

SUMMARY OF MINUTES
Regular Board Meeting
January 11, 2021

Board President Joseph A. Caffrey called the meeting to order at 6:00 p.m.

Board Secretary Thomas F. Telesz called the roll

7 Members Present: Atherton, Evans, Quinn, Schiowitz, Thomas, Walker, Caffrey

2 Members Absent: Harris, Patla

President Caffrey began the meeting:

- An Executive Session was held prior to the Regular Meeting of January 11, 2021. The subjects discussed in these meetings related solely to matters of employee relations, labor negotiations, and/or threatened or actual litigation.
- Motion to approve the minutes of the Reorganization Meeting and Regular Board Meeting of December 7, 2020 and dispense with the reading of those minutes.

Ms. Thomas moved, seconded by Mr. Evans to adopt these minutes.

The vote was as follows:

7 Ayes: Atherton, Evans, Quinn, Schiowitz, Thomas, Walker, Caffrey

Treasurer's Report:

Thomas F. Telesz, Business Administrator/Board Secretary, presented the Treasurer's Report ending October 31, 2020.

WILKES-BARE AREA SCHOOL DISTRICT
CASH ACCOUNT BALANCES
MONTH ENDING OCTOBER 31, 2020

GENERAL FUND

| | | | |
|----|--|----|----------------------|
| 1 | GENERAL FUND CHECKING - FNCB | \$ | (1,851,319.49) |
| 2 | GENERAL FUND CASH CONCENTRATION - FNCB | | 58,004,478.32 |
| 3 | FEDERAL PROGRAMS - FNCB | | 2,568,325.15 |
| 4 | FEDERAL PROGRAMS CHAPTER 1 -FNCB | | 5,868.74 |
| 5 | FNB BANK | | 461,208.48 |
| 6 | FNB BANK | | 76,872.56 |
| 7 | JANNEY MONTGOMERY SCOTT | | 1,754,072.73 |
| 8 | PNC BANK | | 393,356.76 |
| 9 | LPL FINANCIAL | | 833,107.03 |
| 10 | EARNED INCOME TAX ACCOUNT-FNCB | | 22,601.64 |
| 11 | COMMONWEALTH INVESTMENT #1 | | 12,334.73 |
| 12 | REAL ESTATE TAX ACCOUNT - FNCB | | - |
| 13 | LANDMARK CD | | 481,739.25 |
| 14 | PLGIT EIT | | 862,320.67 |
| 15 | ATHLETIC FUND-FNB BANK | | 249,899.92 |
| 16 | PAYROLL CHECKING-FNCB | | 1,790,175.42 |
| 17 | PAYROLL CLEARING -FNCB | | - |
| | TOTAL GENERAL FUND | \$ | 65,665,041.91 |

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CAPITAL PROJECTS FUNDS

| | | |
|---|----------------------------|-------------------------|
| 2016 CAPITAL PROJECTS CASH CONCENTRATION- | | |
| 18 | FNCB | \$ (19,780.04) |
| 19 | PNC BANK INVESTMENT | 2,098,727.44 |
| 20 | 2019 BOND ISSUE | 76,238,332.37 |
| 21 | PLGIT CASH RESERVE | 1,796,832.92 |
| 22 | FNCB 2019 CAPITAL PROJECTS | 9,554.00 |
| TOTAL CAPITAL PROJECTS FUNDS | | \$ 80,123,666.69 |

FIDUCIARY FUNDS - TRUST AND AGENCY

TRUST FUNDS:

| | | |
|----|--------------------------------------|--------------|
| 23 | WHOLE LIFE GROUP TRUST-CITIZENS BANK | \$ 55,420.46 |
| 24 | COMMONWEALTH INVESTMENTS WHOLE LIFE | 354,389.92 |
| 25 | FNB BANK WHOLE LIFE | 50,233.49 |

AGENCY FUNDS:

| | | |
|----|--|------------|
| 26 | ELEMENTARY ACTIVITY FUND-Landmark BANK | 152,415.00 |
| 27 | SECONDARY ACTIVITY FUND-Landmark BANK | 288,485.35 |

TOTAL FIDUCIARY - TRUST AND AGENCY FUNDS \$ 900,944.22

PROPRIETARY FUND - FOOD SERVICE

| | | |
|----|---|-----------------|
| 28 | FOOD SERVICE CHECKING ACCOUNT-Landmark Bank | \$ 3,807,868.81 |
|----|---|-----------------|

TOTAL PROPRIETARY FUND - FOOD SERVICE \$ 3,807,868.81

DEBT SERVICE FUND

| | | |
|----|---------------------------------------|-------------|
| 29 | COMMONWEALTH INVESTMENTS DEBT SERVICE | \$ 9,873.05 |
|----|---------------------------------------|-------------|

TOTAL DEBT SERVICE FUND \$ 9,873.05

Ms. Thomas moved, seconded by Mr. Atherton to adopt the Treasurer's Report ending October 31, 2020.

The vote was as follows:

7 Ayes: Atherton, Evans, Quinn, Schiowitz, Thomas, Walker, Caffrey

SUPERINTENDENT REPORT

Good evening. I hope you all are safe and healthy. Tonight I would like to update the community status in regard to Covid-19 and when we will be resuming in-person classes. In September we were able to begin the school year in what was known as a blended instruction model. This was based on the Pennsylvania Department of Education and the Pennsylvania

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Department of Health's recommendation for counties that were identified in the "moderate" level of community transmission. Unfortunately, during the last week of October Luzerne County's levels of community transmission was identified as substantial. Local school officials were summoned to a meeting with Matt Stem, Deputy Secretary for the Office of Elementary and Secondary Education at the PA Department of Education, and the PA Department of Health where they stated the recommendation for schools within the identified counties in substantial transmission, which included Luzerne County, to begin transitioning to a remote only instructional model. Our district followed the recommendation and transitioned into remote only. As we have gone on this journey, on November 23, 2020, Dr. Levine and members of the Department of Health mandated that all Superintendent's sign an **asitation form**. This form stated that as of November 23, 2020 Pennsylvania recommends that school entities and counties with substantial disease transmission transition into remote only instructional models. As Superintendents, we had to affirm one of the following choices: (1) the public school entity has transitioned into a fully remote learning model and will continue to use a fully remote learning model until the county/counties the public school entity is located in is no longer experiencing substantial disease transmission for two consecutive weeks. This led to our statement in December that we will currently not resume in-person instruction during the month of January.

We knew that going into the month that we were already not in moderate. This decision not to resume classes in January was based on the continued level of a substantial transmission rate in Luzerne County. The realization of families dealing with childcare issues that the pandemic has created, would need more time to make the necessary arrangements and adjustments to their schedules than just the two weeks that we were going by initially. However on January 7, the PA Department of Education and the Department of Health updated their recommendations to allow some students, specifically elementary, ELL and some students with IEP's to return to in-person instruction within counties that are identified as "substantial" community transmission of COVID-19 as long as local conditions permitted.

I feel that there is hope that we are going to be able to begin to start resuming in-person classes. The District understands how important it is to have in-person classes resume. I can tell you on behalf of the Board, that as soon as local conditions permit, we will be providing more information to our community regarding in-person instruction. I understand everyone's frustration. We are frustrated too. Overall, I appreciate the cooperation and flexibility that you have given us during these unprecedented times.

With that being said, the District will be providing an opportunity for parents and guardians to modify their child's learning option for the second semester between now and Friday, January 14 at 3:30 p.m. The learning options include: Option 1 is traditional in-person instruction; Option 2 is a remote distance learning or live-stream; and Option 3 is the Wilkes-Barre Area Cyber Academy. Please note, if you want your child to remain in their current that they started in September, there is no action needed to be taken. This is only if you would like to change your current option, or if you need to receive additional information regarding these options, we are asking that you please contact your school.

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Once again, we are looking forward to resuming in-person instruction. When that time comes, I will make sure everyone in our community is aware and you will be given enough time to prepare the changes you will need to make. As always, I would like to thank our students and staff for always wearing masks, social distancing and following our District guidelines. This allowed us and will continue to allow us to resume in-person instruction when local conditions permit.

Ms. Thomas: Is this for all students?

Dr. Costello: Yes – this is for all students that would like to change their option they originally selected in September.

APOLLO REPORT

Mr. Mike Krzywicki – District Maintenance Plan. The District has directed Apollo to prepare bid documents for replacement of the switchgear at Heights Elementary. Advertisement for bids should be published within the next four weeks. Work to be performed over the summer of 2021 and will require a one-week shutdown of the building. Elevator repairs at Heights-Murray Elementary may not be performed until the electrical work is completed. A contract was issued for the roof replacement at Kistler Elementary. Apollo is investigating starting that work sooner than March 2021. Apollo has commenced preparation of a budget for interior renovations at GAR, which include LED interior lighting, painting, and flooring replacement in classrooms and corridors.

E.L. Meyers Monitoring Structure/Walkway/Tunnel: Apollo will schedule the next monthly inspection once all snow has melted from the roofs.

New High School: The Sitework Contractor has continued installation of storm sewers and enlargement of detention pond along Maffett Street. They have also continued work at the intersection of River and Courtright Streets.

The Building Shell Contractor has completed installation of floor slabs, load-bearing CMU walls, steel beams, bar joists and metal roof deck, continued installation of air/vapor barrier, steel lintels, masonry veneer, metal pan stairs, ladders, wood blocking, roof insulation, EPDM roofing, EIFS, spray foam insulation, door frames, painting, VCT flooring, stage lighting, marker boards and casework.

The Drywall Contractors has continued installation of metal stud framing, gypsum wallboard, taping and spackling, and ceiling grid.

The Food Service Contractor has continued coordination of electrical and plumbing rough-ins for future installation of their equipment.

The Plumbing Contractor has continued installation of water piping, sanitary and vent piping, storm water piping, gas piping, pipe hangers, pipe insulation, fire sealant and testing.

The Fire Protection Contractor has continued installation of sprinkler system piping and heads.

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The HVAC Contractor has continued installation of roof curbs, rooftop units, duct hangers and ductwork, and duct installation, flex duct, GRDs & fabrication of ductwork.

The Electrical Contractor has continued installation of conduit in masonry walls, MC cable, fire alarm cable, data cable, control wiring, electrical rough-in at metal stud walls, panel interiors, lighting fixtures and temporary lighting.

The Aluminum & Glass Contractors has continued installation of aluminum windows and glass, aluminum doors and caulking.

The Landscaping Contractor has demobilized until spring.

The Sewer Contractor has completed asphalt paving along Ann Street.

All work is being performed under site-specific COVID-19 prevention guidelines and COVID-19 exposure control plan with daily temperature monitoring of all persons working on site.

Ms. Thomas: Why is the food service contractor waiting?

Mike Kryzwicki: He is not scheduled to start. The kitchen needs to be done before they start installation of their equipment.

Ms. Thomas: Is it possible for you to get an assistant to help with assessing and inspecting the needs in our other school buildings? We can't get into the position we were seven years ago with our buildings.

Mr. Caffrey: Apollo has put together a short and long-term maintenance plan for the District. It is my understanding, that it is then our responsibility to follow up on that plan.

Atty. Wendolowski: That is correct. Apollo is called in on an as need basis. The plan that is currently in place continues to be monitored on a regular basis.

Mr. Atherton: Our first line of defense is our custodial staff, then Mr. Chiumento is continually checking the buildings and Dr. Koury is doing building inspections. If we need further inspection of a problem, we would then contact Mike Krzywicki. When we have our meetings, we are pretty confident and proud of where we are now. I do agree we need to keep up with it. How will they proceed with the Kistler roof replacement?

Mr. Krzywicki: In a day, they will only remove as much as they can recover in that same day. It is more common to do the work in the summer. However, if we have some mild days consecutively, there is a chance they can start earlier.

Ms. Thomas: What percentage of the New High School is completed?

Mike Kryzwicki: First, let me address the first comment. Whenever I am asked to look at a specific problem in a building, I do get there within a day or two. I was told the new high school is my priority. If Apollo drops the ball, feel free to contact me so I can rectify the situation.

As of December 31, the new high school project is approximately 75.1% complete with 76% of contract time expended. We are right on track.

The contingency to date is, we have expended \$2,656,428.32. For the remaining duration of the project, I anticipate another \$550,000 for contingency use. Which would make the total

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contingency at the end of the project to \$3,206,428.32, which represents 49.96% of the budgeted line item for contingency. If this stays on track, you will have only spent fifty percent of the contingency. Which will yield a savings of fifty percent of the contingency.

Mrs. Schiowitz: What does MEP stand for?

Mr. Kryzwicki: It is an acronym for Mechanical, Electrical and Plumbing.

OLD BUSINESS – There is no Old Business

COMMUNICATIONS FROM CITIZENS

Atty. Wendolowski as was advertised in our notice for today is meeting, the Agenda was published on the School District website and members of the community were given the opportunity to submit questions and comments to the District by 2:00 p.m. this afternoon. We received comments from several citizens. Those comments were distributed to the Board and Administration.

Joushua Burkholder

The decision to remain in a virtual education model, or resume in-person education, is not one that can be made lightly. I am sincerely grateful for the thoughtful attention that the Board of Education, superintendent, and building principals have given to this issue. As a parent of a Kindergarten student, I can say that the 2020-21 school year has not been what we expected, but the school administration has done their best to ensure that students are both safe and educated. Thank you.

As you now look toward the possibility of returning some students to in-person education, I wholeheartedly ask that you would allow students and teachers to return to their classrooms. Having experienced first-hand the difficulties of remote education with a Kindergartener, I can attest to the fact that in-person learning is far superior to a pure remote environment. The academics are part of the struggle, but so is the emotional, social, and mental health of all WBASD students.

On January 7, 2021, the Pennsylvania Departments of Health (DOH) and Education (PDE) updated their recommendations for all schools to implement some level of blended learning. Even in counties with substantial community transmission of COVID-19, blended learning is the recommended model for Elementary students.

The health and safety of our children is paramount, but please consider that our children's' health is not merely physical, but encompasses their emotional, intellectual, and social health as well.

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Resource Links:

Schools Rethink Covid Rules. 'We're Over-Quarantining Kids Like Crazy.' <https://www.wsj.com/articles/covid-surge-schools-reopen-rethink-quarantines-11608247643>

Wolf Administration Updates Recommendations To Help Schools Safely Navigate COVID-19 During Second Semester <https://www.media.pa.gov/pages/Education-details.aspx?newsid=1024>

Determining Instruction Models During the COVID-19 Pandemic <https://www.education.pa.gov/Schools/safeschools/emergencyplanning/COVID-19/SchoolReopeningGuidance/ReopeningPreKto12/Pages/DeterminingInstructionalModels.aspx>

Dr. Costello: I believe what I discussed at the beginning of the meeting answers these concerns. We clearly understand having students in person versus remote is a much higher quality of education.

Jared Harris
Wilkes-Barre

I have a few questions I hope that the board or superintendent could answer them for me. First, what color phase is Luzerne County in currently as of January 2021? Next, as a parent and taxpayer of Wilkes-Barre Area School District, with schools being closed for in-person learning, and being full virtual, have you used any means to reach out to parents of students in your district especially Option 1, to maybe get some input on any struggles they may be having. Whether it's education issues with virtual learning or maybe financial issues within the households that they are having with care? Because I know first-hand, no one has reached out to me for anything. I have called on a few occasions to get only **ONE** returned call back about my concerns and interest in the return of in-person learning. I was given the response just like the automated calls and emails sent out. That the school district is following "recommendations" provided by the State Board of Education and the State health department. I understand that these guidelines provided are just that, recommendations and they give these as guidelines for school districts to follow or adhere too but also allow them to run their own district the best for their taxpayers and residents in their district. With that being said, I'm having a hard time getting any clarification from the school board/superintendent an exact reason for closure of the school for in-person learning. As stated on your website that since Luzerne County is in the substantial transmission rate that need to fall to moderate to return to in person learning. So is the decision to close schools down your (Wilkes Barre School Board) call, or is the state making the call to close WBASD? Because I know for sure, it wasn't me or my spouse that stopped my child from going to school.

As for Wilkes Barre Area **only** has the school district investigated or did the research to calculate exactly in our area the numbers, or the rate of the virus to see if the school district

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itself, rather than looking at the county as a whole. Is able to open school for in person learning? If so, what are those numbers? Has there been any outbreak in daycare facilities in the area? Are the hospitals or medical centers over ran with covid patients? Is there any data besides the state reports for Luzerne County as a whole that would give support to your decision to keep school closed? So besides positive cases and deaths in Luzerne County, do you know those numbers solely for Wilkes-Barre Area? I feel that you're using the recommendations as a way to take all liability off the district and just keeping school closed and staying virtual. Am I wrong to think that being that you haven't provided any data beside what the recommendations given to you by the state. How is it private schools along with the Lake Lehman School district who are in Luzerne County have been doing in person learning since the start of the 2020-2021 school year and they have had very minimal issues with Covid-19? How is it that all these daycare facilities are open and filled? I see staff members and students, also parents in our school district are all fine with going to the stores, Wal-Mart, food shopping while these businesses are packed on weekends or over the holiday, and everyone is ok with jamming in a store isle! But in person school is obviously way to dangerous?!!

And lets get to the my main issues, I have been required or actually forced to have to put my child that should be in school in a child care facility or daycare. Both my spouse and me have to work full time. We are still required and expected to go to work every day. Covid-19 currently isn't or hasn't shut down businesses or kept employers from operating. Not since the complete lockdown back in April and even then we still had to go to work. In fact, the world has not stopped spinning. My bills and mortgage are still due and food and essentials are still needed, hence why everyone works, to have a means to provide. What has me angry and frustrated and I just can't seem to get my head wrapped around it, is not only the financial burden we have taken on with child care, especially with the SUBSTANTIAL amount that I pay in school tax, but now with the added cost of around \$620 a month for care for my child. So for my household, that is about \$5000 dollars that I had to come up with since your decision to close schools, not including the \$2700 a year, I pay for school tax!!! I also have a younger child who is not in school yet but also requires care. You see how expensive this is getting!!! But, wait it gets better. When I've talked to or gone into the childcare facility and not just the one I'm currently using, but the countless ones I've reached out to seeking their services over the course of the last year. I've contacted well over 7 or 8 centers all but one would tell me no sorry !! That they are at capacity or not accepting any more students or don't accept students of school age (over 6 yrs. old). And in these facilities, they have in one room 20 to 27 students with 1 to 3 teachers or staff members in the same room. These aren't random numbers I am throwing out, these are numbers told to me by the directors of these facilities. Also, that has been seen. The current childcare facility that I am using is using a gym. Sectioned off with curtains or sheets to divide the gym into sections for children to use as a classroom. There was at least 3 sections with a minimum of 20 students in a section and 2-3 staff members in each section tending to the children as they help them with virtual learning. Answer me this...How is it that those childcare settings are acceptable and "SAFE" for my child and other children of parents who have to work and need care. But it's not at all "SAFE" yet to go back to school in person with half of the classroom size in our district with the size of our facilities?? Not all students in the district chose in August to return to in person learning. So how is it those

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childcare facilities are safe for in person care and virtual learning, but the school itself not safe for in person learning in the district ??

Just so that I can get a better understanding, it's ok for me to pay thousands of dollars for my child to get care so that they can do their 2 and half hours virtual learning a day also being cared for the other 6 hours, so my spouse and I can work and its perfectly safe that my child sits with 20 some other children in a room all doing virtual learning, but it's not safe to go to actual in person learning at their actual school which I pay high taxes for every year!? So can anybody here give me an intelligent answer with facts and data to prove me wrong on the reasons I've stated above regarding your decision to keeps school closed? Because it obviously not about student safety!

Lastly, I am absolutely AMAZED to the intelligence this virus possesses and the crafty nature, which it can be so deadly and effective but only in very particular environments! I am also curious since I have taken on a pretty substantial financial burden with child care that since in person learning is not available, will I be able to get a prorated return of my school taxes from not only the 2019-2020 school year, but also the 2020-2021 school year? Because as a parent the education I see my child, getting thru the virtual learning is well below average to say the least. This is not a jab at the teachers, but I feel sorry that they have the job of providing our children with the best education they can, but given my experiences with witnessing on multiple occasions, the daily frustrations teachers face. A never-ending battle each day trying to teach elementary children virtually. I find that they are doing an impossible task to properly educate kid ages 6 to 10 and older, teaching thru a small computer with endless distractions and hurdles. I can't see that I am the only parent or household that is in this position or feels this way about the current state of our children's education and also the mental and social issues that are developing more and more each week this carries on .I hear "we are in this together" or "its unprecedented times", but the school is still collecting tax revenue??? I am correct by asking that? The teachers are still getting a paycheck and health benefits and pension??? right?! So the world doesn't stop just like I still have to work and my child still needs an education and care, which I have to pay for, since schools are closed. So where is the school for the parent that work fulltime, the single parent working and trying to balance child care and parenting with making sure their child is getting the proper education? I can't count, time after time working not just 8 hours but sometime with my job requires me to work 12,16,or 24 hours straight and have to come home and then sit with my child and teach them. Because their having a hard time learning via virtually. Who is there for us parents? Is the school district offering aid to the parents, (the taxpayers who pay your salaries). Are you sitting up trying to figure out how to pay for services for your child? Or what bill you can't pay this month because parents have taken on a financial cost of having to provide care for their child or children?? Are you as a school board member or the superintendent have had these issue on your plate over the last 12 months? What ways have you taken into consideration for what your constituents may need or would be best for them rather than just worrying about covering your own backsides from lawsuits. I know as a parent and an adult the risk I took for putting my child into in person learning. I looked at the data and science to see and what would be best for my child, and that is my call to make as the parent and guardian which is best for them. I hope everyone realizes the damage that is being done to these children from the decision

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over the course of the past year to close school. I will say with what science and data has shown Covid-19 isn't the real threat here. But the toll that will be taken for what these children will suffer from, with the lack a crucial interactions and education that they need and these most important times in their growing years.

I can continue to go on with the many many issues that most in this area are experiencing but I will not consume anymore time of the board for that time should be used to get the school opened and operational. I hope that we can really start getting serious about our children's health, education and mental well-being and get them back in school.

Thank you for your time,
A Former WBASD student and now Parent and taxpayer

Dr. Costello: I don't believe the state is using colors to determine the way education should be moving forward. There is a new Covid dashboard that gives us an updated metrix on how the instructional model should go. Your child should be attending all their classes on-line. If your child is experiencing difficulties, I recommend reaching out to their principal or teacher.

I understand your frustrations. We are following the recommendations of the PA Department of Education and the Department of Health. We hope to get back as soon as we possibly can.

David Rosengrant
Plains Township

I am wondering why it is ok for indoor, contact sports to be played in the school district with little or no ventilation in these areas and with athletes, not wearing masks during play, but it's not acceptable for kids to be seated in ventilated classrooms, six feet apart while wearing masks? I completely understand that the strict protocols are being followed for athletics, but this doesn't seem to make much sense.

Thank you

Dr. Costello: The PIAA has their own guidelines and regulations. PIAA has issued recommendations and guidance for District's to compete in the winter. Each specific sport has their own protocols that have to be followed. I am hopeful that all students will be back in schools very soon.

Richard A. Holodick
Wilkes Barre

On this 11th day of January 2021, I wish the board and dedicated employees of the Wilkes-Barre School District a Healthy and Happy New Year. Stay healthy, stay sober, stay focused on what is best for our students and taxpayers. It marks the beginning of the 21st year I have dedicated to the improvement of education and honest delivery of services for our taxpayers. 2001 was my retirement date, age 63, now 83 our students ranked 143rd statewide

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in academics, we carried nearly a \$20 million dollar surplus. History reveals that the city of Wilkes Barre had the flagship historic architecturally significant high schools. 1968 we were ranked nationally for our innovative curriculum. At the close of 2020, our students rank near the bottom statewide academically and at the bottom countywide. Not only is the near \$20 million surplus gone but laws were broken by overspending the approved budget by ten million dollars. The historic high schools have been neglected to the point of closure. A 2021 fact, the Wilkes Barre school district is ranked at the poverty level, the school district is underfunded by \$33 million a year. A city, the county seat will not have a high school. This board majority has obligated the poverty-ridden district to a quarter of a billion-dollar 40-year debt for a third of the students, at which time the new school will need to be replaced. This is a monument to mismanagement and may lead to educational and financial bankruptcy.

The Citizens Voice ran a story regarding Covid 19 relief funding going to cyber schools across the state. I support the stance that the non-brick and mortar schools should not have the same funding formula as the traditional school districts. Many students across the state have left the traditional school districts for cyber and charter schools. WBA is number one in the state with 600 fleeing. We also are #1 in truancy so those who do not flee stay home; funding base on ADA, average daily attendance. WBA needs to identify and correct this costly practice. Why? Because this board majority has just entered a building, program that will double those fleeing the district. Extensive bussing, closure of the neighborhood schools, reduction in varsity sports, an isolated high school. Need we mention the construction of a high school where homes cannot be built, five other states even being near, we build on top of, and subsidence prone. The potential of fleeing students is vital to the district's ability to pay the debt service. But there is still another factor senior's losing their homes, residents fleeing the district, all contributing factors to lowering the tax base. Lowering the tax base coupled with fleeing students can bankrupt this school district.

March 2015, I met with the super, board facility committee and business manager and cautioned on the potential zoning failure. This was followed by the June 2015 board meeting where 27 residents and attorney Borland requested the board to table the plan; they didn't, costing in my estimate \$15 million. I come tonight with two recommendations that not followed can cost the taxpayers' a lot more than \$15 million. An immediate RFP for a curriculum/facility long-range master plan this day moving forward. And two, a district-wide survey to read the pulse of the community and employees. You know those that must pay for it and those that must live with it. I respectfully request that these two recommendations be a part of the board minutes.

Sam Troy
Wilkes-Barre, PA

All students especially those from middle school on up, should be made aware of the significance of the horrific events that occurred at the Capitol building in Washington DC last Wednesday. I am hereby requesting Dr. Costello and the director of curriculum to impress upon all teachers in the district to convey to all students the frightening implications of what happened on that terrible day of infamy. Also, I think it would be wise for all English students

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to write or attempt to write an essay on how this day will affect the rest of their lives or simply describing their reactions to this event.

I would also like to request of the board to provide a phone number for people to call in their comments at the public meetings. It is not enough to be able to email; there must be some interchange of dialogue, which cannot occur, with a simple reading of emails; you all know this yet you ignore it because you probably feel more insulated from the public. Most municipalities as well as Luzerne County Council have incorporated a call-in as part of the virtual meeting; Wilkes Barre Area School District is one of the few governing bodies that refuses to do so as far as I know.

To Mr. Costello: How will you justify the construction of the new high school if the pandemic lingers let's say another few years and no in- person classes can be held. Also there is a growing attrition because of the loss of students to cyber schools and parents withholding their kids from in-person classes because of the pandemic.

I am also still advocating that all teachers and administrators earning above \$90,000 annually withhold 2 to 5% of their income for the next six months or until the pandemic dissipates so that a taxpayer relief fund can be created. This can be used to mitigate property taxes and give relief to those who are confronting economic hardship due to the pandemic. It is about time that school officials and teachers recognize that taxpayers deserve a little relief; it is about time that the school board push this forward since it is the right thing to do.

I am also advocating more scrutiny of change orders for the new high school. I think the board is doing a disservice to the community by giving cursory approval to these change orders. I have come to understand that many of these price changes having to do with the embellishment of the building are not justifiable. Some of the board members may be convinced otherwise, but I think many aspects of this project are a taxpayer rip off.

Finally, I would like to advocate that the board address the situation for the deteriorating property on Empire Street as a cause for immediate concern. It is being used as an illegal landfill and if the board refuses to take action on this, I will have to singularly approach the department of environmental protection about it. There are people walking through that land taking a shortcut and being exposed to all kinds of debris being dumped there besides what I think are hazardous wastes left over from old railroad use.

Atty. Wendolowski: With regard to the change orders, there is certainly not a cursory review of the request of change orders. Any change order request first goes to the appropriate design professional team for review. Mr. Kryzwicki then reviews it for accuracy and cost effectiveness. It then goes to the administration and then to the Board. On many occasions, those documents are sent to me for legal review. There are many sets of eyes reviewing the change orders before being sent to the Board for their consideration.

Dr. Costello: we are aware of the situation at the empire street property. We have locked the gate and given the key to W-B Township officials. There are people removing the lock and

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entering the property illegally. We are trying to make sure the property is being monitored and we are trying to control the access.

Brian Kelly
Wilkes-Barre, PA

Good evening and best wishes for a healthy and happy New Year. Through research, news media, letters of concern written to state and federal agencies, and compiling data for two soon to be released books on corruption and school governance, the Wilkes-Barre School District's board needs information to prevent educational and financial bankruptcy, very possible outcomes. Fact, if it takes a quarter of a billion dollars to fix facility needs for 2400 students, what will it cost for 4600 students in aged facilities? As you told SOS, DO THE MATH! In addition, your quarter of a billion-dollar building in 40 years, if it lasts that long on a coal ash dump, subsidence prone site, will need to be replaced.

How to get the information to prevent educational and financial bankruptcy is accomplished by progressive school districts and industry by surveying their community and employees. Step two is vital as you face enormous debt, for a seriously flawed building site and additional needs of six facilities, the implementation of a long-range master plan. You see if you do not fill Toxic High, the taxpayers are in serious trouble if not doomed. If you do not have a plan for the remainder of the students and facilities, it's over. Dr. Schiowitz and Dr. Holodick, include me now, have identified the reasons students quit school or go to charter schools. Excessive bussing, an isolated school, less opportunity for varsity sports and extracurricular after school activities, and a high school on a contaminated site. We hit them all assuring that the present 600 students gone may double.

Rev. Walker: Does our current plan lead us to bankruptcy?

Mr. Telesz: No, it does not.

Rev. Walker: Does it lead us to any savings?

Mr. Telesz: It leads us to an increased fund balance over the next few years.

Ms. Thomas: What will the approximate increased fund balance be?

Mr. Telesz: The district had a 1.5 million dollar fund balance when the project started. We are currently at an approximate \$6 million fund balance.

Atty. Wendolowski: Mr. Telesz can you remind everyone where we would have been had we not gone down the pathway to the future in regard to the estimate done by PFM?

Mr. Telesz: Their report had our District at a deficit fund balance of approximately \$70 million.

Atty. Wendolowski: Rather than being in a \$70 million deficit, because of this Board's actions we are now have a positive fund balance of \$6 million, is that correct?

Mr. Telesz: Yes.

Rev. Walker: This is especially impressive in a year when we decided to serve our community best by not raising taxes and still having the ability to financially cover that shortfall – job well done by our Administration. I am proud of the Board that was forward thinking many years ago by taking a calculated risk that has paid off for not only our students but our taxpayers as well. Thank you very much for your diligence.

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Dr. Costello: Regarding the future of the buildings, not only do we have a facility plan, but we now have a Capital Fund. To the best of my knowledge, this is the first time that District has been able to establish a Capital Fund that is specifically meant to help the improvement of our other buildings as we continue to move forward. When were we able to establish that fund?

Mr. Telesz: About three years ago, the Board approved the Capital Reserve Fund. Over the last three years, we have successfully been able to fund that along with increasing our General Fund Balance.

Dr. Costello: I want to thank the Board for everything they have done to turn this District around and financially moving us in a positive direction. It has been great to be a part of this team.

Mr. Caffrey: When hearing the citizen's comments and the frustration of our parents, a comment seemed to imply we are not concerned for the safety of our students. On behalf of the Superintendent and members of this Board, I speak for everybody; I know for certain this Board, Superintendent, Solicitor and Business Manager discuss the safety of our students all the time. I want to reassure everyone their safety is at the top of the list for every decision we make.

Rev. Walker: I want to comment on this as a parent of two students in the District. I feel that parent's pain. It is hard to watch as your children go through this virtual learning process. It is such a dramatic difference in the way they are used to attending school and more importantly the way they want to attend school as social beings. One thing I am fully aware of is this District was on the forefront of getting our students back into school by putting a plan in place in the summer of 2020. We have committed to follow our governing bodies rules and recommendations. I look forward to getting them back to school very soon.

Mrs. Schiowitz: Dr. Costello is the District keeping track of the statistical COVID illnesses within the District? I am aware of the HIPPA rules, but is there a way that we are tracking the illnesses?

Dr. Costello: When we were in session, I was on the phone daily with the Department of Health. Any time we have a case that is identified through either the Wilkes-Barre Department of Health or other agency, or if someone informs us they have tested positive, that information is relayed to the Department of Health. We do have that information on how many faculty or students have tested positive or if they were in direct contact with someone who tested positive.

There were no further comments from the public or the Board Members.

LUZERNE INTERMEDIATE UNIT #18

Ms. Thomas – The next meeting will be held on Wednesday, January 27, 2021 at 6:30 p.m.

WILKES-BARRE AREA CAREER AND TECHNICAL CENTER

Mr. Quinn – The next meeting will be held on Monday, January 25, 2021.

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CURRICULUM ADMINISTRATION

Mr. Evans presented the following report and recommendations for the Board's approval.

1. That approval be given to change the District's configuration model to allow both the Wilkes-Barre Area High School and the Edward Mackin Elementary School to be assigned individual AUN's (Administrative Unit Number).

Mr. Evans moved, seconded by Ms. Thomas to adopt this report. The vote was as follows: 7 Ayes: Atherton, Evans, Quinn, Schiowitz, Thomas, Walker, Caffrey

BUDGET FINANCE/MATERIALS & SUPPLIES/CONTRACTED SERVICES COMMITTEE REPORT

Rev. Walker presented the following report and recommendations for the Board's approval:

- A. Administrative**
 - 1. Capital Projects**

That approval be given to the below listed payments:

| | | | | | |
|-------|--|-------------------------|------------------|-----------------------|----------------|
| A1.1 | Apollo Group, Inc. | New High School Project | Capital Projects | App. No. 40 | \$55,381.10 |
| A1.2 | Geo-Science Engineering & Testing, LLC | New High School Project | Capital Projects | Inv. #019707 | \$14,363.20 |
| A1.3 | Benell, Inc. | New High School Project | Capital Projects | App. No. 20 | \$180,401.77 |
| A1.4 | Duggan & Marcon, Inc. | New High School Project | Capital Projects | App. No. 11 | \$214,143.90 |
| A1.5 | Everon Electrical Contractors, Inc | New High School Project | Capital Projects | App. No. 20 | \$286,323.26 |
| A1.6 | Quandel Construction Group, Inc. | New High School Project | Capital Projects | App. No. 20 | \$1,223,528.22 |
| A1.7 | Scranton Sheet Metal, Inc. | New High School Project | Capital Projects | App. No. 19 | \$1,137,299.87 |
| A1.8 | Stell Enterprises, Inc. | New High School Project | Capital Projects | App. No. 15 | \$565,863.30 |
| A1.9 | Sterling Glass, Inc. | New High School Project | Capital Projects | App. No. 6 | \$159,750.00 |
| A1.10 | Borton Lawson Engineering, Inc. | New High School Project | Capital Projects | 2017-3091-001-0000036 | \$631.50 |
| A1.11 | TGL Engineering, Inc. | New High School Project | Capital Projects | Inv. #31 | \$25,162.50 |

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| | | | | | |
|-------|-------------------------------|-------------------------------|------------------|----------------------|-------------|
| A1.12 | TGL Engineering, Inc. | New High School Project | Capital Projects | Inv. #32 | \$5,137.50 |
| A1.13 | TGL Engineering, Inc. | New High School Project | Capital Projects | Inv. #33 | \$9,865.00 |
| A1.14 | WKL Architecture | New High School Project | Capital Projects | Inv. AS#3.7 | \$12,409.88 |
| A1.15 | WKL Architecture | New High School Project | Capital Projects | Inv. AS#3.8 | \$9,059.81 |
| A1.16 | WKL Architecture | New High School Project | Capital Projects | Inv. AS#3.9 | \$5,988.19 |
| A1.17 | WKL Architecture | New High School Project | Capital Projects | Inv. #37 | \$12,700.00 |
| A1.18 | Atlantic Testing Laboratories | New High School Project | Capital Projects | Inv. #230003 | \$15,250.00 |
| A1.19 | Atlantic Testing Laboratories | New High School Project | Capital Projects | Inv. #230670 | \$9,410.00 |
| A1.20 | D'Huy Engineering, Inc. | New High School Project | Capital Projects | Inv. #51960 | \$14,320.00 |
| A1.21 | D'Huy Engineering, Inc. | New High School Project | Capital Projects | Inv. #52107 | \$12,835.40 |
| A1.22 | PA Dept. of Transportation | New High School Project | Capital Projects | Inv. # 1802560331 | \$5,987.45 |
| A1.23 | PA Dept. of Transportation | New High School Project | Capital Projects | Inv. # 1802560335 | \$7,495.55 |
| A1.24 | Linde Corporation | Ann Street Sewer Project | Capital Projects | App. No. 5 | \$7,401.56 |
| A1.25 | Linde Corporation | Ann Street Sewer Project | Capital Projects | App. No. 6 | \$13,996.19 |
| A1.26 | Borton Lawson Architecture | Plains Stadium Complex Design | Capital Projects | 2019-4471-002-000011 | \$14,401.41 |

2. That approval be given to ratify the following Capital Project checks:

| | | | | |
|-------------------------------------|-------------------------|------------------|---------------------------|--------------|
| Benell, Inc. | New High School Project | Capital Projects | Check #370 App. No. 18 | \$240,086.38 |
| Duggan & Marcon, Inc. | New High School Project | Capital Projects | Check #371 App. No. 9 | \$183,865.50 |
| Everon Electrical Contractors, Inc. | New High School Project | Capital Projects | Check #372 App. No. 17 | \$244,433.64 |
| Everon Electrical Contractors, Inc. | New High School Project | Capital Projects | Check #372 App. No. 18 | \$601,891.24 |

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| | | | | |
|----------------------------------|--------------------------|------------------|---------------------------|----------------|
| Green Valley Landscaping, Inc. | New High School Project | Capital Projects | Check #373 App. No. 3 | \$13,741.14 |
| Quandel Construction Group, Inc. | New High School Project | Capital Projects | Check #375 App. No. 18 | \$2,481,843.28 |
| Scranton Sheet Metal, Inc. | New High School Project | Capital Projects | Check #376 App. No. 17 | \$10,474.65 |
| Stell Enterprises, Inc. | New High School Project | Capital Projects | Check #377 App. No. 13 | \$1,017,102.60 |
| Sterling Glass, Inc. | New High School Project | Capital Projects | Check #378 App. No. 5 | \$105,750.00 |
| Triangle Fire Protection, Inc. | New High School Project | Capital Projects | Check #379 App. No. 10 | \$49,500.00 |
| Linde Corporation | Ann Street Sewer Project | Capital Projects | Check #374 App. No. 3 | \$43,967.03 |
| Pennsylvania American Water Co. | New High School Project | Capital Projects | Check #380 | \$1,149.17 |
| PPL Electric Utilities Corp. | New High School Project | Capital Projects | Check #381 | \$1,959.64 |

3. The District is in receipt of the approval, by the Pennsylvania Department of Education, Bureau of Budget and Fiscal Management of PlanCon Part I: Interim Reporting Project No. 3885 – Change Order Nos: 2.01.012 Site. **“Exhibit A”**

B. FEDERAL

That, in accordance with the authority of the Board, the following Federal AP Checks #2140 to #2150 and December Federal Wire Transfers #202000376 to #202000384 which were drawn for payment since the last regular board meeting of the Board of Education held on December 7, 2020 be approved.

C. GENERAL FUND/FOOD SERVICE

That payment be approved for the General Fund Wire Transfers #202011546 to #202011567; and General Fund checks #55604 to #55650 and Food Service checks #3528 to #3538 which were drawn for payment since the last regular board meeting of the Board of Education held on December 7, 2020 be approved.

D. GENERAL FUND

That the checks #55651 to # 55741 listed on the following pages, which have been inspected, be approved and that orders be drawn for the respective amounts set down opposite the names of persons or firms.

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E. Contracted Services

1. That approval be given to renew the Flood Insurance coverage on District properties with Selective Insurance, effective February 13, 2021 at a cost of \$9,858 per location. Three (3) District properties are included in this coverage.
2. That approval be given to enter into an Agreement for Construction Manager services with Apollo Group, Inc. for the Wilkes-Barre Area School District Stadium Project at a compensation fee of 1.3% of the total construction cost of the project and compensation for personnel on an hourly basis in accordance with the rate schedule attached. **“Exhibit B”**
3. That approval be given to ratify an agreement between the Wilkes-Barre Area School District and Atlantic Testing Laboratories, Limited Addendum 1 for ground penetrating radar investigation services at an estimated cost of \$15,250.00 and to make a corresponding payment in the amount of \$15,250.00 for Invoice # 230633. **“Exhibit C”**
4. To approve Change Order #005 for Duggan & Marcon, Inc. in the amount of \$22,344.82. The Change Order consists of the following:

| | |
|--|-------------|
| Bulletin No. 53 – Curtain Wall Bracing @ Main Entrance | \$9,103.71 |
| MC-6 Provide Drywall partition @ Gym Truss | \$13,241.11 |

5. To approve Change Order #011 for Everon Electrical Contractors, Inc. in the amount of \$8,144.98. The Change Order consists of the following:

| | |
|--|------------|
| RFI No. 571 – Wire mold & USB plates at projectors | \$8,144.98 |
|--|------------|

6. To approve Change Order #015 for Quandel Construction Group, Inc. in the amount of \$51,448.38. The Change Order consists of the following:

| | |
|---|--------------|
| Bulletin No. 29.1 – Storage Cabinet/Projector | \$27,658.64 |
| Provide U-Clips for joist connection in Area E | \$3,558.61 |
| RFI No. 557 – Revise panel feeders to theater equipment panels using MC cable | \$9,986.95 |
| RFI No. 526 – Door & hardware revisions at openings 1/195 & 2/195 | \$9,294.39 |
| RFI No. 569 – Add steel plate to lintel | \$2,568.52 |
| MC-6 – Delete CMU @ Gym truss | (\$8,803.87) |
| RFI No. 586 – Additional Casework (Room 200-D-2) | \$7,185.14 |

7. To approve Change Order #013 for Stell Enterprises, Inc. in the amount of \$20,747.40. The Change Order consists of the following:

| | |
|---|-------------|
| Bulletin No. 2 – Storm piping along Maffett Street | \$19,149.00 |
| Fill void under storm piping as directed by Geotechnical Engineer | \$1,598.40 |

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Rev. Walker moved, seconded by Ms. Thomas to adopt this report.

On the question:

Mr. Caffrey: Item #2 – these have already been paid and we are ratifying them, is that correct?

Mr. Telesz: Yes

Mr. Caffrey: Item E1 regarding the insurance – are there any changes with that amount?

Mr. Telesz: Yes. There was about a \$300 increase for each location. This is a flood insurance that is mandated by the government. These rates are set by the government.

Rev. Walker: Item E2 - The compensation fee for Apollo at 1.3% - is that consistent with their current fee?

Mr. Telesz: Their current fee on the new high school is 1.3% so it is consistent.

The vote was as follows:

7 Ayes: Atherton, Evans, Quinn, Schiowitz (A 3, B, C, D, and E 1), Thomas, Walker, Caffrey
1 Nay: Schiowitz (A 1-2 and E 2, 3, 4, 5, 6, 7)

ATHLETIC COMMITTEE REPORT

Mr. Quinn – We have implemented plans by following the guidelines from the Department of Health and the PIAA to keep all of our athletes safe. All coaches and athletes are cooperating and following protocols established.

The home games for boys and girls basketball and wrestling meets will be live streamed. The STEM students will be doing the set up and streaming. The links will be available on the District website. The team facebook pages will also have a live stream. If the team is away, most of the district are streaming those games also.

SAFETY/SECURITY COMMITTEE REPORT

Mr. Evans – We are happy to announce that Chief Binker and Detective Lussi, Plains Twp. Police Department are now part of our committee. They will do more patrols around Solomon/Plains School to deter kids from loitering on the property.

TRANSPORTATION COMMITTEE REPORT – No Report

BUILDING MAINTENANCE COMMITTEE REPORT

Mr. Atherton – The committee meet along with Dr. Costello and the Principals on December 17. We discussed the status of the buildings with the Principals giving updates on current projects and future needs in their buildings. Dr. Costello gave updates on the Kistler Elementary Roof Project.

POLICY COMMITTEE REPORT

Rev. Walker – Next meeting is tentatively scheduled for Tuesday, January 19, 2021.

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FACILITIES TRANSITION COMMITTEE REPORT

Ms. Thomas presented the following report and recommendations for the Board's approval:

1. That approval be given to the Agreement and Addendums for the Sale of Commercial Real Estate for the property located at 80 N. Washington Street with the terms and conditions as listed in the Agreement. **"Exhibit D"**

Ms. Thomas moved, seconded by Mrs. Schiowitz to adopt this report.

On the question:

Mr. Caffrey: Atty. Wendolowski please highlight for the Board and the public the major points of this agreement.

Atty. Wendolowski: This motion is for the sale of the Coughlin School building and associated property. The sale price is \$1, 650,000. There is no financing contingency in the agreement. The purchaser is willing to move forward with funds without borrowing. There is a zoning contingency, which is not unreasonable. It is my understanding the buyer intends to develop the property into a mixed use of residential and commercial, similar to what we see happening in bank buildings downtown. The property will be on the tax roles shortly after the transfer. We have reached an understanding that the assessment should be set at the property sale price and we will be cooperating with the purchaser for that to occur. Once the renovation and reconstruction of the property takes place, the county will put an additional assessment on the property and the district will immediately see tax revenues once the property is transferred and significantly increased tax revenues once the building is renovated.

Mr. Atherton: Is it my understanding there is not a LERTA request for this property?

Atty. Wendolowski: That is correct.

Ms. Thomas: I would like to thank the committee and the Barrouk's for the hard work in marketing and selling this property. I believe we have a lot more work to do, but we are headed in the right direction.

Mr. Quinn: Where will they have parking?

Atty. Wendolowski: That zone does not require parking for that development. The theory being there are many public parking spots available at or near the site. The developer may choose to incorporate parking into the development because it would make the apartments much more attractive. There is a lot across the street and the vacant athletic field next to the building where parking can be added.

The vote was as follows:

7 Ayes: Atherton, Evans, Quinn, Schiowitz, Thomas, Walker, Caffrey

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STUDENT WELLNESS

Ms. Thomas – Thanks to Dr. Costello and Mr. Marino we are adding a nurse from the elementary and secondary levels to our Wellness Committee. Our nurses are our frontline and will be an asset to this committee. A meeting will be scheduled the last week of January.

What type of meals is food service providing to our students and what are the numbers of meals being distributed?

Sue Benczkowski, Nutrition Group, Inc. – There are hot meals and meals that can be prepared at home themselves. The variety of meals include the student favorites of tacos, chicken patties, chicken nuggets, pizza, etc. The staff and directors are doing a great job of balancing the nutrition and likes of the students.

At the moment, we are experiencing a decline of the number of meals going out. I believe that is mostly due to the colder weather. We are currently doing a three-day distribution on Monday, Wednesday and Friday. The students are given multiple meals at each distribution time.

PERSONNEL COMMITTEE REPORT

Rev. Walker presented the following report and recommendations for the Board's approval:

All appointments are made pending the receipt of PDE required clearances, certifications, and any applicable pre-employment drug test.

A. Act 93

1. That the following appointments be made effective July 1, 2021:

Wilkes-Barre Area High School

| | |
|------------------------------------|------------------------|
| 12 Month Administrator (Secondary) | Colleen Robatin |
| 12 Month Administrator (Secondary) | Robert Watkins |
| 12 Month Administrator (Secondary) | Patrick Peters |
| 12 Month Administrator (Secondary) | Michael Grebeck |

GAR Middle School

12 Month Administrator (Junior High) - **Melissa Carter Meyers**
(*Assistant to be announced at a later date)

Heights Elementary School

12 Month Administrator (Elementary) - **Aiden McKenna**
(*Assistant to be announced at a later date)

Specialty Academies (STEM, CAPP, Cyber, Business Academy)

12 Month Administrator – **Hal Gabriel**

B. Secretaries & Teachers' Associates

1. That **Sandra Zbierski's** retirement effective date be amended to January 7, 2021.

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2. That **Danielle Sawicki's** request for unpaid leave beginning February 18, 2021 through April 15, 2021.

C. Athletics

1. The following appointments are made for the sport season and will be continued on a season to season basis unless, the post is declared vacant by the Board of School Directors. All appointments are effective upon all PDE required clearances and documents being submitted.

Boys Basketball Volunteer Assistant Coach **Derrick West, Sr.**

Mr. Walker moved, second by Mrs. Schiowitz

The vote was as follows:

7 Ayes: Atherton, Evans, Quinn, Schiowitz, Thomas, Walker, Caffrey

Resolution #1 was presented by Mr. Caffrey

RESOLUTION #1

WHEREAS, the Board of School Directors of the Wilkes-Barre Area School District has determined that there will be no increase in the rate of any tax for the support of its public school for the 2021-2022 fiscal year by more than the index established by the Department of Education (Department) for the District;

WHEREAS, the Index for the District is 4.3%;

WHEREAS, The Board of Directors of the Wilkes-Barre Area School District does hereby certify that the District will comply with the procedures as set forth in Section 687 of the Public School Code as it relates to the annual budget for the adoption of its proposed and final budget;

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

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

WHEREAS, the Board of School Directors certify that a copy of this resolution adopted pursuant to Section 311 of the Taxpayer Relief Act of Special Session No. 1 of 2006 will be sent to the Department no later than five (5) days after the adoption of this resolution;

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

WHEREAS, the Board of School Directors recognize that the Department shall compare the proposed percentage increase in the rate of the tax with the index; within ten (10) days of the receipt of

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the information as required, the Department shall inform the District whether the proposed tax rate increase is less than or equal to the index.

NOW, THEREFORE BE IT RESOLVED, by the Board of School Directors of the Wilkes-Barre Area School District as follows:

The Board of School Directors adopts this RESOLUTION on the 11th day of January 2021 indicating that it will not raise the rate of any tax for the support of its public schools for the 2021-2022 fiscal year by more than the index established by the Department of Education for the District of 4.3%.

DULY ADOPTED, by the Board of School Directors of this School District this 11th day of January 2021.

Wilkes-Barre Area School District
Wilkes-Barre, Pennsylvania

Joseph A. Caffrey, President

Mr. Caffrey moved second by Ms. Thomas to approve this Resolution.

The vote was as follows:

7 Ayes: Atherton, Evans, Quinn, Schiowitz, Thomas, Walker, Caffrey

Rev. Walker presented Resolution #2

RESOLUTION NO. 2

BOARD OF DIRECTORS OF THE WILKES-BARRE AREA SCHOOL DISTRICT

A RESOLUTION AUTHORIZING THE INITIATION OF EMINENT DOMAIN
PROCEEDINGS TO ACQUIRE TITLE TO CERTAIN REAL PROPERTY LOCATED IN THE
TOWNSHIP OF PLAINS, COUNTY OF LUZERNE AND COMMONWEALTH OF PENNSYLVANIA, FOR THE
PUBLIC PURPOSE OF THE WIDENING OF A ROADWAY

The Board of Directors of and for the Wilkes-Barre Area School District, meeting in regular session, makes the following findings of fact:

WHEREAS, in order to satisfy the conditions imposed by the Pennsylvania Department of Transportation with respect to the construction and development of the High School being erected in the Township of Plains, County of Luzerne and Commonwealth of Pennsylvania for purposes of controlling the increase in anticipated traffic along Maffett Street, there is a necessity to install a turning lane at the entrance of the High School at its entrance at Maffett Street;

WHEREAS, the construction of the turning lane at the Maffett Street entrance will facilitate the safety of students, their parents, and other drivers along Maffett Street;

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WHEREAS, certain real property that is necessary for the installation of the turning lane at the Maffett Street entrance is owned by Russin Properties, LLC, a Pennsylvania Limited Liability Company; and

WHEREAS, the use of eminent domain by the Board of Directors of Wilkes-Barre Area School District, is necessary to obtain title to this property for the installation of the widening of Maffett Street and that this is a proper public purpose under the laws of the Commonwealth of Pennsylvania.

NOW, THEREFORE, be it resolved by the Board of Directors of Wilkes-Barre Area School District, as follows:

Section 1. The Board of Directors of Wilkes-Barre Area School District recognizes that the use of eminent domain for the widening of a public road, known as Maffett Street, will provide a public benefit to the students, their parents, and other drivers along Maffett Street, and will serve to make driving safer on Maffett Street.

Section 2. The Superintendent, Secretary and the Solicitor are authorized and directed to take all actions they determine to be appropriate to exercise the rights of the Board of Directors of Wilkes-Barre Area School District in eminent domain pursuant to the laws of the Commonwealth of Pennsylvania as to that real property identified on Exhibit "A", which is attached hereto and incorporated here by this reference, to obtain fee simple absolute title to the subject real property at an acquisition cost not to exceed \$7,750.00, plus required costs for transfer of the real estate.

DULY RESOLVED by the Board of Directors of the Wilkes-Barre Area School District this 11th day of January, 2021.

Attest:

WILKES-BARRE AREA SCHOOL DISTRICT

Name:
Title:

By:

Name:
Title:

(SEAL)

EXHIBIT "A"

ALL that certain strip of land required for Maffett Street right of way widening, situated in the Township of Plains, County of Luzerne, and Commonwealth of Pennsylvania, said strip of land being bounded and described as follows:

BEGINNING at a point on the legal right of way line of Maffett Street, said point being twenty-five (25.00) feet from centerline station 303+49;

THENCE through lands of Russin Properties, LLC, North ten degrees, nineteen minutes, eight seconds West (N 10°19'08" W) fifteen (15.00) feet to a point, said point being forty (40.00) feet from centerline station 303+49;

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THENCE through the same, on a curve to the left with a radius of five hundred fifteen and seventy-five hundredths (515.75) feet, an arc length of one hundred seventy-one and thirty hundredths (171.30) feet and a chord bearing and distance of North seventy degrees, nine minutes, fifty-eight seconds East (N 70°09'58" E) one hundred seventy and fifty-one hundredths (170.51) feet to a point of tangency, said point being forty (40.00) feet from centerline station 305+33.59;

THENCE through the same, North sixty degrees, thirty-nine minutes, two seconds East (N 60°39'02" E) one hundred thirty-three and fifty-four hundredths (133.54) feet to a point of curvature, said point being forty (40.00) feet from centerline station 306+67.13;

THENCE through the same, on a curve to the left with a radius of two hundred eighty and fifty-five hundredths (280.55) feet, an arc length of one hundred thirty-eight and seventeen hundredths (138.17) feet and a chord bearing and distance of North forty-six degrees, thirty-two minutes, twenty-nine seconds East (N 46°32'29" E) one hundred thirty-six and seventy-eight hundredths (136.78) feet to a point, said point being forty (40.00) feet from centerline station 308+25;

THENCE through the same, South fifty-seven degrees, thirty-four minutes, three seconds East (S 57°34'03" E) fifteen (15.00) feet to a point on the legal right of way line of Maffett Street, said point being twenty-five (25.00) feet from centerline station 308+25;

THENCE along the legal right of way line of Maffett Street on a curve to the right with a radius of two hundred ninety-five and fifty-five hundredths (295.55) feet, an arc length of one hundred forty-five and fifty-six hundredths (145.56) feet and a chord bearing and distance of South forty-six degrees, thirty-two minutes, twenty-nine seconds West (S 46°32'29" W) one hundred forty-four and nine hundredths (144.09) feet to a point of tangency, said point being twenty-five (25.00) feet from centerline station 306+67.13;

Thence along the same, South sixty degrees, thirty-nine minutes, two seconds West (S 60°39'02" W) one hundred thirty-three and fifty-four hundredths (133.54) feet to a point of curvature, said point being twenty-five (25.00) feet from centerline station 305+33.59;

THENCE along the same on a curve to the right with a radius of five hundred thirty and seventy-five hundredths (530.75) feet, an arc length of one hundred seventy-six and twenty-eight hundredths (176.28) feet and a chord bearing and distance of South seventy degrees, nine minutes, fifty-eight seconds West (South 70°09'58" W) one hundred seventy-five and forty-seven hundredths (175.47) feet to the POINT OF BEGINNING.

CONTAINING 0.155 acres, more or less.

BEING part of the same premises conveyed to Russin Properties, LLC, by Deed of Basil Lynch, Executor of the Estate of Keith S. Russin, dated December 30, 2019 and recorded in Luzerne County Record Book 3020, at page 1377.

Rev. Walker moved second by Ms. Thomas to approve this Resolution.

On the question:

Atty. Wendolowski: We are acquiring a very small sliver of land at .155 acres. The Russin LLC owners have been very cooperative in our discussions in order to acquire this piece. We

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are doing this as an eminent domain resolution because it is not required for us to seek property separate from the Russin parcel. This property will eventually become part of PENNDOT public right of way and deeded PENNDOT as part of their right of way. The price we are paying is based entirely on the price we paid for the property across the street for our land, pro-rated to the .155 acreage we are purchasing. It is necessary because we cannot get our highway permit without a turning lane. It certainly something that will benefit the safety of all those who traverse that area on any given day.

The vote was as follows:

7 Ayes: Atherton, Evans, Quinn, Schiowitz, Thomas, Walker, Caffrey

New Business

Atty. Wendolowski: The Speech and Debate team will virtually host the annual Martin Luther King, Jr. Tournament this weekend, January 16 and 17. Information will be posted on the District website.

Mrs. Schiowitz: I would like to comment on the Wolfpack Players Home for the Holidays virtual performance. I believe I speak for the entire Board when I say we should congratulate the participants, the advisors, the backup personnel, the people who filmed it. It was imaginative, it was lovely and I was totally enthralled with it. They should be very proud of a tremendous performance! There was something for everyone.

Communications from Solicitor - No Report

Motion to adjourn by Ms. Thomas second by Rev. Walker

The meeting adjourned at 7:43 p.m.