

MINUTES
Regular Board Meeting
November 8, 2021

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.

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

President Caffrey began the meeting:

- An Executive Session was held prior to Regular Board Meeting of November 8, 2021. The subjects discussed in Executive Session related solely to matter of employee relations, labor negotiations, and/or threatened or actual litigation.
- Motion to approve the minutes of the Regular Board Meeting held on October 18, 2021 and dispense with the reading of those minutes.

Motion by Ms. Patla, seconded by Ms. Thomas.

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

SUPERINTENDENT REPORT

Good evening. Once again, the Wilkes-Barre Area School District has partnered with Pediatric Associates of Kingston to provide all WBASD students ages 5 and up with the Pfizer vaccine. The vaccination clinic will be held at Kistler Elementary School. The first dose of the vaccine will be given on Saturday, November 20 from 9 am to 12 pm and the second dose will be on Saturday December 11 from 9 am to 12 pm. All students must complete a consent form and a pre-vaccination screening form that can be printed out from the website or picked up from the school's main office. All students ages 5 through 15 must be accompanied by an adult. Students 16 years of age or older do not need an adult accompany them. These vaccines are free of charge but insurance information will be taken. If you do not have insurance the vaccine will still be administered free of charge.

At this time I would like to turn the program over to the students from the WBAHS Business Academy.

The Business Academy students gave a presentation outlining their Business Model for a school store, "The Pack Shack". Their mission is to promote Wolfpack Spirit while learning how to manage a business. The students will be tracking inventory/sales, assist students in making purchases, and maintain "The Pack Shack" bank account. They also requested an \$8,000 start-up fund from the District.

APOLLO REPORT – Mike Kryzwicki

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

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Flooring replacement at GAR will commence once approved by PDE and materials are delivered to the site. I did receive there is a price increase at the end of December if we do not order by that time.

The Contract between the District and Otis Elevator for Heights-Murray Elementary Elevator Repairs has been fully executed and equipment has been ordered. The work will be scheduled once materials are delivered, with an anticipated duration of 5 working days.

Apollo has issued a contract to Dunmore Roofing for Leo E Solomon Educational Complex Roof Replacement project, which is expected to commence in the Spring of 2022.

New High School – The Sitework Contractor has completed widening of the Cross Valley off ramp and PADOT improvements at Abbott Street (with exception of turning lane) and continued to address their punch list items.

The Building Shell Contractor has completed filling the pool and startup of filtration and pool heating systems, continued to complete remaining work and address their punch list items.

The HVAC Contractor has continued to perform equipment startup and balancing of HVAC equipment and continued to address their punch list items.

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

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

Mrs. Schiowitz: What is the status of the football stadium and field preparation?

Mike Kryzwicki: The contractor had a surveyor there to do the topography report for sitework. They did core borings to test the sub-surface conditions to design the foundations for bleachers. We are hopeful to start site grading before the weather changes. The bulk of construction is scheduled for the spring.

Mr. Evans: Will the football field be ready for the 2022 Football season?

Mr. Kryzwicki: The plan is to finish by the end of August 2022.

Mr. Caffrey: Do we know the status of the turning lane issue on Abbott Street?

Atty. Wendolowski: The turning lane is a requirement of the permit. We believe PADOT may allow us to traffic count information to verify if the assumptions that were made for the turning lane is necessary. We may be able to prove or disprove those assumptions based on actual traffic count. We are hoping PADOT will allow us to do that and make a decision based on what those actuals demonstrate.

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OLD BUSINESS

Rev. Walker introduced Mr. Patrick Peters a Principal at the WBAHS who addressed the Board regarding the possibility of amending the Dress Code.

Mr. Peters: On behalf of the other Principals - Mrs. Robatin, Mr. Grebeck and Mr. Wakins, we are requesting an amendment to the Dress Code and asking that the students be allowed to wear hooded sweatshirts/sweaters/garments with the understanding the students must have the hoods down while in the building. They must also follow the guidelines of other garments and not display profanity, or the promotion of violence, alcohol or drug use.

On the question:

Ms. Harris – Would this be District wide or just for the high school?

Rev. Walker – We discussed the dress code and the many violations that occur. The main violation is “hoodies”. It was decided to possibly do this on a trial basis at the high school level. If all goes well, additional discussions will be held regarding amending the policy and extending it to include all students.

Dr. Costello – At the Policy meeting, it was discussed these changes only take place at the high school for now. We also discussed the safety issues with Officer Lavan. He stated that the SRO’s would enforce whatever policy the Board agrees on and it would not become a safety issue

COMMUNICATION FROM CITIZENS

Josh Schiowitz, Wilkes-Barre, PA

Mr. Schiowitz – Provided all Board Members with a hand out from a study being conducted at Duke University regarding coal ash. He then asked if the construction of the athletic fields will occur while students and teachers are in the building and if it’s possible to refrain from construction while the building is being occupied? Will contractors working on the site have adequate protection until we understand more about the coal ash that is below the ground? He then cited an excerpt from the Duke University study regarding coal ash. Based on their conclusions, the specific type of testing done at this site is not sufficient. This is a public health issue.

Ms. Harris – Did the author of this report discuss any remediation efforts that can take place that would provide more protection than what is currently being done?

Mr. Schiowitz – They did not - but I will provide you with their contact information.

Sam Troy, Wilkes-Barre, PA

Mr. Troy stated that he is impressed by the school. He then commented on the decisions that were made to build a palatial-state-of-the-art school considering the economic status of the area and the poor academic achievements of the students. He asked if we have mine subsidence insurance and also questioned invoices listed on the Agenda for approval.

Mr. Krzywicki explained the process that is followed in paying the construction invoices.

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LUZERNE INTERMEDIATE UNIT #18

Ms. Thomas – The next meeting will be held on Wednesday, November 17, 2021 at 6:30 p.m. at the LIU on Tioga Avenue, Kingston.

WILKES-BARRE AREA CAREER AND TECHNICAL CENTER

Mr. Quinn – The next meeting will be held on Monday, November 15, 2021.

CURRICULUM ADMINISTRATION

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

1. That approval be given to enter into an Agreement between the Wilkes-Barre Area School District and StudentTracker for High Schools at an annual subscription fee of \$595.00. **"Exhibit A"**.

Mr. Evans moved, seconded by **Ms. Thomas** to adopt the Curriculum Administration Report.

The vote was as follows:

9 Ayes: Atherton, Evans, Harris, Patla, Quinn, Schiowitz, 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. 48	\$123,275.99
A1.2	Apollo Group, Inc.	New High School Project	Capital Projects	Inv. # AGI-16045-WBASD	\$24,527.61
A1.3	Duggan & Marcon, Inc	New High School Project	Capital Projects	App. No. 21	\$1,689.62
A1.4	Duggan & Marcon, Inc	New High School Project	Capital Projects	App. No. 22	\$187.74
A1.5	Everon Electrical Contractors, Inc.	New High School Project	Capital Projects	App. No. 30	\$11,065.30

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A1.6	Everon Electrical Contractors, Inc.	New High School Project	Capital Projects	App. No. 31	\$215,176.06
A1.7	Amazon Business	New High School Project	Capital Projects	Inv. # 1WHPD4337KC K	\$3,996.40
A1.8	BSN Sports	New High School Project	Capital Projects	Inv. 914332019	\$22,599.00
A1.9	The Home Depot	New High School Project	Capital Projects	Inv. #6900891	\$3,954.00
A1.10	Hann Manufacturing, Inc.	New High School Project	Capital Projects	Inv. # 48848	\$4,320.00
A1.11	The Hon Company, LLC	New High School Project	Capital Projects	Inv. #1547825	\$4,953.26
A1.12	Larson Design Group, Inc.	New High School Project	Capital Projects	Inv. #112931	\$3,000.00

2. 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
561 N. Penna. Ave., W-B	73 H10NW3 020 009	\$2,222.22
Vacant Property, Plains, PA	50-G11-00B-11B-000	\$500.00
303 Farrell St., Plains, PA	50-F10S1-001-006-000	\$4,006.00
Undeveloped Land, Buck Twp.	05-J14SIE-012-014-000	\$500.00

3. That approval be given to ratify the agreement by and between Luzerne County Head Start, Inc. (the Purchaser) and the Wilkes-Barre Area School District (the District) whereby the Purchaser agrees to purchase meals from the District during the 2021-2022 school year. **“Exhibit B”**
4. That approval be given to establish the Pack Shack Club and to contribute start up funds in the amount of \$8,000.00 to the club. Furthermore, that a separate bank account be opened to account for this clubs’ funds with one of the District’s approved banks.
5. That approval be given to purchase a portion of the equipment (Chromebooks and charging carts, etc.) leased from HP at a cost of \$30,704.00. **“Exhibit C”**

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6. That approval be given to purchase a John Deere 2025R Compact Utility Tractor with attachments from Deere & Company at a total cost of \$33,825.43 through COSTARS contract PA Ag and Grounds Power Equipment (PG 61 CG 22). **“Exhibit D”**

7. That approval be given to purchase two Salient Power Ultra Servers from Berkshire Systems Group, Inc. at a cost of \$33,014.00 through COSTARS contract IT Hardware #040-012. **“Exhibit E”**

8. That approval be given to a budget transfer as follows:

Account	Description	Debit	Credit
10 E 2220 760	Technology Equipment Replacement	\$33,014.00	
10 E 2620 760	Maintenance Equipment Replacement		\$33,014.00

B. FEDERAL

That in accordance with the authority of the Board, the following Federal Fund AP Checks #2378 to #2405; Federal Fund Wire Transfers #202100299 to #202100307 which were drawn for payment since the last regular Board meeting of the Board of Education held on October 18, 2021 be approved.

C. GENERAL FUND/FOOD SERVICE

That in accordance with the authority of the Board, the following General Fund Checks #57164 to #57202 and General Fund Wire Transfers #202111768 to #202111785 and Food Service checks #3654 to #3667 which were drawn for payment since the last regular Board meeting of the Board of Education held on October 18, 2021 be approved.

D. GENERAL FUND

That checks #57203 to #57355 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 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

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the Affordable Care Act (ACA) for calendar year 2021 at a fee of \$8,600. **“Exhibit F”**

2. That approval be given to enter into an agreement with Angela Evans, Esq., 838 Shoemaker Avenue, West Wyoming, PA 18644 to provide up to 270 hours of special education professional development services at a total cost of \$ 47,250.00. **“Exhibit G”**

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

The vote was as follows:

9 Ayes: Atherton, Evans, Harris, Patla (A2 to A8; B, C, D, E), Quinn, Schiowitz (A2 to A8; B, C, D, E), Thomas, Walker, Caffrey

2 Nays: Patla (A1); Schiowitz (A1)

ATHLETIC COMMITTEE

Mr. Quinn – We are preparing the for the winter sport season and continue to work on some transportation issues.

SAFETY/SECURITY COMMITTEE

Mr. Evans – At our recent meeting Officer Lavan reported that the number of violent acts/fights throughout the district are lower than compared to previous years.

TRANSPORTATION COMMITTEE – No Report

BUILDING/MAINTENANCE COMMITTEE – No Report

FACILITIES TRANSITION COMMITTEE – No Report

STUDENT WELLNESS

Ms. Thomas – There will be a meeting on Wednesday, November 10 at 11:30 a.m.

POLICY COMMITTEE

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

1. That the following policy be revised:
 - 218 Student Discipline
 - i. Amendment to the Student Handbook - policy on student behavior.

Policy on Student Behavior

The following are some examples of student behavior that violate school policy when they occur at school and/or during school activities. This list is not intended to be all-inclusive and

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does not list actions in order of priority. Students may be disciplined, suspended, or placed in the Wilkes-Barre Area School District Cyber Academy for any of the following:

- Insolence, disrespect, or insubordination.
- The use of improper language.
- Fighting or Rowdy behavior such as: running, shoving, yelling, etc.
- Leaving a classroom or leaving school without permission.
- Class tardiness or truancy.
- Vandalizing, damaging, or stealing school or private property.
- Threatening, intimidating, or causing bodily harm to any person.

Rev. Walker moved, seconded by Mr. Evans to adopt the Policy Committee Report.

On the question:

Rev. Walker – The principals/administration requested an amendment to our policy/handbook regarding the student behavior listed and the discipline that would be implemented.

Ms. Harris – In regard to any special education students that may be placed in the WBA Cyber Academy, I would like to make a recommendation that all manifestation determinations and IEP's are being followed.

The vote was as follows:

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

PERSONNEL COMMITTEE

Ms. Harris presented the following Personnel 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. Professionals

1. That **Cecilia Baltusavich's** request for a sabbatical for the second semester of the 2021/22 school year be approved.
2. That **Emily Bell's** request for a sabbatical for the second semester of the 2021/22 school year be approved.
3. That **Kaitlyn McGuire** be appointed an English Long-Term Substitute Teacher for the 2021-22 school year.
4. That **Janet Castrignano** be appointed an Elementary Long-Term Substitute Teacher for the 2nd Semester of the 2021-22 school year.

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5. That the resignation of **Kyle Paul** be accepted effective on or before the completion of the 60 day hold period.
6. That **Kayley Nilon** be appointed an Elementary Long-Term Substitute Teacher for the 2021-22 school year.
7. The members of the professional staff approved at the October 18, 2021 Board Meeting, having made claim for an incentive raise under the WBAEA Agreement and having produced official transcripts listing the graduate credits earned, be granted effective September 7, 2021.
8. That the Settlement Agreement between the Wilkes-Barre Area School District and **Employee #53889** be approved.

B. Secretaries & Teachers' Associates

1. That the retirement of **Peggy Appel** be accepted effective January 22, 2022.
2. That the retirement of **Judith Shutt** be accepted effective January 20, 2022.
3. That **Blake Meredith** be appointed Full Time Paraprofessional/PCA effective October 29, 2021.
4. That **Jannet Stilp** be appointed Full Time Paraprofessional/PCA effective October 29, 2021.
5. That _____ be appointed Part Time ESL Paraprofessional/PCA. **TABLED**
6. That _____ be appointed Part Time Teacher's Associate (Kindergarten Aide) 20 hours per week. **TABLED**
7. That _____ be appointed Part Time Teacher's Associate (Kindergarten Aide) 20 hours per week. **TABLED**
8. That **Cheryl Covert** be appointed 12 Month Secretary effective 1/3/2022.
9. That **Trisha Tabron** be appointed 10 Month Secretary effective 1/3/2022.

C. Custodians, Maintenance and Housekeepers

1. That **Adam Bohonko** be appointed a Grade I Custodian.

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2. That **Ryan Jones** be appointed a Long-Term Substitute Grade I Custodian effective November 8, 2021.
3. That the resignation of **John Hooper** be accepted effective September 24, 2021.
4. That the Settlement Agreement between the Wilkes-Barre Area School District and **Employee # 53087** be approved.

D. 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.

Softball Varsity Head Coach	Paul Gerrity
Boys Basketball Associate Head Coach	Dale Rapson
Boys Basketball Assistant Coach	James Lavan
Volunteer Girls Basketball Assistant Coach	Hannah Cook
Volunteer Boys Basketball Assistant Coach	Kalyim Williams

Ms. Harris moved, seconded by Mr. Evans to adopt the Personnel Committee Report.

The vote was as follows:

9 Ayes: Atherton, Evans, Harris, Patla, Quinn, Schiowitz (A, B, C1, 3, 4, D), Thomas, Walker, Caffrey.

Abstain: Schiowitz (C2)

NEW BUSINESS

Ms. Thomas – A positive note of having a new facility is the state-of-the-art alarm system in the building. Last week there was a gas leak in the cafeteria and the system worked flawlessly. I would like to recognize the cafeteria staff for being able to feed all the students a “cold” lunch.

Several Board Members, Atty. Wendolowski along with Dr. Costello recognized and thanked Melissa Patla for her support and service to the Board, the District and for her service on the WBACTC Board. Mr. Caffrey presented Melissa with a token of appreciation for her service to the Wilkes-Barre Area School District as a member of the Board of Education.

Mrs. Schiowitz I would like to propose the following:

Motion: When excavation begins on the football complex and sports fields at the new high school in regard to the historical status of the site as a coal ash depository, I move that

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students, teachers, and the public not be exposed to the sports complex environment while excavation is being done.

Additionally, all contracted entities must follow OSHA precautions to protect site workers.

Motion by Mrs. Schiowitz seconded by Ms. Thomas

On the question:

Atty. Wendolowski: Mr. Kryzwicki do we have any insight of potential coal ash in regard to where the actual sitework will be done for the football field?

Mrs. Schiowitz: Do the workers have to sign anything releasing the District of any liability if in the future they experience a problem related to coal ash exposure?

Mike Krzywicki: All workers need to comply with OSHA. We take it one step further, they report to the trailer and read all our safety rules. They then sign off, it is logged and they receive a sticker for their hard hat. If they do not have a sticker, they are removed from the job to do the safety training.

During dynamic compaction a complaint was filed. OSHA's Health and Safety division came to the sight and did air monitoring around the site and had each worker at the site wear a monitor on their respirators for a week. The cartridges were sent out for testing and they came back as nothing detectable other than dust.

This is not fly ash. Fly ash is mostly gray we have mostly bottom ash. I have been told what is mostly here is bottom ash and is pink in color. I feel comfortable knowing if we would hit it because of the distinct color and it is very dense.

A spirited dialogue among the Board ensued.

Atty. Wendolowski suggested the Board allow him and Mike Krzywicki to reach out to an environmental engineer for quotes on costs and do a review on what the District can do to ensure the safety of all those involved. We will try to get someone in as quickly as possible to have some information for the next regular meeting.

Motion was made by Ms. Patla to amend the agenda to include this new Motion, seconded by Mrs. Schiowitz.

The vote to amend the Agenda was as follows:

5 Ayes: Harris, Patla, Schiowitz, Walker, Caffrey

2 Nays: Evans, Quinn,

2 Abstain: Atherton, Thomas

The agenda will be amended to include the Motion by Mrs. Schiowitz.

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The vote for the Motion presented by Mrs. Schiowitz was as follows:

3 Ayes: Harris, Patla, Schiowitz

3 Nays: Evans, Quinn, Caffrey

3 Abstain: Atherton, Thomas, Walker

The motion does not pass.

Mr. Caffrey stated we need to take the necessary steps that were just discussed for the Board to make informed decisions regarding this project.

Motion to adjourn by Ms. Thomas seconded by Ms. Patla.

Meeting adjourned at 8:20 p.m.