

The January 22, 2018, meeting of the Moon Area Board of Education was held in the High School Board Meeting Room 7:00 p.m., for general purposes. The meeting was CALLED TO ORDER by President Jerry Testa. The following directors were present:

Mr. Testa	Mr. Hauser	Mrs. Wolowicz	Mr. Scappe
Mrs. Zieger	Mr. Harper	Mrs. Blair	Mr. Dugan
Mr. Bogatay			

Also seated at the Board table: Dr. Ungarean, Mr. Bielby, Mr. Haslett and Mr. Cambest, Solicitor.

There were approximately 30 people in the audience.

Mr. Testa commented that prior to this evening's meeting, the Board met in Executive Session to discuss personnel and litigation matters.

Superintendent's Report

January is School Director Appreciation Month. The Moon Area School Board was recognized this evening for all the work they do for the district. The high school honors choir performed a few selections this evening.

Sleep experts, Dr. Nicole Chenet and Dr. Daniel Buysse, presented information on the benefits of later start times for high school students.

Audience Recognition (Agenda Items Only)

None.

Amend Agenda to Add Motion – Settlement Agreement – Barry Barthelemy, et al v. Moon Area School District

IT WAS MOVED by Mr. Hauser, SECONDED by Mr. Harper, "that the Board of Education add an additional motion to the agenda regarding a Settlement Agreement between 12 teachers and Moon Area School District as follows:

"that the Board of Education approve a Settlement Agreement in the United States District Court for the Western District between the Moon Area School District and the following professional employees of the district:

- Barry Barthelemy
- Joseph Espey
- Christopher Herman
- Christopher D'Eramo
- Timothy Hrivnak
- Stephen Izzo

- Eric Jacoby
- Derek Kaminski
- Jason Persing
- James Petrina
- Sidney Wood and
- Jason Ferri

in the amount of Five Hundred Thousand (\$500,000.00) Dollars, and, in addition, one (1) additional Step increase on the District Salary Schedule for all the professional employees retroactive to July 1, 2017 and one-half (1/2) additional Step increase on the Salary Schedule for Barry Barthelemy, Christopher D'Eramo, Joseph Espey and Jason Persing for the 2018-2019 school year."

All directors voted in favor on a roll call vote to amend the agenda and add this motion.

Approval of Settlement Agreement – Barry Barthelemy, et al v. Moon Area School District

IT WAS MOVED by Mr. Bogatay, SECONDED by Mrs. Wolowicz, "that the Board of Education approve a Settlement Agreement in the United States District Court for the Western District between the Moon Area School District and the following professional employees of the district:

- Barry Barthelemy
- Joseph Espey
- Christopher Herman
- Christopher D'Eramo
- Timothy Hrivnak
- Stephen Izzo
- Eric Jacoby
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Mr. Testa commented that the lawsuit is ridiculous and without merit. It is a travesty that the teachers are doing this to the district. The district did not discriminate against the teachers when they were hired. We have tried to resolve this over the last year and no progress was made. It is a public lawsuit and out for a public vote by the board.

Mr. Harper feels the same way as Mr. Testa adding that the lawsuit is repulsive, egregious, disgusting, opportunistic, shameful and these people should be embarrassed. They made the decision to come to Moon, and accept the contracted salary. It is embarrassing and he will not tolerate it.

Mr. Hauser commented that he has done a lot of interviews over the years to hire teachers and said that we have always tried to hire good, quality teachers. The teachers have been paid what they agreed to when they signed their contract as a member of the professional staff here in the Moon Area School District. We have given them the opportunity to make a good living for themselves and not once did we intentionally discriminate on salaries against anyone. He is not in favor of the lawsuit. He believes that the board is making the right decision by not paying more than what we agreed to at the time of hiring these individuals.

Mr. Bogatay is more disappointed than angry. He, like a lot of people on this board took this position and volunteered their time because the district itself was in a state of crisis. He reminded the public that someone stepped in here and wasted over \$10 million of taxpayers' money and now we are \$8 million in the hole and trying to fight back. Construction projects were not done correctly. The professional culture was infiltrated, infected and traumatized. Employees who were here under the prior administration would probably all say they were always wondering if their jobs were safe and living in fear. As a district, we all endured that together. Everyone's tax dollars were affected by what the prior board and prior administration did. We came on the board to try and make the situation better. What's disappointing about this lawsuit is that this is not a situation where people were wronged. We do not support opportunism at the expense of the taxpayers. It is not fair to place the burden on the taxpayers.

Mr. Testa agreed with Mr. Bogatay saying that he is very angry. He views this as pure greed. Our employees are treated fairly and he believes the reason they came to Moon was to make more money and now it's pure greed. The board has made good faith efforts to try settle this lawsuit rationally.

Mr. Cambest commented that the judge indicated that we should have a public vote on this. The judge is a former municipal solicitor and he understands that in order to arrive at a settlement, if we agree or disagree, there should always be a public vote and it should be done at a public meeting. Mr. Cambest wanted to make sure that the board understood what the judge's intention was to have the board take a vote, as required under the law, whether you approve or disapprove. Mr. Dugan asked Mr. Cambest to make a comment, that there is an economic detriment to the district. We do have insurance that covers part of that detriment. The insurance carrier has made certain monies available to the district. The other economic component is that when you increase someone on a salary schedule, over the remaining years of your collective bargaining agreement, that there is a cost to that. The judge wanted to make it clear that there is a fiduciary responsibility to the board. The insurance carrier will be picking up that economic amount of \$500,000. We also have the economic detriment of the increase in the steps. The board will have to take this into consideration.

Mr. Testa commented that the impact of the steps will be significantly more than the \$500,000 and that is totally on the district.

Mr. Scappe made another point that the rest of the staff, their own union, not representing them and supporting them speaks volumes. They are not trying to be included with these teachers, which is a major. The public needs to understand why the board is taking the standpoint that we are.

All directors voted in disfavor on a roll call vote.

Conferences

IT WAS MOVED by Mr. Scappe, SECONDED by Mr. Bogatay, “that the Board of Education remove Item 5.11 Conferences.”

All directors voted in favor on a roll call vote.

Payment of Bills

IT WAS MOVED by Mrs. Wolowicz, SECONDED by Mrs. Zieger, “that the Board of Education approve the bills for payment as listed below in the amounts totaling \$459,129.01 for the period January 8 to January 19, 2018 as attached:

General Fund	\$379,895.98
Activity Fund	24,099.41
Food Service Fund	24,743.35
Capital Projects Fund	<u>30,390.27</u>
Total	\$ 459,129.01.”

All directors voted in favor on a roll call vote.

Posting of the Proposed 2018-2019 Preliminary Budget

IT WAS MOVED by Mr. Scappe, SECONDED by Mr. Bogatay, “that the Board of Education authorize the administration to post, publish and advertise the availability of the 2018-2019 proposed preliminary budget for public review and inspection, in accordance with Special Session Act 1 of 2006.”

All directors voted in favor on a roll call vote.

AIU Joint Purchasing Resolution

IT WAS MOVED by Mr. Scappe, SECONDED by Mr. Bogatay, “that the Board of Education approve the resolution to participate in the Allegheny Intermediate Unit’s joint purchasing program and to appoint Keith Bielby as the Regular Member and Melissa Balkovec as the Alternate Member of the Joint Purchasing Board representing the Moon Area School District, as attached.”

All directors voted in favor on a roll call vote.

Resolution Opposing ESA Voucher Programs (SB 2)

IT WAS MOVED by Mr. Scappe, SECONDED by Mr. Hauser, “that the Board of Education consider approving the attached resolution expressing the Board’s opposition relative to the Education Savings Account Voucher plan under US Senate Bill 2.”

All directors voted in favor on a roll call vote.

Guys Mechanical Systems, Inc. – Settlement Agreement and Mutual Release

IT WAS MOVED by Mr. Bogatay, SECONDED by Mr. Hauser, “that the Board of Education approve the Settlement Agreement and Mutual Release between Guy’s Mechanical Systems, Inc., and the Moon Area School District, Travelers Casualty and Surety Company of America, J.C. Pierce, LLC and Eckles Architecture and Engineering, Inc. f/n/a Eckles Architecture, Inc., as attached.”

All directors voted in favor on a roll call vote.

Lugaila Mechanical Systems, Inc. – Settlement Agreement and Mutual Release

IT WAS MOVED by Mr. Scappe, SECONDED by Mr. Bogatay, “that the Board of Education approve the Settlement Agreement and Mutual Release between Lugaila Mechanical, Inc., and the Moon Area School District, Travelers Casualty and Surety Company of America, J.C. Pierce, LLC and Eckles Architecture and Engineering, Inc. f/n/a Eckles Architecture, Inc., as attached.”

All directors voted in favor on a roll call vote.

High School Program of Studies for the 2018-2019 School Year

IT WAS MOVED by Mrs. Wolowicz, SECONDED by Mr. Hauser, “that the Board of Education approve the High School Program of Studies for the 2018-2019 school year, as attached.”

All directors voted in favor on a roll call vote.

Memorandum of Understanding between Moon Area School District and the Moon Education Association

IT WAS MOVED by Mr. Bogatay, SECONDED by Mr. Hauser, “that the Board of Education approve the Memorandum of Understanding between the Moon Area School District and the Moon Education Association in reference to extra pay for extra duty positions, as attached.”

All directors voted in favor on a roll call vote.

Policies for First and Final Reading Approval

IT WAS MOVED by Mrs. Wolowicz, SECONDED by Mr. Bogatay, “that the Board of Education approve the first and final reading of the following policies that have been revised for adoption:

Policy No. 610 – Purchases Subject to Bid/Quotation

Policy No. 611 – Purchases Budgeted

Attachment 626 – Procurement – Federal Programs.”

All directors voted in favor on a roll call vote.

Personnel

IT WAS MOVED by Mr. Scappe, SECONDED by Mrs. Zieger, “that the Board of Education approve the items listed:

I. Approval of Childbearing/Childrearing Leave of Absence

“that the Board of Education approve a Childbearing/Childrearing Leave of Absence to Selena Mazine from her position as Special Education teacher at the Middle School beginning on or about April 28, 2018 through the end of the 2017-2018 school year.”

II. Approval of Long-Term Substitute Teacher

“that the Board of Education approve Kathryn Ammann, 116 South Jamestown Road, Moon Township, PA 15108, to the position of Long-Term Substitute Special Education teacher at the Middle School, effective January 16, 2018, and continuing throughout the remainder of the 2017-2018 school year. Retro pay difference from October 19, 2017 through January 12, 2018 (50 days). The salary for this position will be \$184.93 per day, along with individual health insurance coverage.”

III. Resignation

“that the Board of Education accept the resignation of Lauren Quallich from her extra pay for extra duty position of Bus Duty (AM) at Hyde Elementary School effective January 23, 2018.”

IV. Approval of Extra Pay for Extra Duty Position – Hyde Elementary School

“that the Board of Education approve the following extra pay for extra duty position at Hyde Elementary School effective January 23, 2018 through the end of the 2017-2018 school year:

Bus Duty (AM)

Anna Benvin.”

V. Approval of Student Teacher Placements

“that the Board of Education approve the following list of student teacher placements for the 2017-2018 spring semester, pending receipt and review of clearances and confidentiality agreements:

Ashley Flynn	California University	Student Teaching
Taylor Caruso	California University	Student Teaching.”

VI. Approval of Volunteer Coach

“that the Board of Education approve the following volunteer coach retro to January 6, 2018, for the 2017-2018 school year, pending receipt and review of clearances:

Volunteer Lacrosse Coach	Cole Blake.”
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VII. Approval of STA Drivers

“that the Board of Education approve the following individuals employed by STA as drivers for the Moon Area School District for the 2017-2018 school year, pending receipt and review of clearances. Clearances will be kept on file in the transportation office and at STA:

Andrew Pielmeier
2125 8th Avenue
Altoona, PA 16602

Sonya Reaghard
2355 Wyland Avenue
Allison Park, PA 15101

Robert Stewart
713 S. Carlisle Lane
Altoona, PA 16602.”

All directors voted in favor on a roll call vote.

Audience Recognition (Non-Agenda Items)

None.

Adjournment

IT WAS MOVED by Mr. Hauser, SECONDED by Mr. Bogatay, “that the Board of Education adjourn this meeting, 9:10 pm.”

All directors voted in favor on a voice vote.

Respectfully submitted,

Lisa Brown
Clerk, Board of Education

Lisa A. Wolowicz
Secretary, Board of Education