

REGULAR BOARD MEETING
February 14, 2022

Board President Joseph A. Caffrey called the meeting to order at 6:37 p..m.

Superintendent Costello led the Pledge of Allegiance.

Board Secretary, Thomas F. Telesz called the roll.

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

President Caffrey:

- The Chair announced the Board held an Executive Session prior or the Regular Board Meeting of February 14, 2022. The subjects discussed in these Executive Sessions 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 held on January 12, 2022 dispense with the reading of those minutes.

Motion by Mr. Evans seconded by Mr. Atherton

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

SUPERINTENDENT REPORT

Dr. Costello welcomed everyone to the meeting. I am excited to announce a partnership between the Wilkes-Barre Area School District and the Special Olympics, specifically the PA Unified Champion Schools. PA Unified Champion Schools is a fully inclusive program which uses sports and leadership to successfully facilitate social inclusion and improve the school climate. It deals with students with disabilities such as autism and intellectual disabilities that allows them to come together successfully with their peers.

We will be hosting the track event with 4 to 6 other schools. Students will work side by side with students that do not have a disability. It is a way to demonstrate and promote the values of acceptance, team work and showing we are all part of one community.

This is a grant funded event. The one thing we are responsible for is transportation. Our bussing company, STA, has agreed to donate the transportation for this event. The event will be in the spring and information regarding the program and events will be available on our website.

APOLLO REPORT – Dr. Costello

District Maintenance Plan – The Switchgear replacement at Heights-Murray Elementary has been rescheduled for the summer of 2022.

Flooring replacement at GAR will commence once approved by PDE and materials are delivered to the site.

The equipment for Heights-Murray Elementary Elevator Repairs is expected to arrive on February 15. Work will start within one week from delivery. The anticipated duration to complete the work is 5 working days.

Materials for Leo E. Solomon Roof Replacement project have been ordered. Work is expected to commence in the spring and be substantially completed before the end of summer 2022.

New High School – The Sitework Contractor has completed widening of the Cross Valley off-ramp which was opened on February 11. PADOT improvements at Abbott Street have been completed with the exception of the turning lane. Traffic signals at Abbott Street will not be activated until completion and review of an additional traffic study. The Sitework Contractor will complete their punch list item during the spring planting season.

The Building Shell Contractor has continued to complete remaining work and address their punch list items.

The HVAC Contractor has continued to address their punch list items.

The Aluminum & Glass Contractor has continued to address their punch list items.

The Landscaping Contractor will complete their punch list items during the spring planting season.

New Stadium Project – The Sitework Contractor has continued site grading and commenced installation of underground utilities.

OLD BUSINESS – There was no Old Business

COMMUNICATION FROM CITIZENS

Bianca Macking, Laflin, PA – Discussed lack of community, school security, sports and graduation. She suggested hosting ice-breakers to promote togetherness. Requested more access to cafeteria facilities for Booster clubs. The last topic focused on graduation and the number of tickets students will be allowed for graduation.

Dr. Costello response: Everyone should be able to get a maximum of 4 tickets –additional tickets will be available if needed. There needs to be more communication regarding the use of facilities during tournaments being held in our buildings. We will be holding meetings at the end of the season with the AD's, building principals and booster clubs to better plan for the future. Additional doors have been opened with metal detectors to allow student entry in a more efficient manner.

Sam Troy, Wilkes-Barre, PA – Requested the encouragement of public input. Inquired about the protocol of hiring employees and educational agreements included on the agenda.

Dr. Costello response: We advertise for employees in the local papers, on Indeed and on our website. We believe there are programs that will provide our students with additional resources to help our students be more successful. The ARP and ESSER monies are only available for a brief period of time.

Mr. Caffrey response: Fair funding from the State would allow us to provide more relief to the taxpayer.

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Rev. Walker: I have been on the Board for 8 years and we have not raised the taxes three times which includes the past two years. We are helping the taxpayer by doing this when every other school district around us is raising their taxes the maximum amount allowed.

LUZERNE INTERMEDIATE UNIT #18

Ms. Thomas – The next meeting will be held on Wednesday, February 23 at 6:30 p.m.

WILKES-BARRE AREA CAREER AND TECHNICAL CENTER

Mr. Quinn – The next meeting will be held on Monday, March 21, 2022.

CURRICULUM ADMINISTRATION

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

1. That approval be given for 61 Wilkes-Barre Area High School FBLA students to attend the FBLA State Leadership Conference in Hershey, PA, on April 11 to April 13, 2022. Ms. Mendoza, Mr. Day and Mr. Ward will chaperone this trip.
2. That approval be given to the Settlement Agreement and Release between the District and the parents/legal guardians of the student D.K.
3. That approval be given to ratify an agreement between the Wilkes-Barre Area School District and The Princeton Review to provide SAT Fundamental classes for the 2021-2022 school year at a cost of \$6,500. **“EXHIBIT A”**

Mr. Evans moved, seconded by Dr. Susek to adopt the Curriculum Administration Report.

The vote was as follows:

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

BUDGET FINANCE/MATERIALS & SUPPLIES/CONTRACTED SERVICES

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. 50	\$14,568.20
A1.2	Duggan & Marcon, Inc.	New High School Projects	Capital Projects	App. No. 20	\$310,790.33
A1.3	Everon Electrical Contractors, Inc.	New High School Project	Capital Projects	App. No. 34	\$2,088.54
A1.4	Stell Enterprises, Inc.	New High School Project	Capital Project	App. No. 24	\$703,865.1

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A1.5	Triangle Fire Protection, Inc.	New High School Project	Capital Projects	App. No. 19 (Final)	\$50,685.03
A1.6	BSN Sports	New High School Project	Capital Projects	Inv. # 915443335	\$9,409.00
A1.7	Geo-Science Engineering & Testing	New High School Project	Capital Projects	Inv. #20359	\$3058.00

A1.8	PA Department of Transportation	New High School Project	Capital Projects	Inv. # 1802720771	\$24,688.49
A1.9	Pennsylvania Paper & Supply Company	New High School Project	Capital Projects	Inv. # S1454950.013	\$7,555.20
A1,10	Pennsylvania Paper & Supply Company	New High School Project	Capital Projects	Inv. # S1454950.014	\$16,810.00
A1.11	Sideline Interactive	New High School Project	Capital Projects	Inv. # IN1866	\$16,997.00
A1.12	Uline	New High School Project	Capital Projects	Inv.# 142893664	\$1,004.80
A1.13	Apollo Group, Inc.	New Stadium Project	Capital Projects	App. No. 4	\$19,057.27
A1.14	Plains Township	New High School Project	Capital Projects	Inv. #004	\$6,663.08
A1.15	Torbik Safe & Lock, Inc.	New High School Project	Capital Projects	Inv. #15389	\$18,494.78
A1.16	Mark J. Sobeck Roof Consulting, Inc.	Solomon/Plains Roof Inspection	Capital Projects	Inv. #7493	\$2,001.00
A1.17	Apollo Group, Inc.	Heights-Murray Elevator Repair	Capital Projects	AGI-19031 WBASD PR 06	\$67.60
A1.18	Apollo Group, Inc.	Heights-Murray Serv. Replace.	Capital Projects	AGI-21001-WBASD PR 06	\$67.60

2. To ratify the following Capital Project Checks:

VENDOR	CHECK NO.	AMOUNT
M.A. Pukatch	585	\$552.00

Plains Township	586	\$17,885.75
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- That ratification be given to the Repository Tax Sale by Elite Revenue Solutions, as agent for the Luzerne County Tax Claim Bureau as follows:

Property Address	Parcel No.	Proposed Bid
105 Old Ford Road, White Haven, PA	04-N1252-001-005-000	\$500.00
31 Kado Street, Wilkes-Barre, PA	73-H10NE1-009-005-000	\$500.00

- That approval be given to reimburse the following Parent/Guardians for transporting their child to and from school at the current IRS mileage rate:

Matthew Levandowsky	171 S. Welles Street, Wilkes-Barre, PA 18702
Jose' H. Herrera	390 S. Sherman Street, Wilkes-Barre. PA 18702
Christopher Griffin	241 Prospect Street, Wilkes-Barre, PA 18702
Janice Schultz	999 Meadow Run Road, Bear Creek, PA 18702

- To approve the purchase of two (2) 2022 Chevrolet Silverado 2500 Regular Cab Pickup truck at a Costars Member price of \$46,893.00 per truck. The price includes an 8' Boss steel plow with downforce and a mini LED amber light bar.
- To approve the purchase of one (1) 2022 Chevrolet Silverado 4500 Dump Truck at a Costars Member price of \$92,248.00. The price includes a 10' Boss steel plow, buyers SS under tailgate spreader, 2 amber LEDs in grill, mini LED lightbar on cab shield.
- To ratify the Costars contract #008-621 – Maintenance, Repair & Operation Equipment & Supplies (MRO) with United Heating and Air Conditioning, Inc. 180 Import Road, Pittston Twp., PA 18640 to replace the hot water heaters at Solomon/Plains Educational Complex in the amount of \$77,863.00.

B. FEDERAL

That in accordance with the authority of the Board, the following Federal Fund AP Checks #2443 to #2452; Federal Fund Wire Transfers #202100513 to #202100527 which were drawn for payment since the last regular Board meeting of the Board of Education held on January 12, 2022.

C. GENERAL FUND/FOOD SERVICE

That in accordance with the authority of the Board, the following General Fund Checks #57683 to #57739 and General Fund Wire Transfers #202111827 to #202111846 and Food Service checks #3691 to #3699 which were drawn for payment since the last regular Board meeting of the Board of Education held on January 12, 2022 be approved.

D. GENERAL FUND

That checks #57740 to #57921 listed on the following pages, which have been inspected, be approved and that order be drawn for the respective amounts set down opposite the names of persons or firms.

E. CONTRACTED SERVICES

1. That approval be given to pay Simon Peter as Game Manager at a rate of \$100.00 per game for 25 Fall Sports games at a total cost of \$2,500.
2. That approval be given to ratify the quote from AMP Global Strategies, 90 N. Pioneer Avenue, Shavertown, PA in the amount of \$4,714.00 to install the antenna for police radios at the WBA High School. The quote consists of the following:

Remove repeater, all cabling, power supply, coax from elevator room and antenna from outside of building. Install new antenna, relocate repeater in secure area, run cabling, locate power supply for repeater and test system.	\$2,989.00
Additional parts and equipment needed for install	\$1,025.00
Review and apply for FFC change	\$700.00

3. That approval be given to approve an agreement between the Wilkes-Barre Area School District and ARM Group LLC, 9175 Guilford Road, Suite 310, Columbia, MD for Dust Monitoring Program at the new Athletic Field at a rate of \$7,500 per month.

“EXHIBIT B”

4. That approval be given to approve an agreement between the Wilkes-Barre Area School District and Fitness Headquarters, 548 E. Northampton Street, Wilkes-Barre, PA for a Preventative Maintenance for the High School Fitness Center equipment at a cost of \$2,600.00.
5. That approval be given to Change Order #009 for Benell, Inc. in the amount of \$2,769.95. The Change Order consists of the following:

Replace gas regulator to pool heater per manufacturer recommendation & engineer direction.	\$2,769.95
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6. That approval be given to Change Order # 019 for Everon Electrical Contractors, Inc. in the amount of \$14,993.83. The Change Order consists of the following:

Provide 12 relays to fume hoods per Engineer’s direction	\$5,311.00
Provide additional speakers as requested by Principal’s	\$6,025.40
Relocate site lighting conduit near Maffett St. entrance	\$3,309.45
Provide receptacle for cash register in student store	\$347.98

7. That approval be given to Change Order #025 for Quandel Construction Group, Inc. in the amount of \$2,968.59. The Change Order consists of the following:

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Replace (9) room signs due to changes in room use	\$1,452.83
Cut countertop @ ticket booth	\$1,515.76

8. That approval be given to Change Order #008 for Scranton Sheet Metal, Inc. in the amount of \$28,500.00. The Change Order Consists of the following:

Provide PVC duct wrap @ pool viewing area	\$28,500.00
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9. That approval be given to Change Order # 020 for Stell Enterprises, Inc. in the amount of \$66,160.05. The Change Order consists of the following:

Construct underground detention system along Maffett Street	\$66,160.05
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10. That approval be given to Change Order #007 for Sterling Glass, Inc. in the amount of \$18,921.48. The Change Order consists of the following:

Provide electric hardware @ classroom wing	\$18,921.48
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11. That approval be given to Change Order #C02 for Keystone Sports Construction in the amount of \$14,231.84. The Change Order consists of the following:

Delete Concrete Stairs	(\$58,316.16)
Delete Aluminum Handrails	(\$7,521.92)
Delete Zurn Drain & Piping	(\$1,016.96)
Add concrete ramp & burb. Includes grading and prep	\$46,421.76
Add stainless steel handrails & guardrails	\$33,691.84
Add ACO trench drain & 6" PVC drain	\$2,431.52
River gravel in place of light duty pave under home side bleacher. Approx. 25' x 250'	(\$18,482.24)
Southern bleacher additional steel & re-engineering	\$4,480.00
42" fence under bleacher	\$9,520.00
ELA engineering revision fee	\$3,024.00

Rev. Walker moved, seconded by Mr. Evans to adopt the Budget Finance/Materials & Supplies/Contracted Services report

On the question:

Mrs. Schiowitz: Please explain what is the payment to Plains Twp. for (A1.14)? Why are we reimbursing parents for transportation?

Atty. Wendolowski: We were required by PA DOT to provide Police for traffic control in order to receive the HOP to open the school. This is no longer required. There is a shortage of van drivers. The parents have agreed to provide that transportation.

Mrs. Harris: Please explain the check to Plains Township under Item #2.

Mr. Telesz: That is for the building permit for the Stadium project.

The vote was as follows:

8 Ayes: Atherton, Evans, Harris, Quinn, Schiowitz (A2-3-4-5-6-7; B,C, D, E1, 2, 3, 4, 11), Susek, Thomas, Walker, Caffrey

1 Nay: Schiowitz (A1, E5-6-7-8-9-10)

ATHLETIC COMMITTEE

Mr. Quinn commented on the following sports and events: The girls basketball team is currently in first place. They are playing Pittston Area tonight and Crestwood tomorrow night at home. The following events will be held at the WBAHS: District Wrestling - February 25 and 26; District Swimming - March 4 and 5; WVC Boys and Girls Basketball double-header - February 19; Dr. Moses All Star Tournament for Boys and Girls Basketball – April 1.

I'm very proud of the accomplishments we have achieved with our athletic program.

SAFETY/SECURITY COMMITTEE

Mr. Evans - Our next meeting will be Wednesday, February 23.

TRANSPORTATION COMMITTEE

Mr. Quinn – No Report

BUILDING MAINTENANCE COMMITTEE

Mr. Atherton – No Report

FACILITIES/TRANSITION COMMITTEE

Ms. Thomas – The Meyers property was re-listed for sale. The Empire Street property has a sale agreement along with the Grant Street property. Both shall close in the near future. There are also on-going conversations with Mount Zion Church regarding the Stanton Street property and a long-term lease.

STUDENT WELLNESS COMMITTEE

Ms. Thomas – A virtual meeting was held on February 9. We are going to request from the LIU a website information our students and employees can access regarding problems and/or issues they may have and assistance available to them.

POLICY COMMITTEE

Rev. Walker – No Report

PERSONNEL REPORT

Dr. Susek 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. Agreement

1. That approval be given to the Affiliated Site Agreement between the Wilkes-Barre Area School District and Keystone College. **"EXHIBIT C"**
2. That approval be given to the Affiliated Site Agreement between the Wilkes-Barre Area School District and the Luzerne Intermediate Unit #18. **"EXHIBIT D"**

B. Act 93

1. That **Melissa Myers** having made claim for an incentive raise under the Act 93 Agreement and having produced official transcripts listing the graduate credits earned, be granted the Masters' +27 effective the first day of the second semester.
2. That **Corey Brenner** having made claim for an incentive raise under the Act 93 Agreement and having produced official transcripts listing the graduate credits earned, be granted the Masters' +54 effective the first day of the second semester.
3. That **Jamie Moska** having made claim for an incentive raise under the Act 93 Agreement and having produced official transcripts listing the graduate credits earned, be granted the Masters' +9 effective the first day of the second semester.

C. Professionals

1. That the retirement of **Ted Jackson** be accepted effective February 7, 2022.
2. That the _____ of **Christopher Gray** be accepted effective January 31, 2022. **TABLED**
3. That **Anthony Dominick's** request for an unpaid leave for the remainder of the 2021-22 school year be approved.
4. That the following professional employees be appointed to the following positions at a rate of \$35.00 per hour.

P2G Implementation Team - GAR MS – Emotional Support Teacher

Kristen Pstrak

Heather Green

P2G Implementation Team – GAR MS – General Educator

Anthony Mercadante

P2G Implementation Team – GAR MS – Head Teacher

Sean McLaughlin

P2G Implementation Team – GAR MS – School Counselor

Jennifer Thomas

Internal

P2G Implementation Team – GAR MS – School Psychologist/Program Coach

Jasmine Davis

- 5. The following members of the professional staff, having made claim for an incentive raise under the WBAEA Agreement and having produced official transcripts listing the graduate credits earned, be granted the following effective the first day of the second semester:

Masters’ Equivalency

Daniel Himlin
Rachel George
Crystal Kane

Masters’ +18

Beth Gagliardi
Lynn Sebia
Lauren Greeley

Masters’ +36

Jennifer Wadas

Masters’ +45

Tianna Kukosky

Masters’ +9

Michael Mitchell

Masters’ +27

Jenny Wilczak
Amy Sod

D. Secretaries & Teachers’ Associates

- 1. That **Sandra Namey** be appointed ESSER Part Time Teacher’s Associate (Paraprofessional PCA) 20 hours per week with a position termination date at the end of the 2022-2023 school year.
- 2. That **Lisa Wright** be appointed ESSER Part Time Teacher’s Associate (Paraprofessional PCA) 20 hours per week with a position termination date at the end of the 2022-2023 school year.
- 3. That **Gale Winder** be appointed ESSER Part Time Teacher’s Associate (Paraprofessional PCA) 20 hours per week with a position termination date at the end of the 2022-2023 school year.
- 4. That **Michele Drescher** be appointed ESSER Part Time Teacher’s Associate (Paraprofessional PCA) 20 hours per week with a position termination date at the end of the 2022-2023 school year.
- 5. That **Alysha Harvey** be appointed ESSER Part Time Teacher’s Associate (Paraprofessional PCA) 20 hours per week with a position termination date at the end of the 2022-2023 school year.
- 6. That **Jessica Zafia** be appointed ESSER Part Time Teacher’s Associate (Paraprofessional PCA) 20 hours per week with a position termination date at the end of the 2022-2023 school year.
- 7. That **Jessica Swaditch** be appointed ESSER Part Time Teacher’s Associate (Paraprofessional PCA) 20 hours per week with a position termination date at the end of the 2022-2023 school year.

- 8. That _____ be appointed ESSER Part Time Teacher’s Associate (Paraprofessional PCA) 20 hours per week with a position termination date at the end of the 2022-2023 school year. **TABLED**
- 9. That _____ be appointed ESSER Part Time Teacher’s Associate (Paraprofessional PCA) 20 hours per week with a position termination date at the end of the 2022-2023 school year. **TABLED**
- 10. That _____ be appointed ESSER Part Time Teacher’s Associate (Paraprofessional PCA) 20 hours per week with a position termination date at the end of the 2022-2023 school year. **TABLED**
- 11. That _____ be appointed ESSER Part Time Teacher’s Associate (Paraprofessional PCA) 20 hours per week with a position termination date at the end of the 2022-2023 school year. **TABLED**
- 12. That _____ be appointed ESSER Part Time Teacher’s Associate (Paraprofessional PCA) 20 hours per week with a position termination date at the end of the 2022-2023 school year. **TABLED**

E. Custodians, Maintenance and Housekeepers

- 1. That **Dave Oldziejewski’s** request for unpaid leave from February 4, 2022 through February 25, 2022 be accepted.
- 2. That **Rhonda Hagenbaugh’s** request for unpaid leave from January 19, 2022 through February 11, 2022 be accepted.
- 3. That **Shannon Correa** be appointed ESSER Custodian – Overnight Shift(10 pm-6am) with a position termination day of August 31, 2024.
- 4. That **Haji Breland** be appointed ESSER Custodian – Overnight Shift(10 pm-6am) with a position termination day of August 31, 2024.
- 5. That **Theodore Papadopoulos** be appointed ESSER Custodian – Overnight Shift(10 pm-6am) with a position termination day of August 31, 2024.
- 6. That _____ be appointed ESSER Custodian – Overnight Shift(10 pm-6am) with a position termination day of August 31, 2024. **TABLED**
- 7. That _____ be appointed ESSER Custodian – Overnight Shift(10 pm-6am) with a position termination day of August 31, 2024. **TABLED**
- 8. That _____ be appointed ESSER Custodian – Overnight Shift(10 pm-6am) with a position termination day of August 31, 2024. **TABLED**

F. Security Greeters

- 1. That **Robert Wren** be appointed Day to Day substitute Security Greeter.
- 2. That **Shaniquah Nelson** be appointed Day to Day substitute Security Greeter.
- 3. That _____ be appointed Day to Day substitute Security Greeter. **TABLED**
- 4. That _____ be appointed Day to Day substitute Security Greeter. **TABLED**

G. Food Service

- 1. That the resignation of **Stacey Rogers** be accepted effective January 19, 2022.

H. Crossing Guards

1. That the resignation of **Joseph Parada** be accepted effective January 12, 2022.
2. That **Jerome Tyson** be appointed a Crossing Guard.
3. That _____ be appointed a Crossing Guard. **TABLED**

I. Athletics

1. That the resignation of **Corey Brenner** as Baseball Varsity Assistant Coach be accepted effective February 7, 2022 and would like to remain a volunteer assistant coach.
2. 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.

Baseball Varsity Assistant Coach	William Amesbury
Baseball Varsity Assistant Coach	Simon Peter, Sr.
Boys Lacrosse Varsity Assistant Coach	Frank Castano, Jr.
Baseball Junior High Assistant Coach	Simon Peter, Jr.
Baseball Volunteer Assistant Coach	TABLED

Dr. Susek moved, seconded by Ms. Thomas to adopt the Personnel Report

The vote was as follows:

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

Ms. Thomas presented Resolution #1

RESOLUTION #1

WHEREAS, the 2022-2023 proposed General Operating Budget of the LUZERNE INTERMEDIATE UNIT has been presented to the members of the Board of Education of the Wilkes-Barre Area School District for review; and,

WHEREAS, said budget calls for the total contribution of \$589,887.00 by withholding from member districts (this represents A \$50,001.00 decrease from the 2021-2022 budget); and

WHEREAS, Wilkes-Barre Area School District's share of the total contribution, by withholding, would be \$91,161.04 (a \$7,799.00 decrease from 2021-2022); and,

WHEREAS, actual 2020-2021 Weighted Average Daily Memberships (WADM's) are not yet available, but when available a new contribution calculation will be made; and,

WHEREAS, any recalculation of the contribution schedule is not expected to substantially

modify each individual school district's share, THEREFORE, BE IT RESOLVED, that the Board of School Directors of the Wilkes-Barre Area School District grant approval to the 2022-2023 annual budget of the Luzerne Intermediate Unit.

Wilkes-Barre, PA
February 14, 2022

Ms. Thomas moved, seconded by Dr. Susek to Adopt Resolution #1.

The vote was as follows:

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

Rev. Walker presented Resolution #2

RESOLUTION #2

A Resolution of The Directors of the Wilkes-Barre Area School District Providing Tax Exemption for New Construction in Deteriorated Areas under the Local Economic Revitalization Tax Assistance Act

WHEREAS, under the Local Economic Revitalization Tax Assistance Act ("LERTA"), 72 P.S. §4722 et seq., Wilkes-Barre Area School District is a local taxing authority that has the power to provide tax exemption for new construction in "Deteriorated Areas"; and

WHEREAS, The Directors of the Wilkes-Barre Area School District (the "District") has the authority to levy, establish, alter, and/or abolish taxes and assessments except as may be limited by applicable law; and

WHEREAS, The District believes that providing tax exemptions under LERTA will encourage new industrial, commercial, and business development in the Deteriorated Areas, and in turn lead to additional tax revenue for Wilkes-Barre Township, the Wilkes-Barre Area School District, and Luzerne County.

WHEREAS, on November 1, 2021, the Wilkes-Barre Township Council held a public hearing for the purpose of designating certain property within Wilkes-Barre Township as a Deteriorated Area; and

WHEREAS, subsequent to the public hearing, the Wilkes-Barre Township Council enacted Resolution #11 of 2021, dated November 1, 2021, designating real estate consisting of seventy (70) acres of land located on the west side of Pennsylvania State Road 309 situate in Wilkes-Barre Township, Luzerne County, Pennsylvania covering lands incorporating all or part of Parcel Tax ID 69I9 00B03A000, 69I10 00A07F000, and 69I10 00A10A000 within Wilkes-Barre Township the “LERTA Qualified Property”), as a Deteriorated Area for the purpose of providing a LERTA exemption to Blue Cup Ventures Wilkes-Barre, LLC (“Blue Cup”)

WHEREAS, A copy of the Wilkes-Barre Township LERTA Application and resulting designated Resolution specifying the Applicant and the location of the LERTA Qualified Property; and

WHEREAS, The District also believes that providing a partial tax exemption under LERTA will encourage new industrial, commercial, and business development in the Deteriorated Areas of the LERTA Qualified Property, and in turn lead to additional tax revenue for Wilkes-Barre Township, the Wilkes-Barre Area School District, and Luzerne County.

NOW, THEREFORE BE IT RESOLVED BY THE DIRECTORS OF THE WILKES-BARRE AREA SCHOOL DISTRICT, as follows:

SECTION ONE. Incorporation of Preamble.

The provisions set forth above in the preamble to this Resolution are incorporated herein by reference in their entirety.

SECTION TWO. Definitions.

The below terms will be defined as follows for the purposes of this Resolution.

- 2.1 “*Deteriorated Property*” means any industrial, commercial or other business property located in an eligible deteriorating area as defined hereinafter, or any such property which has been the subject of an order of a governmental agency requiring the property to be vacated, condemned or demolished by reason of non-compliance with laws, ordinances or regulations.
- 2.2 “*Improvement*” means repair, new construction or reconstruction, building alterations or additions, having the effect of rehabilitating deteriorated property so that it becomes habitable or attains higher standards of safety, health, economic use or amenity or is brought into compliance with laws, ordinances or regulations governing such standards. Ordinary upkeep or maintenance shall not be deemed an improvement.
- 2.3 “*Deteriorated Area*” means the real estate located in Wilkes Barre Township that the District of Supervisors designated as a Deteriorated Area in Resolution #11of 2021, dated November 1, 2021.
- 2.4 “*Property Owner*” means Blue Cup Ventures Wilkes-Barre, LLC is successors and assigns.

SECTION THREE. Exemptions.

- 3.1 The amount to be exempted from real estate taxes is specifically defined in sub-paragraph 3.3 based upon a percentage of the actual cost of new construction in the Deteriorated Area or improvements to the LERTA Qualified Property. The applicant is responsible for paying all applicable Wilkes-Barre Area School District taxes not associated with the new improvements.
- 3.2 The partial exemption from real estate taxes is limited to improvements or new constructions for which an exemption has been requested in the manner set forth in this Resolution. All other applicable Wilkes-Barre Area School District property taxes are not exempt and must be paid.
- 3.3 The exemption commences on the date that the improvement or new construction is assessed by the Luzerne County Assessor’s Office. At that time, the said improvements will be in part exempt according to the following schedule:

Year 1 through year 10: 35% of all real estate taxes to be paid by the Property Owner during the 10-year term of the LERTA tax exempt period with the balance, 65% of such real estate taxes to be exempt during the 10-year period of the LERTA tax exempt period.

In no way shall, the property tax exemption under LERTA continue beyond the 10th tax year following the final assessment of eligible real property Improvements.

- 3.4 The exemption from taxes granted under this Resolution does not terminate upon the sale or exchange of the LERTA Qualified Property.

SECTION FOUR. Procedure for Obtaining Exemption.

- 4.1 Any person desiring tax exemption under this Resolution (“Applicant”) shall submit an application with the Luzerne County Tax Assessor’s Office. The Applicant shall submit the application within forty-five (45) days of receiving the building permit for the improvement or new construction. If the improvement or new construction does not require a building permit, the Applicant shall submit the application within forty-five (45) days of commencing the construction. The application must be in writing and must provide the following information:
 - 4.1.1 the name of the owner or owners of the deteriorated area;
 - 4.1.2 the date the building permit was issued for the improvement or new construction (if applicable); and
 - 4.1.3 the date when the Applicant commenced the construction for the improvement or new construction (if applicable); and
 - 4.1.4 the location of the property including tax parcel identification numbers; and
 - 4.1.5 a brief description of the proposed improvement or new construction; and
 - 4.1.6 estimated costs of the improvement or new construction; and
 - 4.1.7 any other information that Luzerne County may require.
- 4.2 Upon completion of the improvement or new construction, the Applicant shall notify the Luzerne County Tax Assessor’s Office by writing that the improvement or new construction is complete.

The Luzerne County Tax Assessor's Office shall then separately assess the new construction or improvement and calculate the amount of the assessment eligible for tax exemption in accordance with the limits established by this Resolution. The Luzerne County Tax Assessor's Office shall then notify the Applicant, Wilkes-Barre Township, Luzerne County, and the Wilkes-Barre Area School District of the reassessment and the amount of the assessment eligible for the exemption.

4.3 Any Local Taxing Authorities may appeal the reassessment as provided by law. Applicant waives the right to appeal any property tax assessment during the LERTA period unless the assessment exceeds \$20 Million Dollars of the eligible new construction. Applicant's tax assessment appeal rights shall be fully restored after the LERTA period has expired.

4.4 The cost of the new construction or improvements to be exempted and the schedule of taxes exempted existing at the time of the initial request for tax exemption shall be applicable to that exemption request, and subsequent amendment to this Resolution, if any, shall not apply to the adoption of any such amendment.

SECTION FIVE. Termination Date.

An application for exemption may be made at any time within three years from the Effective Date of this Resolution. All qualified applications under this Resolution are eligible for the entire ten (10) year exemption schedule.

SECTION SIX. Extension.

The Luzerne County Tax Assessor may extend the time for filing an application for exemption for a period of 30 days in the event the application is not filed within the 45 day period as set forth herein provided Applicant is able to establish good cause for any delay preventing the timely filing as provided

for here in. Good Cause shall mean (a) acts of God; (b) flood, fire, earthquake or other catastrophes such as epidemics, pandemics, or quarantines, or explosion; (c) war, invasion, hostilities (whether war is declared or not), terrorist threats or acts, riot, or other civil unrest; (d) government order, law, or action; (e) embargoes, or blockades in effect on or after the date of this Agreement; (f) national or regional emergency; (g) strikes, labor stoppages or slowdowns, or other industrial disturbances; (h) telecommunication breakdowns, power outages or shortages, lack of warehouse or storage space, inadequate transportation services, or inability or delay in obtaining supplies of adequate or suitable materials; (i) any other similar events or circumstances beyond the reasonable control of the Property Owner.

SECTION SEVEN. Revocation of LERTA Exemption.

The exemption from real estate taxes provided for herein shall be forfeited by the Applicant and/or any subsequent owner of the real estate for the failure to pay any nonexempt real estate taxes by the last day of the time period to pay such taxes in the penalty period. Upon receipt of the notice of nonpayment of nonexempt real estate taxes, and after expiration of a thirty (30) day cure period, Wilkes-Barre Area School District may discontinue the LERTA exemption granted hereby.

SECTION EIGHT. Amendments.

No amendments to this Resolution are effective unless Property Owner, its successor and assigned and the District consents to the amendment by Resolution.

SECTION NINE. Repealer.

This Resolution repeals any other resolution or ordinance inconsistent with this Resolution.

SECTION TEN. Severability.

If any part of this Resolution is unenforceable to any extent for any reason, the rest of the Resolution will remain fully enforceable.

SECTION ELEVEN. Effective Date.

This Resolution shall become effective six (6) days from the date of enactment.

SECTION TWELVE. Further Authorization.

The administration and officials for Wilkes-Barre Area School District are directed and authorized to take any action needed to carry out the intent of this Resolution.

Rev. Walker moved seconded by Mr. Evans to adopt Resolution #2.

The vote was as follows:

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

Mr. Caffrey presented Resolution #3

RESOLUTION #3

WHEREAS, the recent death of **Lucille Schuetz** has brought sorrow to her family, friends, and all who knew her, and

WHEREAS, she was the mother of Patricia Singer, Business Office, and the wife of the late Wendel Schuetz, and

WHEREAS, she was a 1951 graduate of Plymouth High School. Prior to her retirement she and her late husband, Wendel, were the owners of the Octagon Bar and Restaurant, Plymouth. While living in New Jersey, Lucille was very active in politics and was elected as District II Democratic City Councilwoman and organized the District II Democratic Club where she was the recording secretary. Upon returning to Plymouth she served as Borough Controller and later as the Borough Secretary, and

WHEREAS, her greatest joy was spending time with her children, grandchildren and great-grandchildren, and

WHEREAS, her passing will leave an unfillable void in the lives of all who knew and loved her.

THEREFORE, BE IT RESOLVED, that her death be recorded in the minutes of the Board of School Directors and that the Secretary be instructed to express the sympathy of the members of the Board to her daughters, Patricia and Donna and to her entire family.

Wilkes-Barre, PA
February 14, 2022

All in favor: Atherton, Evans, Harris, Quinn, Schiowitz, Susek, Thomas, Walker, Caffrey

Mr. Atherton presented Resolution #4

RESOLUTION #4

WHEREAS, the recent death of **Richard J. Chukonis** has brought sorrow to his family, friends, and all who knew him, and

WHEREAS, he was the father of Lana Chukonis, Human Resources, and the husband of the late Marian Davis Chukonis, and

WHEREAS, he was a 1961 graduate of GAR Memorial High School, where he was a star football player. Rich attended Wichita State on a football scholarship and went on to receive his bachelor's degree in education from Wilkes College and earned his master's degree in History from the University of Scranton and a master's degree in World Cultures from Bloomsburg University. Prior to his retirement he was employed by the Wilkes-Barre Area School District as a teacher and later as an assistant principal at Meyers High School. Rich also was an assistant football coach at GAR High School and later served as the head football coach

at Meyers High School, and

WHEREAS, he loved sports and was an avid Green Bay Packers fan, and

WHEREAS, his passing will leave an unfillable void in the lives of all who knew and loved him.

THEREFORE, BE IT RESOLVED, that his death be recorded in the minutes of the Board of School Directors and that the Secretary be instructed to express the sympathy of the members of the Board to his daughter, Lana and to his entire family.

Wilkes-Barre, PA
February 14, 2022

All in favor: Atherton, Evans, Harris, Quinn, Schiowitz, Susek, Thomas, Walker, Caffrey

NEW BUSINESS

Ms. Thomas

Is it possible to assign another administrator to the GAR Middle School? There are a thousand students there and it is a lot for one administrator to handle.

Mr. Caffrey

I would like to bring attention to some of the things happening around the District. Last Thursday GAR Middle School held a spelling bee. Mrs. Witczak and Mrs. Myers did a great job. The winner was a Leonardo Sanchez, 7th grade student was the winner.

Dr. Seuss Read Across America is the week of February 28 through March 4.

The Wolfpack Players will present the musical "Oklahoma" beginning Thursday, March 3 through Sunday, March 6.

The Guidance Department is holding instant admissions days for students applying to college. They bring in admissions counselors from various colleges, help the students complete their applications and let the students know that day if they are admitted. They are also held two financial aid/FAFSA completion nights and other is scheduled in March.

CAPAA is filming an anti-bullying video that will be professionally edited and shown throughout the building and on YouTube.

Some of our high school students are doing virtual tutoring with students at Dodson Elementary.

There are a lot of Black History projects happening in all of our buildings during the month of February.

Motion to adjourn by Rev. Walker seconded by Mrs. Schiowitz.

The meeting adjourned at: 8:05 p.m.