Connolly, Gary Johnson, Robert O'Neill, Jack Pinheiro, and Thomas Yunker.

Board Members Absent: Beverly Brown.

Also Attending: Dr. Stanley J. Durtan, Superintendent; Dr. Ann Stormes, Director of Curriculum and Instruction; James M. Bell, Director of Support Services/Board Secretary; Joseph Bickleman, Director of Financial Services/Treasurer; R. Scott Klinger, Director of Personnel; Fred Shipman, Director of Pupil Services; Frank O'Hara, Solicitor; Carol Cohen, CEA; Jill Connolly; A. J. Dauterio; Allan Dovberg; Tom Gibson; Jim Gillespie; Mark Helms; Pam Kessler; Sonia Krishnan; Dr. Hugh Lipshutz; Donald Newmeyer; Gary Pyle; Ajit Samsi; Steven Sloan; Mark Spencer; and Amy Stohner.

Mr. Kessler led the Pledge of Allegiance.

Election of Officers and Appointment of Representatives: Mr. Kessler advised that the Board had met in executive session from 7:00 p. m. to just prior to the reorganization meeting to cover personnel matters, tax assessment appeals and other legal matters. He reported that the list of agenda items for the session had been extensive and apologized for the resulting late start of the reorganization meeting.

Mr. Kessler briefly reviewed the annual need to elect Board officers and appoint board representatives to a number of organizations. He explained the process used by the Board to meet this need during years in which school board elections were not held. He then accepted nominations for the positions to be filled.

Mr. Pinheiro moved and Mr. Orlow seconded a motion to re-elect Mr. Kessler to the position of Board President. The president shall preside at all meetings of the Board and perform other duties require by law. He/she shall call special meetings and execute documents when authorized by the Board. On roll call vote, all except Mr. Kessler in favor. Mr. Kessler abstained. Motion carried.

Mr. Pinheiro moved and Mr. Carroll seconded a motion to re-elect Mr. Orlow Board Vice President. The vice president shall assume the responsibilities of the president in the absence of the president. On roll call vote, all in favor. Motion carried.

Mr. Johnson moved and Mr. Connolly seconded a motion to re-elect Mr. O'Neill to a position as Vocational Technical School Representative, term of office 1999-2001. The CMCAVTS Joint Operating Committee consists of nine members, three each from the sending school districts. Mr. O'Neill, Mr. Johnson and Mr. Connolly have served on the committee in recent years. Mr. O'Neill's seat was open for election. On roll call vote, all in favor. Motion carried. As a re-elected committee member, Mr. O'Neill will be serving his 10th, 11th and 12th years on the Joint Operating Committee.

Mr. Kessler moved and Mr. Johnson seconded a motion to appoint Mr. Carroll Legislative Chairperson. Mr. Kessler had served in this position in recent years but wished to retire from the post. He explained how the legislative representative participated in PSBA's legislative action program and reported that each district's designee represented his/her respective school board at county-level meetings and received special legislative publications from the association. On roll call vote, all except Mr. Carroll in favor. Mr. Carroll abstained. Motion carried.

Mr. Orlow moved and Mr. Johnson seconded a motion to appoint Mr. O'Neill PSBA Representative. This representative is responsible to attend a minimum of two regional cabinet meetings a year, held in the region, develop and maintain two-way communication between the Board and PSBA's regional structure. The representative also shares PSBA and regional reports at regular meetings of the Board, assists in planning future regional meetings, and provides general input and guidance to various regional members serving on PSBA committees. On roll call vote, all in favor. Motion carried.

Mr. Kessler took the opportunity to thank board members for their confidence in his leadership and for re-electing him Board president. He expressed his belief that he was able to handle the responsibilities of his position because he was supported by very competent and dedicated board members. He thanked those board members who had served as committee chairs for the past year and praised their dedication and hard work. He indicated that there would be some changes in both committee chairs and committee membership for the coming year. Mr. Connolly advised that he would be retiring from his post as chair of the Building & Grounds Committee because of growing work commitments. Mr. Kessler announced that Mr. Orlow would chair of the Buildings & Grounds/Transportation Committee for the coming year and that Mr. Yunker and Mr. Johnson would chair the Curriculum and Community Relations Committees, respectively. He also advised that Ms. Brown and Mr. Pinheiro would remain in their posts as chairs of the Finance and Personnel Committees, respectively.

Approval of Minutes: Mr. Kessler referred Board members to the minutes of the Community Relations Committee Meeting of 11/10/98, the Board Work Session of 11/16/98, and the General Meeting of 11/19/98, as shown in Enclosures #1 through #3 respectively. Mr. Bell pointed out a correction in Enclosure #3, noting that a student had been named national VICA treasurer, not a staff member as recorded

in the minutes. Mr. Yunker pointed out a correction and an addition to the minutes of the same meeting. He noted that the committee working on the issue of Board funding of student trips proposed that student participation in events offering unrestricted cash prizes or cash equivalents in excess of \$100.00 not be funded by the Board. Mr. Bell indicated that he would make the necessary corrections. Mr. Connolly moved and Mr. Orlow seconded a motion to approve the minutes, as amended. On roll call vote, all in favor. Motion carried.

Financial Reports: Mr. Kessler advised that financial reports had been approved through 10/31/98 and that the financial reports for November would be provided for formal Board action at the January 1999 meeting. He noted that Board authorization was being requested to pay November bills in December but advised that he wanted to see the architect's bills before they were paid. Mr. Kessler moved and Mr. Yunker seconded a motion to authorize administration to pay all November bills, except those of the architect, in December. On roll call vote, all in favor. Motion carried.

Public Comments on the Agenda: Dr. Lipshutz noted that one of the girls' soccer coaches speaking at the meeting of 11/19/98 had assured the Board that the soccer field at the Plymouth Parks and Recreation facility could be made available to a proposed girls soccer team at high school after school between the hours of 2:00 p.m. and 6:00 p.m. He asked that the name of the coach be included in the minutes of the meeting.

Mr. Dovberg noted that the opportunity for public comment followed the approval of the minutes and offered several revisions to the minutes of the meetings of 11/16/98 and 11/19/98. He requested that the former reflect that he questioned the elimination of school store proceeds from the annual budget of DECA rather than a decline in school store revenue. In the latter, he questioned the amount of money to be returned to the Home and School Association at Colonial Middle School as an overpayment of one half of the new auditorium sound system. Mr. Bickleman estimated the amount at approximately \$80.00. Mr. Dovberg also requested that the summary that Mr. Yunker gave of the recommendations of the committee reviewing Board funding for student trips include the recommendation that the Board set aside funds each year for student trips falling within Board guidelines and that these funds not be micro-managed by the Board. He questioned the amount of money set aside for the current year and learned that the amount included in Mr. Yunker's written report was incorrectly stated at \$19,200.00. Mr. Yunker and Mr. Bickleman reported that \$11,000.00 was set aside in the activity funds of the high school for student trips but that the \$8,200.00 assumed available at the middle school was actually funding for student athletics. Mr. Dovberg also suggested amendments to the summary of his comments at the close of the meeting of 11/19/98 and administration's response to those comments. He requested that the minutes reflect that administration's decision not to include proceeds from the school store in the annual budget for DECA reflected a change in district practice from prior years. He asked if the girl's soccer coach who had promised to secure written permission

from Plymouth Township for a girls' soccer team at the high school to use the field at the parks and recreation center had kept his promise. Mr. Connolly reported that the promise had been premature and that the issue was still being explored. Mr. Dovberg also asked if administrators shared written reports of the administrative seminars that they attended with others in the district who might be interested in or have use for the information learned at the seminars. Dr. Durtan responded that such reports were made orally within the context of administrative council meetings unless written reports were specifically requested. In response to queries from the Board, Mr. O'Hara advised that Mr. Bell could make any alterations to the minutes that the Board authorized. After some discussion, Mr. Kessler asked that Mr. Bell make appropriate changes to the minutes to reflect public input and provide Mr. Dovberg a copy of the proposed changes. The Board consensus was to review the amended minutes at its meeting on 1/21/99.

Old Business: Mr. Kessler advised that further discussion of the funding of student activities would be deferred to the work session of 1/18/99 and/or the general meeting of 1/21/99 to allow time for further study of the subject.

Correspondence: None.

Superintendent's Report: The superintendent briefly reviewed his recommendations on personnel changes as shown in Enclosures # 4 and #5. Mr. Pinheiro moved and Mr. O'Neill seconded a motion to approve the termination, leave of absence, transfer and additions to the substitute list, as recommended. On roll call vote, all in favor. Motion carried.

Board Student Representatives Report: None.

New Business: Mr. Kessler directed the Board's attention to the proposed meeting schedule for 1999. He and Dr. Durtan noted some deviations from the standard third Monday work session and third Thursday general meetings of the Board to accommodate a holiday in February, a conference in July, and the annual reorganization meeting in December. (See* below.) The full meeting schedule proposed for 1999 was:

<u>Work Session</u>	<u>Regular Meeting</u>
Mon., 1/18/99	Thurs., 1/21/99
*Tues., 2/16/99	Thurs., 2/18/99
Mon., 3/15/99	Thurs., 3/18/99
Mon., 4/12/99	Thurs., 4/15/99
Mon., 5/17/99	Thurs., 5/20/99
Mon., 6/14/99	Thurs., 6/17/99
*Mon., 7/19/99	*Thurs., 7/22/99
Mon., 8/16/99	Thurs., 8/19/99
Mon., 9/13/99	Thurs., 9/16/99

Mon., 10/18/99
Mon., 11/15/99

Thurs., 10/21/99
Thurs., 11/18/99
*Mon., 12/06/99

Mr. Kessler noted that regular Board meetings would be held at 8:00 p. m., public work sessions at 8:30 p.m., and any required executive sessions at 7:30 p. m. on the same day as public work sessions. Mr. Kessler raised the possibility of no Board meeting in July, but several members, while receptive to a summer break, felt that it was advisable for the Board to continue to meet while the high school annex was under construction. Mr. Johnson moved and Mr. O'Neill seconded a motion to approve the meeting schedule, as outlined. On roll call vote, all in favor. Motion carried.

Mr. Kessler called on Mr. O'Hara to address the issue of Taxpayer's Bill of Rights, as shown in Enclosure #6. Mr. O'Hara explained that the heading in the agenda was misleading because the enclosure actually dealt with regulations covering the availability of the disclosure statement outlining taxpayer rights when he/she is contacted by the district concerning a tax matter. The regulations also included the statement itself, the time period during which a taxpayer must respond to a request information from the district, the mechanism for requesting an extension for responding, and the practice and procedure to be followed when the taxpayer for filing an administrative appeal. Mr. O'Hara recommended that the Board approve the regulations in order to come into compliance with Act 50. Mr. Orlow moved and Mr. O'Neill seconded a motion to approve the regulations, as presented. On roll call vote, all in favor. Motion carried.

Solicitor's Report: Mr. O'Hara read a resolution of condemnation covering approximately 29.6 acres of land located adjacent to district property along Colonial Drive across from Colonial Elementary School. He noted that Whitemarsh Township would be pursuing a similar course of action on 17 acres of land in the same parcel, known locally as the WFIL tract. He stated that the district was seeking the land to meet a need for additional land on which to operate its programs and the township was seeking land for open space uses. Mr. O'Hara advised that the district had tried to negotiate the purchase of the property but had been unsuccessful. He walked the Board and community through the key steps in the condemnation process. First, the Board would have to determine just compensation which, if not accepted by the owner, would be followed by action of a Board of View. If the parties could not reach agreement at that level, the case could then be appealed to the Court of Common Pleas and be decided at a jury trial. Mr. Kessler asked when the district would get the land, and Mr. O'Hara responded that the district could take the land when it paid just compensation.

During the discussion which followed, Mr. Carroll voiced his intention to vote against the condemnation. Mr. Kessler allowed public comment on the matter at that time, noting that the subject was not on the agenda and that the public should have an opportunity to comment before Board action was taken. Mr. Dovberg

questioned the district's possible financial exposure for acquiring the 29.6 acres. Mr. O'Hara indicated that the district would not respond in order to protect its legal position but noted that the attorney for the owner had estimated the value of the tract at \$6,100,000. He stressed that it was inappropriate for the Board to speculate and that the legal process should be followed. Mr. Orlow noted that it was a matter of public record that the owner had paid \$1,900,000 for the property, based on an option to lease. He reported that the owner had signed an affidavit of value indicating that that amount was a fair purchase price. Mr. Newmeyer and Mr. Spencer asked clarifying questions concerning the condemnation and the involvement of Whitemarsh Township in the condemnation. Mr. O'Hara indicated that the district and township would be making two separate condemnations but proceeding through the process together to minimize costs. Mr. Pinheiro moved and Mr. Connolly seconded a motion to approve the Resolution of Condemnation, as presented. On roll call vote, all but Mr. Carroll in favor. Mr. Carroll opposed. Motion carried.

Mr. Macaninch proposed a settlement in the Alan B. Weisberg tax appeal for the years 1994 through 1997. Mr. Johnson moved and Mr. Orlow seconded a motion to approve the settlement. On roll call vote, all in favor. Motion carried.

Mr. Macaninch also proposed a settlement in the tax appeal of Antioch Church in the amount of \$25,000. Mr. Yunker moved and Mr. Pinheiro seconded a motion to approve the settlement. On roll call vote, all in favor. Motion carried.

Committee Reports: Mr. Kessler reminded Board members to return their preference sheets for committee assignment.

Intermediate Unit Board: Mr. Pinheiro noted two vacancies on the I. U. Board, those previous filled by members from Lower Moreland and North Penn. He advised that the Rev. Cole from Bryn Athyn had been appointed by the I. U. Board to fill the Lower Moreland vacancy through June 1999.

CMCAVTS: Mr. Johnson advised that the Joint Committee would be meeting the following day.

Personnel: No report. Mr. Pinheiro inquired on the status of the performance-based pay committee. Mr. Orlow advised that the committee had met five or six times, identified an appropriate consultant, and was continuing to work on its charge.

Finance: No report. Ms. Brown was absent from the meeting because of the death of her mother.

Curriculum and Program: No report.

Buildings & Grounds/ Transportation: No Report.

Community Relations: No report.

Legislative: No report.

Public Comment: None

There being no further business before the Board, Mr. Kessler adjourned the meeting at 9:15 p. m.

Respectively submitted,

**James M. Bell
Board Secretary**