

Summary of Minutes
Special Board Meeting
June 28, 2012

The Board of Education of the Wilkes-Barre Area School District held a Special Board Meeting on Thursday, June 28, 2012. **President, Maryanne W. Toole** called the meeting to order at 6:50 PM.

Superintendent, Dr. Jeffrey T. Namey led the Pledge of Allegiance to the Flag.

Board Secretary Leonard B. Przywara called the roll.

9 MEMBERS PRESENT: Corcoran, Elmy, Evans, Galella, Katsock, Latinski, Quinn, Susek, Toole

President Toole stated:

The chair wishes to announce that the Board held Executive Sessions prior to the Regular Board Meeting of June 13, 2012, recessed for Executive Session during the Regular Board Meeting of June 13, 2012, and following the Regular Board Meeting of June 13, 2012. The Board also held an Executive Session on June 25, 2012 and prior to the Special Board Meeting of June 28, 2012.

- THE SUBJECTS DISCUSSED IN EXECUTIVE SESSION RELATED SOLELY TO MATTERS OF EMPLOYEE RELATIONS, LABOR NEGOTIATIONS, AND/OR THREATENED OR ACTUAL LITIGATION.

Ms. Evans moved, seconded by Miss Katsock, to approve the minutes of the Special Board Meeting of May 24, 2012 and dispense with the reading of those minutes. The vote was as follows:
All In Favor: 9 Ayes

There were no **Communications from the Superintendent.**

There was no **Unfinished Business.**

Communications from Citizens

1. Bob Kadluboski, 41 New Frederick Streets, Wilkes-Barre, PA
Mr. Kadluboski addressed the Board regarding the following:
 - a. Mr. Kadluboski asked if Attorney Wendolowski had a contract and if so requested a copy of contract.
Mr. Kadluboski also stated that in his opinion, the contract for a Wilkes-Barre Area School District Solicitor should go out for bid and a contract should not be awarded until the completion of the Forensic Audit regarding the Wilkes-Barre Area School District Solicitor and Assistant Solicitor.
 - b. Mr. Kadluboski asked if there will be a 7th and 8th grade sports program for the 2012-2013 school year.
Mr. Kadluboski also asked if Board Member, Dino Gallela's daughter, will be in charge of the 7th and 8th grade sports program.

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- c. Mr. Kadluboski asked if it was true that Board Member John Quinn, had promised to support Attorney Wendolowski for Wilkes-Barre Area School District Solicitor in return for a teaching contract for his son. Mr. Kadluboski stated that he heard, Mr. Quinn's son would not be permitted to return to a teaching position within the Wilkes-Barre Area School District.

President Toole responded to Mr. Kadluboski's questions and opinions regarding Attorney Wendolowski.

Mrs. Toole stated that there is not a contract in place for Attorney Wendolowski at this time and when a contract is negotiated for Solicitor, whoever that individual may be, a copy of the contract will not be available to any Citizen, prior to the Board voting on the contract at a public Board Meeting. President Toole further stated that the Forensic Audit should be completed in July and the appointment of Solicitor may be in July. President Toole informed Mr. Kadluboski that it is not necessary for the Solicitors' contract to be put out for bid, due to the fact that it is a professional service.

President Toole indicated that the 7th and 8th grade sports program is listed in the 2012-2013 Budget that will be voted on at this evening's Special Board Meeting (Special Meeting-General Purposes, May 28, 2012). Mrs. Toole further stated that Board Member, Dino Galella's daughter will not be in charge of the 7th and 8th grade sports program.

President Toole informed Mr. Kadluboski that she cannot address his statement regarding Mr. Quinn. Mrs. Toole did inform Mr. Kadluboski that she is aware that Mr. Quinn's son is certified in Math and noted that after reviewing all available teaching positions with Dr. Namey for the 2012-2013 school year, she is not aware of any openings for Math teachers.

BUILDING & GROUNDS COMMITTEE REPORT

Dr. Susek presented the following report and recommendations for the Board's approval:

1. Requests for USE OF GYMS, STADIUMS & FIELDS:

SOLOMON/PLAINS COMPLEX

- a. The Activities Department of Solomon/Plains Jr. High in conjunction with the members of the 2013 Coughlin High School Senior Class request permission to use the Solomon/Plains Complex field hockey fields, soccer fields and possibly the football field on Saturday, August 25, 2012 from 8:00 AM to 6:00 PM to host a "Field Hockey Play Day Pre Season Tournament". The event is part of the Senior Project Program and the proceeds will benefit the American Heart Association and the Student Activities of Solomon/Plains Jr. High.
- b. Tom Belles, Jr. High Head Wrestling Coach requests permission to use the gym at Solomon/Plains Elementary on Monday, Wednesday and Thursday from 12 Noon to 2:00 PM beginning June 11, 2012 through August 11, 2012 for the "Summer Wrestling Program".

Dr. Susek moved, seconded by Mr. Latinski, to adopt the report. The vote was as follows:

All In Favor: 8 Ayes: Corcoran, Elmy, Galella, Katsock, Latinski, Quinn, Susek, Toole

1 Nay: Evans – SOLOMON/PLAINS COMPLEX – Item a

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At this time Board Secretary/Business Manager, Leonard Przywara, presented a power point presentation regarding the 2012-2013 Budget. Mr. Przywara thanked his office staff, Tom Telesz and Suzanne Saporito for all their help in the preparation of the power point presentation.

President Toole expressed her heartfelt thanks to Dr. Corcoran, Chairperson, of the Budget Finance Committee, Leonard Przywara, Business Manager and everyone who had contributed their time and effort in preparing the 2012-2013 Budget.

Dr. Corcoran presented Resolution #1

RESOLUTION

WHEREAS, the Board of School Directors of the Wilkes-Barre Area School District, in accordance with law, prepared the following budget, of the amount of funds that will be required by the School District in its several departments for the fiscal year beginning July 1, 2012, and ending June 30, 2013 in the amount of \$100,224,100.00.

NOW, THEREFORE BE IT RESOLVED, that the Board of School Directors of the Wilkes-Barre Area School District hereby presents the expenditures as hereinafter set forth during the fiscal year 2012-2013 and levies a tax of 15.522 mills per dollar (\$15.52 per thousand dollars) of assessed valuation on real estate; re-enacts and/or continues in force the Resolution of June 29, 1971, providing for the levy, assessment and collection of the following taxes: (a) one (1) per centum on transfers of title of real estate; (b) a local services tax (formerly occupational privilege tax) of ten (10) dollars; (c) the earned income tax (wage tax) of one (1%) per cent; (d) the mercantile tax at the rate and under the terms and provisions set forth in the Resolution previously adopted; re-enacts and/or continues in force the Resolution of June 30, 1986 providing for the levy, assessment and collection of the business privilege tax at a rate of one and one-half (1 ½) mills; re-enacts and /or continues in force the Resolution of June 26, 1987 providing for the levy, assessment and collection of a per capita tax of ten (10) dollars.

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Dr. Corcoran motioned, seconded by Mr. Latinski, to adopt Resolution #1. The vote was as follows:

5 Ayes: Corcoran, Elmy, Galella, Latinski, Quinn

4 Nays: Evans, Katsock, Susek, Toole

Resolution #1 – Passed

Miss Katsock presented Resolution #2

WILKES-BARRE AREA SCHOOL DISTRICT

2012 HOMESTEAD and FARMSTEAD EXCLUSION RESOLUTION

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

1. **Aggregate amount available for homestead and farmstead real estate tax reduction.**

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

a. **Gambling Tax Funds.** The Pennsylvania Department of Education (PDE) has notified the School District that PDE will pay to the School District during the school year pursuant to Act 1, 53 P.S. Section 6926.505 (b), as a property tax reduction allocation funded by gambling tax funds, the amount of \$ 2,877,204.91.

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. Section 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 \$26,024.97.

c. **Aggregate amount available.** Adding these amounts, the aggregate amount available during the school year for real estate tax reduction is \$2,903,229.88.

2. **Homestead / Farmstead numbers.** Pursuant to Act 50, 54 Pa. C.S. Section 8584 (i), and Act 1, 53 P.S. Section 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 13,708.

b. **Farmstead property number.** The number of approved farmsteads within the School District is 0.

c. **Homestead/Farmstead combined number.** Adding these numbers, the aggregate number of approved homesteads and approved farmsteads is 13,708.

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 paragraph 1 (c) aggregate amount available during the school year for real estate tax reduction of \$2,903,229.88 by the paragraph 2 (c) aggregate number of approved homesteads and approved farmsteads of 13,708, the maximum real estate tax reduction amount applicable to each approved homestead and to each approved farmstead is \$211.79.

4. **Homestead exclusion calculation.** Dividing the paragraph 3 maximum real estate tax reduction amount of \$211.79 by the School District real estate tax rate of 15.522 mills (.015522), the maximum real estate assessed value reduction to be reflected on tax notices as a homestead exclusion for each approved homestead is \$13,645.00, and the maximum real estate assessed value reduction to be reflected on tax notices as a farmstead exclusion for each approved farmstead is \$13,645.00.

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

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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 \$13,645.00. 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 value of the farmstead, or (b) the paragraph 4 maximum real estate assessed value reduction of \$13,645.00. 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. Section 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 pro rated 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.

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Miss Katsock moved, seconded by Ms. Evans, to adopt Resolution #2. The vote was as follows:

9 Ayes: Corcoran, Elmy, Evans, Galella, Katsock, Latinski, Quinn, Susek, Toole

Mr. Elmy presented Resolution #3

RESOLUTION

Authority to Prepare Real Estate Tax Statements

BE IT RESOLVED that Luzerne County Data Processing Department be authorized to prepare the school real estate tax statements for the 2012 Tax Duplicate at a rate of \$22.00 per 100 bills including envelope and duplicates at a rate of \$13.20 per 100 bills with date of issue July 16, 2012; 2% discount through September 13, 2012; face amount after September 13, 2012, through November 12, 2012; and 10% penalty due after November 12, 2012. Further, that Tax Collectors be authorized to offer three installment payments of the face amount of school real estate taxes, provided taxables choose this option on or before August 14, 2012. (Installment due dates shall be: 1st - August 14, 2012; 2nd – October 15, 2012; 3rd – December 14, 2012.) A 10% penalty will be added to each delinquent installment not paid on or

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before the due date of the installment. Delinquent installments must be paid prior to the Tax Collectors accepting payment of subsequent installments.

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Mr. Elmy moved, seconded by Ms. Evans, to adopt Resolution #3. The vote was as follows:

9 Ayes: Corcoran, Elmy, Evans, Galella, Katsock, Latinski, Quinn, Susek, Toole

Mr. Galella presented Resolution #4

RESOLUTION

Real Estate Tax Collector for Wilkes-Barre Township

BE IT RESOLVED, that approval be given to appoint Don Wilkinson Agency, Inc. (DWA), 300 A Laird Street, Wilkes-Barre, PA 18702 collector of School Real Estate Taxes for Wilkes-Barre Township for the fiscal year commencing July 1, 2012 at a commission in accordance with the Resolution of January 12, 2005, plus postage. Real estate tax statements will be prepared by Luzerne County Data Processing Department. DWA will perform the services enumerated in its proposal of May 5, 1995.

In addition, it shall be the responsibility of the Tax Collector to comply with the duties and responsibilities of the position as contained in the Local Tax Collection Law, Act of May 25, 1945, P.L. 1050, No. 394, and the Pennsylvania Department of Community Affairs' "Tax Collectors Manual." The Tax Collector must also comply with the procedures and requirements of the District for tax collectors established in its resolution of January 12, 2005.

The Tax Collector shall be required to furnish either a surety or collateral bond as required by the School Code of the Commonwealth of Pennsylvania at the School District's expense.

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Mr. Galella moved, seconded by Ms. Evans, to adopt Resolution #4. The vote was as follows:

9 Ayes: Corcoran, Elmy, Evans, Galella, Katsock, Latinski, Quinn, Susek, Toole

Mr. Latinski presented Resolution #5

RESOLUTION

Real Estate Tax Collector for Wilkes-Barre City

BE IT RESOLVED, that approval be given to appoint Berkheimer Outsourcing, 50 North Seventh Street, Bangor, PA 18013, collector of 2011 School Real Estate Taxes for Wilkes-Barre City for the fiscal year commencing July 1, 2012, at a commission of \$2.25 per taxable, \$0.25 per interim bill, plus postage. Real estate tax statements will be prepared by Berkheimer Outsourcing.

In addition, it shall be the responsibility of the Tax Collector to comply with the duties and responsibilities of the position as contained in the Local Tax Collection Law, Act of May 25, 1945, P.L. 1050, No. 394, and the Pennsylvania Department of Community Affairs' "Tax Collectors Manual." The Tax Collector must also comply with the procedures and requirements of the District for tax collectors established in its resolution of January 12, 2005.

The Tax Collector shall be required to furnish either a surety or collateral bond as required by the School Code of the Commonwealth of Pennsylvania at the School District's expense.

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Mr. Latinski moved, seconded by Ms. Evans, to adopt Resolution #5. The vote was as follows:
9 Ayes: Corcoran, Elmy, Evans, Galella, Katsock, Latinski, Quinn, Susek, Toole

Mr. Quinn presented Resolution #6

RESOLUTION

Per Capita Tax Collectors

BE IT RESOLVED, that **Berkheimer Associates** and the **Don Wilkinson Agency** be appointed to serve as collectors of the **Per Capita Tax** for the fiscal year beginning July 1, 2012 at a rate of 25 cents per taxable individual plus postage, which will be the total cost to the School District. Each Tax Collector is also authorized to collect delinquent Per Capita Tax, receiving total remuneration from the costs assessed to the delinquent taxable (i.e. at no cost to the School District).

Collections will be for the political subdivisions as indicated below:

Berkheimer Associates

Bear Creek Township, Bear Creek

Village Borough, Laflin Borough,

and Wilkes-Barre City

Don Wilkinson Agency

Buck Township, Laurel Run Borough,

Plains Township and Wilkes-Barre Township

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Mr. Quinn moved, seconded by Dr. Susek, to adopt Resolution #6. The vote was as follows:

9 Ayes: Corcoran, Elmy, Evans, Galella, Katsock, Latinski, Quinn, Susek, Toole

Dr. Susek presented Resolution #7

WILKES-BARRE AREA SCHOOL DISTRICT

Real Estate Tax Universal Installment Payment Plan Resolution

(installment payment available for all taxpayers)

RESOLVED, by the Board of School Directors of the Wilkes-Barre Area School District, that a plan is adopted providing an option for installment payment of real estate taxes for all taxpayers pursuant to the Taxpayer Relief Act, 53 P.S. § 6926.1502, as follows:

Real Estate Tax Universal Installment Payment Plan

(installment payment available for all taxpayers)

For the real estate tax levied by the School District, other than interim real estate tax, taxpayers may elect an installment payment option under the following rules:

1. **Installment payment dates.** A taxpayer electing the installment payment option may pay the real estate tax in three (3) equal installment payments of one-third (1/3) of the full tax amount. The installments are due on or before August 14, October 15, and December 14 of the year in which the tax is levied. Any installment not paid in full by these dates is delinquent.
2. **Taxpayer election of installment payment option.** Payment of the first installment in full by August 14 will constitute taxpayer election to pay tax in installments. Installment payment is permitted only if the taxpayer elects by paying the first installment payment in full by August 14. If the taxpayer fails to meet this requirement, the full amount of the real estate tax is due on or before October 15, and the real estate tax is delinquent if not paid in full on or before October 15.
3. **No discount.** No discount applies to installment payments.
4. **Penalty on delinquent installments.** If a taxpayer makes the first installment payment by August 14 and fails to pay in full any subsequent installment by the installment due date, the installment not paid by the due date is delinquent, and a penalty will be added to the tax in the amount of ten percent (10%) of the amount of the installment not paid by the installment due date, without regard to any partial payment of the installment.
5. **Option available for all property.** Any taxpayer may elect installment payment.
6. **Ineligibility.** A taxpayer who is delinquent by more than ten (10) days on all installment payments is ineligible for the installment payment option in the following school year.
7. **Effective date.** This plan will become effective July 1, 2012, and will continue in effect thereafter for real estate taxes levied for the school year beginning July 1, 2012, and for real estate taxes levied for future years, until amended or repealed.

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Dr. Susek moved, seconded by Ms. Evans, to adopt Resolution #7. The vote was as follows:

9 Ayes: Corcoran, Elmy, Evans, Galella, Katsock, Latinski, Quinn, Susek, Toole

Ms. Evans presented Resolution #8

RESOLUTION

Local Services Tax Collectors

BE IT RESOLVED, that the following be appointed to serve as tax collectors for the collection of the **Local Services Tax** for the fiscal year beginning July 1, 2012, at a commission not to exceed 2.75% of the gross amount of the tax collected and distributed to the school district, in the political subdivisions in the district as indicated below:

Berkheimer Associates

Bear Creek Township, Bear Creek

Village Borough, Laflin Borough

and Wilkes-Barre City

Don Wilkinson Agency

Buck Township, Laurel Run Borough,

Plains Township and Wilkes Barre Township

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Ms. Evans moved, seconded by Mr. Latinski, to adopt Resolution #8. The vote was as follows:

9 Ayes: Corcoran, Elmy, Evans, Galella, Katsock, Latinski, Quinn, Susek, Toole

Ms. Evans presented Resolution #9

RESOLUTION

Mercantile Tax and Business Privilege Tax Collectors

BE IT RESOLVED, that the following be appointed to serve as tax collectors for the collection of the **Mercantile Tax and Business Privilege Tax** for the fiscal year beginning July 1, 2012 at a commission not to exceed 2.75% of the gross amount of the tax collected and distributed to the school district, in the political sub-divisions in the district as indicated below:

Berkheimer Associates

Bear Creek Township, Bear Creek

Village Borough, Laflin Borough, and Wilkes-Barre City

Don Wilkinson Agency

Buck Township, Laurel Run Borough,

Plains Township and Wilkes-Barre Township

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Ms. Evans moved, seconded by Ms. Evans, to adopt Resolution #9. The vote was as follows:

9 Ayes: Corcoran, Elmy, Evans, Galella, Katsock, Latinski, Quinn, Susek, Toole

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Miss Katsock motioned, seconded by Mr. Latinski, to issue a letter by June 30, 2012 to give notice to the Health Care Consortium to a possible pull out of the Wilkes-Barre Area School District from the Health Care Consortium. This possible pull out would be effective June 30, 2013. This fulfills the one-year notice requirement.

The vote was as follows:

8 Ayes: Elmy, Evans, Galella, Katsock, Latinski, Quinn, Susek, Toole

1 Nay: Corcoran

At this time President Toole requested a motion that would permit Citizens wishing to address the Board a maximum of a seven (7) minute time allotment. The seven (7) minutes would include any discussion between Board Member/Members and Citizen.

Dr. Susek motioned, seconded by Mr. Latinski, to allow Citizens who wish to address the Board, a time allotment of a maximum of seven (7) minutes to address the Board which would include any discussion between the Board and Citizens. The vote was as follows:

9 Ayes: Corcoran, Elmy, Evans, Galella, Katsock, Latinski, Quinn, Susek, Toole

Mr. Quinn motioned, seconded by Mr. Galella, to designate, Board Member, Louis Elmy to act as an alternate Board Member at the Wilkes-Barre Area Career and Technical Center, in the absence of a Wilkes-Barre Area School Board Member, who is a sitting Member of the Wilkes-Barre Area Career and Technical Center Board of Directors.

The vote was as follows:

7 Ayes: Corcoran, Elmy, Evans, Galella, Latinski, Quinn, Susek,

2 Nays: Katsock, Toole

Communications from Solicitor

Attorney Wendolowski discussed with the Board the proposal received for the E.L. Meyers High School water line.

Ms. Evans motioned, seconded by Dr. Susek, that approval be given to award the contract for the E.L. Meyers Water Line Replacement Project to G. Weinberger Company, 231 Oak Street, Old Forge, PA 18518, at their base bid of \$289,000.00. The vote was as follows:

8 Ayes: Corcoran, Elmy, Evans, Galella, Latinski, Quinn, Susek, Toole

1 Nay: Katsock

Miss Katsock asked when the bids were opened and requested that in the future, all Board Members be notified of date and time that bids will be opened.

Board Secretary, Leonard Przywara announced the following meeting schedule.

July - 2012

COMMITTEE MEETING:

MONDAY, July 9, 2012 – 6:00 PM

Followed by Executive Session

REGULAR BOARD MEETING:

WEDNESDAY, July 11, 2012 – 6:00 PM

Ms. Evans moved, seconded by Dr. Susek, to adjourn the Meeting.

President Toole adjourned the Meeting at 7:45 PM.