

SUMMARY OF MINUTES
Regular Board Meeting
December 7, 2020

Board President Joseph A. Caffrey called the meeting to order at 6:32 p.m.

Board Secretary Thomas F. Telesz called the roll

9 Members Present: Atherton, Evans, Harris, Patla, Quinn, Schiowitz, Thomas, Walker, Caffrey

President Caffrey began the meeting:

- An Executive Session was held prior to the Reorganization and Regular Meetings of December 7, 2020. 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 Regular Board Meeting of October 26, 2020 and dispense with the reading of those minutes.

Mr. Atherton moved, seconded by Mrs. Schiowitz to adopt these minutes.

The vote was as follows:

9 Ayes: Atherton, Evans, Harris, Patla, Quinn, Schiowitz, Thomas, Walker, Caffrey

Treasurer's Report:

Thomas F. Telesz, Business Administrator/Board Secretary, presented the Treasurer's Report ending September 30, 2020.

WILKES-BARE AREA SCHOOL DISTRICT
CASH ACCOUNT BALANCES
MONTH ENDING SEPTEMBER 30, 2020

GENERAL FUND

1	GENERAL FUND CHECKING - FNCB	\$	(333,834.59)
2	GENERAL FUND CASH CONCENTRATION - FNCB		49,896,223.16
3	FEDERAL PROGRAMS - FNCB		2,683,154.72
4	FEDERAL PROGRAMS CHAPTER 1 -FNCB		5,868.74
5	FNB BANK		461,037.96
6	FNB BANK		76,844.14
7	JANNEY MONTGOMERY SCOTT		1,754,057.83
8	PNC BANK		393,350.09
9	LPL FINANCIAL		833,099.97
10	EARNED INCOME TAX ACCOUNT-FNCB		8,684.25
11	COMMONWEALTH INVESTMENT #1		12,333.08
12	REAL ESTATE TAX ACCOUNT - FNCB		-
13	LANDMARK CD		481,620.49
14	PLGIT EIT		862,311.81
15	ATHLETIC FUND-FNB BANK		249,858.61
16	PAYROLL CHECKING-FNCB		1,837,092.29
17	PAYROLL CLEARING -FNCB		-
	TOTAL GENERAL FUND	\$	59,221,702.55

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CAPITAL PROJECTS FUNDS

18	2016 CAPITAL PROJECTS CASH CONCENTRATION-FNCB	\$	(19,780.04)
19	PNC BANK INVESTMENT		2,098,727.44
20	2019 BOND ISSUE		80,758,168.70
21	PLGIT CASH RESERVE		1,805,188.87
22	FNCB 2019 CAPITAL PROJECTS		14,286.48
	TOTAL CAPITAL PROJECTS FUNDS	\$	84,656,591.45

FIDUCIARY FUNDS - TRUST AND AGENCY

TRUST FUNDS:

23	WHOLE LIFE GROUP TRUST-CITIZENS BANK	\$	55,417.99
24	COMMONWEALTH INVESTMENTS WHOLE LIFE		354,342.50
25	FNB BANK WHOLE LIFE		50,214.92

AGENCY FUNDS:

26	ELEMENTARY ACTIVITY FUND-Landmark BANK		155,398.76
27	SECONDARY ACTIVITY FUND-Landmark BANK		289,614.27

	TOTAL FIDUCIARY - TRUST AND AGENCY FUNDS	\$	904,988.44
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PROPRIETARY FUND - FOOD SERVICE

28	FOOD SERVICE CHECKING ACCOUNT-Landmark Bank	\$	3,851,300.89
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	TOTAL PROPRIETARY FUND - FOOD SERVICE	\$	3,851,300.89
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DEBT SERVICE FUND

29	COMMONWEALTH INVESTMENTS DEBT SERVICE	\$	9,871.73
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	TOTAL DEBT SERVICE FUND	\$	9,871.73
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Rev. Walker moved, seconded by Ms. Patla to adopt the Treasurer's Report ending September 30, 2020.

The vote was as follows:

9 Ayes: Atherton, Evans, Harris, Patla, Quinn, Schiowitz, Thomas, Walker, Caffrey

SUPERINTENDENT REPORT

Dr. Costello congratulated Joseph Caffrey and Denise Thomas for their re-election as President and Vice President. I look forward to continue working with you as we move our district forward.

I would like to update everyone on the status of the District. On Friday, December 4, we received information from the State of an overview of Luzerne County, specifically the county data on the transmission rate. Based on this continued level of a substantial transmission rate

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within Luzerne County the PA Dept. of Education and PA Dept. of Health the recommendations will remain the same with full remote learning until the community transmission rates return to a moderate level. Therefore, we will continue to follow PDE and DOH recommendations and all classes will continue to be live streamed. In person classes will not resume during the month of December. We will provide an update during the last week of December with a tentative in person start date.

In addition, in an effort to preserve the winter sports season, the WBASD, as well as, several other districts will be pausing all competition until January 4, 2021. Over the next several weeks, we will be working with the league to modify the competition schedule based on this temporary pause.

These are very challenging times. I would like to take a moment to thank our students and staff for always wearing appropriate face coverings, social distancing and following our district guidelines. This allowed us and will continue to allow us to resume in-person instruction when we are back in the moderate transmission rate. The actions I just spoke about is part of our civic duty to help alleviate transmission of COVID-19.

We are understand how important it is to resume extra-curricular activities. We can only do this once the County transmission rate returns to an acceptable level. I am asking everyone to continue to do your part outside of the school day by always wear appropriate face coverings and follow social distancing guidelines. I appreciate your cooperation and flexibility during these unprecedented times.

We also have to continue to be innovative as we continue to move forward in this temporary remote setting. I am currently meeting with students and their advisors to create some unique virtual events. One example is the innovative way our Wolfpack Drama Club has come up with to have a Holiday virtual performance. We are going to have information available on our website on how to purchase tickets. We can still have a Holiday performance except it will be live-streamed beginning on December 17. We will plan more events like this we just have to become innovative and continue to do everything we possibly can to provide the best educational experience we can for our students. Thank you for everything the Board has done through 2020. It has been very challenging but productive.

APOLLO REPORT

Mr. Mike Krzywicki – District Maintenance Plan. PPL conducted a shutdown at Heights Murray Elementary on November 11 for replacement of the electric service cable. The main breaker in the switchgear also needs to be replaced. We exercised several options of having the work done by the switchgear manufacturer. This would leave us with a forty-year-old switchgear and a new switch. For approximately five thousand dollars more, we are going to put a bid package to replace the entire section of switchgear. A bid document needs to be prepared, advertisements, submit the bids. Work will probably not be started until the end of the school year. Elevator repairs at Heights Murray Elementary may not be performed until the electrical work is completed. Bids were received for roof replacement at Kistler Elementary. A recommendation was issued to the District.

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E.L. Meyers Monitoring Structure/Walkway/Tunnel: Apollo performed a monthly inspection on November 29. No additional movement was detected.

New High School: The Sitework Contractor has completed construction of S. Main Street entrance and road widening at Cross Valley on-ramp, continued placement of geogrid, subbase, curbs, sidewalks, bituminous pavement and road improvements at intersection of River Street and Courtright Street, and commenced installation of storm sewers and enlargement of detention pond along Maffett Street.

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

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 head.

The HVAC Contractor has continued installation of roof curbs, rooftop units, duct hangers and ductwork, and 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, skylights and caulking.

The Landscaping Contractor has completed seeding of lawn areas and slopes where topsoil was placed.

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.

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Ms. Thomas – Has anyone checked the status at GAR regarding leaks?

Dr. Costello – Mr. Krzywicki is working on information regarding upgrades at GAR regarding painting, lighting and some interior flooring. We have been to other buildings and everything is in good shape.

Mr. Caffrey – What is the percentage of completion of the New High School? What is the contingency?

Mr. Kryzwicki – As of November 30 we are 71% complete. We are about right where we should be. The numbers I will be giving you are different from last month – but in a better way. We had some projected costs which actual costs came in better than expected. There were some items that were not contingency items but line items within the budget. The contingency committed to date is \$2,555,142 I am projecting an additional \$650,000, which would bring the total contingency to \$3,205,142.07, which represents just under half of the original contingency of \$6,400,000.

Mr. Atherton: What is the current status of the problem with the masonry and beams?

Mr. Kryzwicki – We have done GPR Testing or Ground Penetrating Radar. I want to make it clear there were cracks but not cracks that 99% of the people would see them. It was not a horizontal crack, there are not vertical cracks, we don't have step cracks. All cracks are localized and occurred directly under the bearing point of an individual bar joists or beam. Usually limited to one or two courses. The GPR testing identified 25 locations that need corrective work. I consider those to be non-conforming conditions. Which is the locations don't conform to what is in the design documents. GPR testing identified these 25 locations which may sound like a lot but to put it in perspective, there are 18,480 bearing conditions in the classroom wings alone. We have two-thirds of the GPR testing results back. I don't expect anything outrageous in the remaining report. The problem seems to be a missing horizontal bar and/or CMU that wasn't grouted. The engineer of record issued a sketch with a corrective action for the contractor to make the necessary repairs and bring the wall back to its original design condition.

Ms. Harris - Did the investigation reveal it was just contractor error and is being remediated? Has the issue between the engineer and contractor been resolved?

Mr. Kryzwicki: - Yes – we are not tearing down any walls. There is still a debate going on regarding the responsibility of the contractor and the engineer.

Dr. Costello – These are hairline cracks that most people wouldn't be able to identify. I am grateful for Mike be on-site and going through the building the way he was. The problem was identified and will be rectified.

OLD BUSINESS – No Old Business

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COMMUNICATIONS FROM CITIZENS

Atty. Wendolowski as was advertised in our notice for today's 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.

Dorothy Young

Do you think our kids will go back to school this year?

Dr. Costello: I do believe they will be back to in-person learning this year. As soon as the County has two consecutive weeks of moderate transmission we will return to in-person learning. We know how important that is.

David Wilson, Wilkes-Barre PA

1. Please explain the transportation / bussing plan for the new consolidated high school.
2. Please ask Mike Krzywicki to explain the cause of the masonry "cracks" at the new high school as well as the proposed solution to the problem.

Atty. Wendolowski: Mike Krzywicki has answered the masonry cracks.

Mr. Telesz: We have addressed the bussing plan at previous meetings. Please go to the website and review Board minutes to find a more detailed answer. To summarize we will be adding 10 busses to the service. The busses will service the new high school and junior high with multiple runs.

Richard Holodick, Wilkes-Barre, PA

Good evening and I wish you all a healthy and happy holiday and progressive New Year. I look forward to the new year when we concentrate on doing what is best for students, all students. I am concerned with the national news reporting students leaving public schools for charter and cyber schools because in part of the inconsistency of the delivery of their education. Here in the Wilkes Barre district, we have experienced a massive departure from the district prior to the pandemic. We now add the pandemic factor, massive bussing, reduction of varsity sports, and a consolidated school, isolated, and on a real or perceived at-risk site. If any board member does not believe that building a school on subsidence prone, coal ash dump, even capped, is not an at-risk building site you need to read the EPA monitoring requirements over the life of that building and site. It is what it is, and we must now not only live with it but plan for it. Safety and maintain safety being number one, number two is are the students willing to come to this site? They will flee this district for reasons you have no control over and reasons you do have control over. At a quarter of a billion dollars for a third of the students, with 4500 students and six other facilities, a half-billion-dollar estimate is not farfetched. Just think of a half-billion over

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forty years and if that new school lasts forty years you will have to start over. This makes the enrollment figure, not just the new school but district-wide ultra-critical for this district to be financially stable or go into financial bankruptcy.

I was invited to meet with the previous superintendent and members of the facility committee. I cautioned them that the zoning could fail. Actually, I could have and should have told them that it would fail, based on the fact it was the worst plan educationally and financially I had ever seen in my 50 years. Twenty-seven people and attorney Borland told them the same; it cost the taxpayers \$6 million. I plead with you tonight to listen to my suggestion and I challenge one of you to make the motion tonight to do an extensive district-wide survey using the West Shore School District's model. I visited the district which is on the other side of the river from Harrisburg and the survey and its results really assisted that board in making decisions and having the support of the employees who must live with it, and the community responsible for paying for the changes. Their needs were very similar to ours.

1. I am respectfully requesting a copy of the minutes where the purchase of the Pagnotti site was approved, along with the certified appraisals that validate a \$4.2 million-dollar assessment.
2. I am requesting a copy of the board action to sell Meyers High School.
3. I am requesting the board's action approving the sale price at \$4 million+.
4. I am requesting the resolution or adjudication of the board breaking the law, state code 609, by overspending the approved operating budget for three consecutive years.

Atty. Wendolowski: The minutes with regard to the purchase of the Pagnotti site are on the District website along with the appraisals along with a link of the documents presented to the Auditor General. Anyone from the public can access those documents at any time. At the last meeting the Board approved the listing of the Meyers property and the proposed sale through the District's real estate broker. Those minutes were approved tonight and will be available on the District's website once they are published. I'm not sure what Dr. Holodick means by "approving the sale price of \$4 million plus. This District agreed to list the property for sale and until we have offers there's no dollar figures for the Board to consider with regard to those offers. Lastly, regarding State Code 609. I believe he means 24 PS Sec 6-609 which allows the District on a voting basis to move funds from one line item to another with regard to budget expenditures for the year. We regularly do that. Mr. Telesz often has on the agenda for the board to approve moving funds from one line item where the money has not been spent to line items where the expenditures may have been increased.

Mr. Telesz: I am not aware of a three-year period where we exceeded our operating budget. I do know over the last five years this board has been very fiscally responsible. During that time, the Board has established and funded a Capital Reserve Fund and also increased the General Fund balance by more than \$5 million. In order to generate those funds means the Board had to spend less than was actually budgeted during that time period. Those decisions that were made to generate that surplus has put the District in a much better financial position to deal with the effects of the pandemic. By establishing the Capital Reserve Fund that allowed the District to not have to borrow money in the near future for capital items such as the Kistler roof replacement that is on the agenda tonight. In my opinion instead of accusing the Board of breaking the law, they should be congratulated for their hard work and tough decisions.

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Jody Busch, Laurel Run, PA

Good evening members of the board. My frustration continued with the purchasing of goods and services. How can the board spend nearly \$2.5 million dollars on asbestos removal and interior gutting for a building they want to sell? Then put it up for sale for less than they put in it. I would think there was a majority vote to establish a loss sale price with an affirmative board majority vote. Will this board tonight vote to sell at a loss? Was the reason for asbestos removal because of the students in the annex? Because there was room at Meyers, for the students saving the taxpayers \$9 million in renovations and a bundle on utilities and staffing. I know Mackin would be needed in the future, but not now. I believe the other act of brilliance was to spend the last year maybe two telling everyone Meyers was a disaster, too costly to renovate, not safe for students. Driving the point home, the board authorized the sheds in front of Coughlin and Meyers best called theatrical props, paying a quarter of a million dollars that didn't include painting. Like \$2 million at Coughlin that didn't include debris removal. I honestly believe that my efforts at getting to the bottom of purchasing of goods and services is not as important as meeting the needs of students, but overpaying means less money for students' supplies and equipment. And microphones for all board members? The process for enabling me to get to the bottom is gathering information through a "right to know" request; didn't work. Besides if I am trying to help the students, district and taxpayers, why do I need an RFP?

Atty. Wendolowski: In regard to the asbestos removal – clearly when the Board was moving toward the consolidation between Meyers and Coughlin at the Coughlin site, the existing Coughlin building was going to be demolished and asbestos removal would be required to do that. Asbestos removal and abatement would also be required for significant rehab of that building if a buyer would choose to do so. There is no proposed agreement on the agenda tonight. Clearly, the offers the District has received are less than a \$2 million price. The most important thing from the District perspective with regard to the Coughlin building and facility if sold is to get that facility on the tax rolls so that any development on that site will contribute long term to the district finances. Some of proposals that we have seen would include numerous housing units with first floor retail and commercial spaces.

Brian Kelley, Wilkes-Barre, PA

Good evening! It appears that Mr. Evans wants to limit my right to free speech and establish restrictions on subject matter when communicating with the Board. I personally believe that issues should be civil and related to the education and governance of the district. His concern is my "attempt to advertise my books. I advertise my books through Amazon, press releases and the newspapers. I do write a lot of books, working on number 250 right now and Mr. Evans you are in the latest photo and social media posts.

When I communicate with the board, it is as a resident of the city, a taxpayer, a graduate of the district, with a burning desire to see our children get the best and safest education possible. Without unnecessary restrictions that stifle the public's participation, board meetings are the best place to express opinion and suggestions. In mentioning my books co-authored by Dr.

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Holodick, I recommend the Board, Superintendent and the public read the suggestions on quality education and a portfolio for improvement.

I have never in over 250 published books co-authored my books. Dr. Holodick's education and diverse experience motivated me to enter a publishing effort with him – the two volumes on past corruption and school governance, nearly complete, have validated his inclusion. He has attended and been a participant in board meetings for 50 years. He cites the June 10, 2015 WBA Board meeting as the worst, most arrogant, and costly meeting ever. In the face of 27 people as reported in the board minutes, there was a passionate request to table the action until more data could be obtained.

The plans as discussed at that meeting segregated the high school with the highest percentage of minorities, and proposed a large consolidated high school on a postage sized lot. The board voted to approve 7 to 2 while the students sang the alma mater. There is more detail in the books. But the ignoring of the presentations cost the taxpayers six million dollars and that is a disgrace. It should be noted that the district's own study states that the consolidation is a disadvantage due to the closing of neighborhood schools, bussing and costs.

The present isolated site, subsidence prone, and toxic, defies reason. Yes, it will be capped and hopefully stay capped for 40 years. And, supposedly, as long as the children don't eat the coal ash all will be fine. My concern is that homes can't be built on the site, but schools can. And why do five states forbid schools even near toxic sites? This site has recently picked-up the nickname Little Chernobyl by a medical expert. The site is isolated, prisons not schools are isolated.

At a time when toxics in the air have caused a worldwide pandemic, we build a school on a toxic site. Now for the operative question: "Why does Dr. Holodick and Dr. Schiowitz continue their crusade when the project is 50% complete?" Because this Board has progressed well beyond education deficits to serious health concerns and potential education and financial bankruptcy.

Sam Troy, Wilkes-Barre, PA

When are citizens going to be allowed to attend these in- person meetings? There certainly is room for at least a few people to attend. Why does the district keep shutting the public out? I am still advocating that there should be a separate public comment session for the agenda. As it stands people only get five minutes to comment for both the general session and the agenda. That is not how other school districts conduct business and that is shameful the way Wilkes-Barre School Board's solicitor cannot do the right thing on this issue.

What is to be done with a deteriorating situation of the parcel of land on Empire Street owned by the district? It has become a dumping ground. Perhaps Mr. Quinn who is an expert on real estate and who was so eager to unload the Township high school for nothing can give us his opinion on what's to be done with that land? I would like an answer from him or other board members not from the solicitor.

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I am very concerned that the committee meetings are held behind closed doors. I understand there is not a board quorum present, but the citizens and taxpayers of this district should be aware of what business is being conducted at these meetings.

I am also hereby requesting that the board rescind its commitment to sell Meyers High School. That school as far as I know is listed on the state's register of historical places. Plus, it would be a disservice to the community if the school were sold and demolished-regardless of what structure would be put up in its place. I am also restating my opinion that all administrators and teachers earning over \$75,000 annually should take a 10% pay cut for the duration of the pandemic. The money that could be saved from these cuts could be used or put in a fund to provide taxpayer relief. What does it take for this board and this district to show a bit of empathy for the common man? Especially those who have suffered with job loss or economic insecurity because of the pandemic. It is the right thing to do and I would like to hear a response from Mr. Costello or some of the other administrators on this issue.

I am also concerned with the change orders for this white elephant also called the new school, which is somehow going to solve all the district's academic problems. The change orders should not be in the hands of Apollo construction. An alternative has to be brought up and discussed by the board. I am afraid that the board and the district is getting ripped off by the various construction companies involved in this project.

This question is for Dr. Costello: Dr. Costello, how do you justify buying arbitrarily these various embellishments for the new school such as close captioning, extra lanes in a swimming pool and others. I don't care that these embellishments cost relatively little in the larger scheme of things. I thought that your primary concern was academic achievement and seeing to it that the pupils in the district are getting a well-rounded education and a thorough education and edifying education. These extra demands on taxpayers' money are unjustifiable. And I do not like the fact that he board is buying all this.

Atty. Wendolowski: I talk with Mr. Troy regularly he is fully aware of what the law is regarding public meetings. Our committee meetings do not violate the Sunshine Act. The committees report at the public meeting the board is informed of all things being considered by those committees. The Board votes at public meetings to take an action on any recommendations by those committees.

Dr. Costello: Mr. Troy was with me last week we took him through some of the virtual classes. He wanted to know what education looked like now during the pandemic. Mr. Troy told me he was actually quite impressed by what he saw. That shows that even during these times and moving forward with the new school everything this Board does is in the best interest of our students to provide the best educational opportunity we possibly can. Even during these difficult times, we are still providing opportunities for our students to succeed educationally.

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

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LUZERNE INTERMEDIATE UNIT #18

Ms. Thomas – The next meeting will be held on Wednesday, December 16, 2020 at 6:30 p.m.

WILKES-BARRE AREA CAREER AND TECHNICAL CENTER

Mr. Quinn – The next meeting will be held on Monday, January 18, 2021.

CURRICULUM ADMINISTRATION

Mr. Evans – The next meeting will be announced in January 2021.

**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. 38	\$119,192.80
A1.2	Apollo Group, Inc.	New High School Project	Capital Projects	App. No. 39	\$59,163.54
A1.3	Geo-Science Engineering & Testing, LLC	New High School Project	Capital Projects	Inv. #019637	\$32,114.00
A1.4	11400, Inc.	New High School Project	Capital Projects	App. No. 3	\$15,930.00
A1.5	Benell, Inc.	New High School Project	Capital Projects	App. No. 19	\$110,967.13
A1.6	Duggan & Marcon, Inc.	New High School Project	Capital Projects	App. No. 10	\$187,562.70
A1.7	Everon Electrical Contractors, Inc	New High School Project	Capital Projects	App. No. 19	\$414,687.58
A1.8	Quandel Construction Group, Inc.	New High School Project	Capital Projects	App. No. 19	\$3,203,863.24
A1.9	Scranton Sheet Metal, Inc.	New High School Project	Capital Projects	App. No. 18	\$867,892.50
A1.10	Stell Enterprises, Inc.	New High School Project	Capital Projects	App. No. 14	\$333,139.50
A1.11	Triangle Fire Protection, Inc.	New High School Project	Capital Projects	App. No. 11	\$18,450.00
A1.12	Borton Lawson Engineering, Inc.	New High School Project	Capital Projects	2017-3091-001-0000034	\$11,344.37
A1.13	Borton Lawson Engineering, Inc.	New High School Project	Capital Projects	2017-3091-001-0000035	\$4,645.78

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A1.14	WKL Architecture	New High School Project	Capital Projects	Inv. #35	\$3,700.00
A1.15	WKL Architecture	New High School Project	Capital Projects	Inv. #36	\$13,700.00
A1.16	PA Dept. of Transportation	New High School Project	Capital Projects	Inv. # 1802542204	\$3,402.22
A1.17	PA Dept. of Transportation	New High School Project	Capital Projects	Inv. # 1802549935	\$1,983.28
A1.18	PA Dept. of Transportation	New High School Project	Capital Projects	Inv. # 1802549938	\$3,801.43
A1.19	PLACE Structural Design, LLC	New High School Project	Capital Projects	Inv.# 2075-01	\$3,375.00
A1.20	PLACE Structural Design, LLC	New High School Project	Capital Projects	Inv.# 2075.01-01	\$1,755.00
A1.21	PLACE Structural Design, LLC	New High School Project	Capital Projects	Inv. # 2075.02-01	\$135.00
A1.22	Linde Corporation	Ann Street Sewer Project	Capital Projects	App. No. 4	\$83,373.68
A1.23	Borton Lawson Architecture	Plains Stadium Complex Design	Capital Projects	BA19-4471-002-BLA0003	\$54,299.38
A1.24	Borton Lawson Architecture	Plains Stadium Complex Design	Capital Projects	BA19-4471-002-BLA0004	\$41,440.95
A1.25	Borton Lawson Architecture	Plains Stadium Complex Design	Capital Projects	BA19-4471-002-BLA0005	\$24,475.10
A1.26	Borton Lawson Architecture	Plains Stadium Complex Design	Capital Projects	BA19-4471-002-BLA0006	\$41,426.78
A1.27	Borton Lawson Architecture	Plains Stadium Complex Design	Capital Projects	BA19-4471-002-BLA0007	\$51,430.99
A1.28	Borton Lawson Engineering, Inc.	Plains Stadium Complex Design	Capital Projects	2019-4471-002-0000006	\$81,603.17
A1.29	Borton Lawson Architecture	Plains Stadium Complex Design	Capital Projects	BA19-4471-002-BLA0009	\$21,213.63
A1.30	Borton Lawson Engineering, Inc.	Plains Stadium Complex Design	Capital Projects	2019-4471-002-0000010	\$61,764.00

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2. Capital Reserve

A2.1	Apollo Group, Inc.	Kistler Roof Project	Capital Projects	App. No. 1	\$8,194.00
A2.2	The Citizen's Voice	Kistler Roof Project	Capital Projects	Inv. # 1020185303	\$642.50
A2.3	Times Leader	Kistler Roof Project	Capital Projects	Trans.# 300997532	\$1,070.00

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

Pennsylvania American Water Co.	New High School Project	Capital Projects	Check #351	\$946.92
PPL Electric Utilities Corp.	New High School Project	Capital Projects	Check #352	\$1,579.27
Pennsylvania American Water Co.	New High School Project	Capital Projects	Check #353	\$1,239.76
PPL Electric Utilities Corp.	New High School Project	Capital Projects	Check #354	\$1,548.68

4. To approve the submission of PlanCon Part H, Project Financing documents and related materials to the Pennsylvania Department of Education regarding PDE Project #3885 (New High School Project – Plains Township). “Exhibit A”

5. That approval be given to PPL for relocation of Verizon pole along the corner of N. River Street and Courtright Ave. at a cost of \$1,724.00.

6. That ratification be given to the Repository Tax Sale by Northeast Revenue Service, LLC, as agent for the Luzerne County Tax Claim Bureau as follows:

Property Address	Parcel No.	Proposed Bid
Vacant Lot Wilkes-Barre City	73-H10NW3-016-011	\$520.00
Trailer Park Jumper Road.	50-G11-T02-167-000	\$500.00
Vacant Land Buck Twp.	05-K14-00A-027	\$500.00
Wilkes-Barre	73-I9NW2-019-006-000	\$500.00

7. 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: 2.01.011Site; 2.02/04.012 General; 2.08.003 HVAC; 2.09.09 Electrical;2.02/04.013 Building Shell/General Trades. “Exhibit B”

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B. FEDERAL

That, in accordance with the authority of the Board, the following Federal AP Checks #2079 to #2139 and October Federal Wire Transfers #202000248 to #202000259 and November Federal Wire Transfers #202000312 to #202000322 which were drawn for payment since the last regular board meeting of the Board of Education held on October 26, 2020 be approved.

C. GENERAL FUND/FOOD SERVICE

That payment be approved for the General Fund Wire Transfers #202011508 to #202011545; and General Fund checks #55376 to #55440 and Food Service checks #3504 to #3527 which were drawn for payment since the last regular board meeting of the Board of Education held on October 26, 2020 be approved.

D. GENERAL FUND

That the checks #55441 to # 55603 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.

E. CONTRACTED SERVICES

1. That approval be given to enter into a contract with Conrad Siegel Actuaries, 501 Corporate Circle, P.O. Box 5900, Harrisburg, PA to ensure the District is in compliance with the Sections 6055 and 6056, Employer Reporting Mandate under the Affordable Care Act (ACA) for calendar year 2020 at a fee of \$8,600. **“Exhibit C”**
2. That approval be given to ratify the Contract Addendum between the Wilkes-Barre Area School District and Atlantic Testing Laboratories at an estimated cost of \$9,410. **“Exhibit D”**
3. That approval be given to ratify an agreement between the Wilkes-Barre Area School District and Luzerne County regarding the COVID-19 County Relief Block Grant in the amount of \$119,157.50 to be expended by December 31, 2020. **“Exhibit E”**
4. That approval be given to award a contract to Detwiler Roofing, LLC for the Kistler Roof Replacement Project in the amount of \$575,000.00 which represents the base bid plus Alternates No. 1 and No. 2. The bid includes (4) unit prices. **Unit Price #1:** Lineal foot price to remove and replace any and all damaged or deteriorated existing wood with new matching thickness and type non-pressure treated wood. 2”x4” is \$3.00; 2”x6” is \$4.00; 2”x8” is \$5.00; 2”x10” is \$6.00; 2”x12” IS \$7.00. **Unit Price #2:** Provide a square foot price to remove and properly dispose of existing damaged, deteriorated and/or wet plywood sheathing and replace with new CDX plywood sheathing to match existing thickness, configuration and profile - \$4.00 per square foot. **Unit Price #3:** Concrete

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Pavers: Per unit price to furnish and install additional Hanover Standard concrete pavers, 23.5" x 23.5" x 1.8", 23 lbs per square foot to supplement quantity of pave quantity specified in the Scope of Work - \$40.00 per unit. **Unit Price #4:** Remove, dispose and replace existing pipe support - \$300 per unit.

5. That approval be given to enter into an Intergovernmental Cooperation Agreement Regarding the Installation of a Police Radio Antenna By and Between Certain Pennsylvania Political Subdivisions. **"Exhibit F"**

6. That approval be given to enter into an agreement between Wilkes-Barre Area School District and the Greater Wilkes-Barre Industrial Fund, Inc. in order to obtain a \$1,000,000 ISRP grant for site remediation. **"Exhibit G"**

7. To approve Change Order #005 for Benell, Inc. in the amount of \$2,619.47. The Change Order consists of the following:

Bulletin No. 21 clarifications – re-route roof drain piping @ 2 locations per WKL	\$2,619.47
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8. To approve Change Order #010 for Everon Electrical Contractors, Inc. in the amount of \$12,800.16. The Change Order consists of the following:

RFI No. 547 – Provide feeder cable from panel NEA1C to NEF1C	\$1,590.04
Premium portion of overtime for work performed on 11/12/2020 (union holiday)	\$1,163.84
RFI No. 556 – Provide (7) additional receptacles for Data & CCTV racks	\$8,322.74
RFI No. 548 – Provide SLP2 breaker in SWBD MDP3	\$1,723.54

9. To approve Change Order #004 for Green Valley Landscaping, Inc. in the amount of \$4,443.00. The Change Order consists of the following:

Fertilize 12 acres of lawn areas and slopes (Fall 2020)	\$4,443.00
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10. To approve Change Order #002 for Linde Corporation in the amount of \$8,223.96. The Change Order consists of the following:

Bituminous paving for permanent trench restoration along Ann Street	\$8,223.96
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11. To approve Change Order #014 for Quandel Construction Group, Inc. in the amount of \$2,080.63. The Change Order consists of the following:

Cut out CMU for compression testing by Owner & patch holes	\$3,080.63
Credit for Stair M	(\$1,000.00)

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12. To approve Change Order #012 for Stell Enterprises, Inc. in the amount of \$53,352.47. The Change Order consists of the following:

Provide additional 2" layer of ID-2 binder & tack coat in parking lot (Area 5) per GSE	\$29,339.67
Remove and replace unsuitable soil @ Cross Valley on-ramp per PADOT (approx.. 75 CY)	\$7,350.00
Excavate for street light & mast arm at Cross Valley using Vac truck per WVSA	\$2,503.00
Remove concrete barriers from Cross Valley & store on site in lieu of Maffett St R/W	\$7,851.00
Provide additional 2" of pave @ Cross Valley on-ramp per PADOT inspector	\$6,308.80

Rev. Walker moved second by Mrs. Schiowitz to approve the Budget Finance/Materials & Supplies/Contracted Services Committee Report.

On the question:

Mr. Caffrey asked Atty. Wendolowski and Mr. Telesz to explain the significance of Item A4 – PlanCon Part H Budget/Financing Document.

Mr. Telesz: The PlanCon Part H document addresses the financing of the construction of the new high school. It calculates the temporary reimbursable percentage on the project. Once the document is approved, the reimbursable part of the project will commence. Therefore, once we make a payment on our loan we will be able to submit to PlanCon to receive some proceeds back on our payment.

Mr. Caffrey: A few years ago, possibly 2016 or 2017 a conversation was held about the District getting into the PlanCon que. Some members of the public were very critical of the Board's decision to do that. By getting into the que back at that time, does the action that the Board will be taking tonight mean that in the future we will be receiving reimbursable funds?

Mr. Telesz: That is correct. As soon as this document is approved, I will be able to submit for payments already made.

Mr. Caffrey: Is there a way to estimate what the potential reimbursement would be for those funds?

Mr. Telesz: It would be an estimate at this time but it would be approximately 8 to 10 percent of the payments we make.

Mr. Caffrey: Had we not gotten in the que, we would have forfeited that?

Mr. Telesz: That is correct.

Mr. Atherton: Would that equate to approximately an 18 to 20 million dollar refund?

Mr. Telesz: That is in the ballpark.

The vote was as follows:

9 Ayes: Atherton, Evans, Harris, Patla A 2, 6, B, C, D, E 1 thru 6; Quinn, Schiowitz A 2 thru 7, B, C, D and E 1 thru 6; Thomas, Walker, Caffrey

2 Nays: Ms. Patla A 1, 3, 4, 5, 7 and E 7 thru 12; Mrs. Schiowitz A 1 and E 7 thru 12

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ATHLETIC COMMITTEE REPORT

Mr. Quinn – He commended the committee for doing an excellent job. Our main concern is safety and adhering to all statewide policies regarding COVID-19. I will defer to Mr. Namey to comment on the status of our athletic programs.

Mr. Namey – Our athletic programs are in a temporary hold for athletic competition. Our department stands ready to re-evaluate our practice schedules and our new targeted start date in January. The committee did finalize items regarding facilities. We have some innovative ideas for wrestling in possibly providing two mats for competition. Alternating between the two and sanitizing between matches. Second would be to go to a virtual home swim meet where athletes are in front of a Wyoming Valley Conference official for timing and do an overlap competitively with another school.

We are thinking outside the box and we are working closely with the Superintendent to make sure all of our needs are met.

Mr. Evans: Does this mean competition and practice are both delayed at this time?

Mr. Namey: Yes, all competition and practice are delayed.

Mrs. Schiowitz: Has athletic COVID testing been utilized?

Mr. Namey: We have used athletic COVID testing in the fall. We are happy to report we had 100% testing negative in boys and girls soccer teams as well as varsity football. We will use that procedure as necessary.

Dr. Costello: We were very fortunate to have Dr. Almechi go to Solomon/Plains and test our athletes. We had 100% participation and at that time, all were negative. We will continue to utilize him throughout our seasons.

SAFETY/SECURITY COMMITTEE REPORT

Mr. Evans – A meeting will be scheduled in January 2021.

TRANSPORTATION COMMITTEE REPORT – No Report

BUILDING MAINTENANCE COMMITTEE REPORT

Mr. Atherton: We will hold a virtual meeting at some time this month and will be inviting Building Principal's to attend. Discussions will be held regarding updates that need to be completed in their building.

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POLICY COMMITTEE REPORT

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

1. That the following policies be adopted:
 - 323 Tobacco and Vaping Products
 - 707 Use of School Facilities
 - 904 Public Attendance at School Events

2. That the following policies be revised:
 - 204 Attendance

Rev. Walker moved second by Ms. Thomas to approve the Policy Report.

The vote was as follows:

9 Ayes: Atherton, Evans, Harris, Patla, Quinn, Schiowitz, Thomas, Walker, Caffrey

FACILITIES TRANSITION COMMITTEE REPORT

Ms. Thomas: A meeting was held last week. I will ask Atty. Wendolowski to provide some information.

Atty. Wendolowski: The interest continues in regard to the Coughlin property. The District received another proposal late Friday. I did not get it on time to include in the Agenda, but we will be reviewing those and any other offers that may come in, and making a recommendation to the Board at the next public meeting of the Board regarding the potential sale of the Coughlin property.

We have definitive interest in the Grant St. Property and we are in the process of negotiating an agreement of sale with the prospective buyer for that particular parcel.

There have been several recent expressions of interest with regard to the Meyers site. There are no concrete proposals but information sharing and gathering has been occurring with regard to the potential sale of the Meyers site.

Ms. Patla: When was there a price tag put on the Meyers Site? I am hearing it is for sale for \$5 million and I was just wondering when that was agreed upon.

Dr. Costello: I believe that was the appraisal price not the sale price.

STUDENT WELLNESS

Ms. Thomas: The next meeting will be scheduled in January. I will ask the Board to invite the Food Service to attend the next meeting to provide menus and the number of students they are feeding.

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Dr. Costello: Meals are now being delivered to students in Buck Twp.

Ms. Harris: I have contacts for resources for anyone experiencing crisis at this time for mental health, drug and alcohol counseling that can be posted on our website.

Ms. Thomas: Jamie Moska is also working on something very similar with the Intermediate Unit.

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 **Jeff Labatch** be appointed as an Acting 12 Month Human Resource Generalist at his current salary.

B. Secretaries & Teachers' Associates

1. That the retirement of **Sharon Williams** be accepted effective December 31, 2020 and the three month notice requirement in the Early Retirement section of the Collective Bargaining Agreement be waived.
2. That the retirement of **Sandra Zbierski** be accepted effective December 23, 2020 and the three month notice requirement in the Early Retirement section of the Collective Bargaining Agreement be waived.
3. That the retirement of **Catherine McGroarty** be accepted effective the last day of the 2020/21 school year.

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.

Wrestling

Junior High Assistant Coach

William Poray

Girls Basketball

Junior High Head Coach

Randy Klem

2. That the resignation of **Joshua Wasielewski** as Wrestling's Junior High Half Pay Assistant Coach be accepted effective November 19, 2020.

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Rev. Walker moved second by Ms. Thomas to approve the Personnel Report.

On the question:

Ms. Thomas: Please explain A1 – Acting Human Resource Generalist – to the public and our employees what exactly this appointment is.

Dr. Costello: When we spoke with Frank Castano earlier this employee is currently in this position and they are looking to put him into an Act 93 “acting” position. From what I understood today, if this position becomes permanent, would require that position be advertised for anyone to apply. The Board would then be able to select a permanent employee for that position.

Ms. Thomas: We may have other employees with Business backgrounds that would be qualified for that position.

Dr. Costello: It is the recommendation that he be appointed to that position for the remainder of the year. Open it up and allow applicants from inside or outside the district and then given to the Board to fill the permanent position.

Mr. Evans: Is it correct that we are not replacing his position at Meyers?

Dr. Costello: That is correct.

Rev. Walker: Ultimately this is a fiscal win for the district.

Dr. Costello: Yes

The vote was as follows:

9 Ayes: Atherton, Evans, Harris, Patla, Quinn, Schiowitz, Thomas, Walker, Caffrey

Resolution #1 was presented by Mrs. Schiowitz

RESOLUTION #1

BE IT RESOLVED that the Board hereby authorizes the District Human Resource Director, to review and approve upon submission, “special sick days” as outlined under the Memorandum of Understanding, between the District and Association, for the Reopening of School During the COVID Pandemic, if qualifying reasons for leave related to COVID-19 are met.

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Ms. Schiowitz moved second by Ms. Harris to approve this resolution.

The vote was as follows:

9 Ayes: Atherton, Evans, Harris, Patla, Quinn, Schiowitz, Thomas, Walker, Caffrey

New Business

Ms. Patla – I was contacted by Shelia Kline regarding the billboard sign outside of Meyers High School. She was involved with the fund raising of purchasing that sign and would like it moved to Kistler if that is possible.

Dr. Costello: I will be in contact with the group and work on getting that re-located.

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Communications from Solicitor - No Report

Mr. Caffrey thanked the Board on behalf of himself and Ms. Thomas for their support and confidence in allowing to let them work on their behalf. We hope that all our district citizens are safe and well and have a Blessed Holiday Season.

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

The meeting adjourned at 7:47 p.m.