

October 12, 2022

**HANOVER AREA SCHOOL DISTRICT
BOARD OF EDUCATION
SPECIAL MEETING**

MINUTES

October 12, 2022

**Hanover Area Junior/Senior High School
Hanover Township, Pennsylvania
October 12, 2022**

A Special Meeting of the Board of School Directors of the Hanover Area School District was held on Tuesday, October 12, 2022, at 6:12 PM. The meeting was called to order by the Board President, John J Mahle.

PLEDGE OF ALLEGIANCE TO OUR FLAG

ROLL CALL OF BOARD MEMBERS:

PRESENT: John J. Mahle, Jr., President; Dr. Vic Kopko, Vice President; Joyce Potsko, Treasurer; Rick Stevens, Secretary, Stacey Bleich, Paul Holmgren, Rick Oravic, and Matthew Redick.

ABSENT: Michael Masur

Rick Stevens, Secretary, stated a Quorum was established for the meeting.

OTHER PEOPLE PRESENT: Mr. Nathan Barrett, Superintendent; Attorney Mark Bufalino, District Solicitor; Mrs. Lisa Kitchen, Administrative Assistant; several District Administrators; and several citizens.

John J. Mahle, Jr, Board President, provided the following Executive Session Report: "Pursuant to the Pennsylvania Sunshine Act, the Board President wishes to announce that at its Special Meeting on Tuesday, October 4, 2022, the board of education of the Hanover Area School District held an Executive Session to discuss matters of employee relations, labor negotiations, threats of or actual litigation and went into a closed executive session at 5:00PM and began the public meeting at 6:12PM. The subjects discussed in executive session related solely to matters of employee relations, labor negotiations and threats of or actual litigation. At this time, for agenda items only, would anyone from the public like to address the Board?"

Mike Potsko, Hanover Township, addressed the Board. Items addressed included:

- Raised legal objection noting that agendas and exhibits were not provided prior to the meeting for the press and public.
- Mr. Barrett noted that exhibits and agenda were posted online.
- Mr. Potsko noted that the policy indicates that they are to be made available prior to the meeting.
- Asked that someone read the policy (#903).

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- Attorney Bufalino responded that Policy 903 states that “The meeting agenda and all pertinent documents shall be available to the press and the public at the meeting”. Attorney Bufalino noted that the documents Mr. Potsko is requesting are not included in that. He also referred Mr. Potsko to district policy 006 (agendas), which notes that agendas will include a listing of agency business that will or may be the subject of official action, which has been done. Other attachments that are associated with agenda items are not required to be published along with the agenda. Attorney Bufalino noted the policy is consistent with the law, that the board heard his concerns and comments and thanked him for that.
- Mr. Potsko submitted a second objection, asking which board members were involved in making changes to the policies that are listed on the evening’s agenda.
- Mr. Barret replied, “that is a duty of the Superintendent of Schools” and noted that he made the recommendations, and the board will be voting this evening based on those recommendations.
- Potsko interjected that other districts have committees that review the recommendations of policy put forth by the PA School Boards Association and make decisions based on discussions/deliberations in public prior to taking a vote.
- Mr. Barrett stated that he made those recommendations on policy and the board would be voting on the policies this evening.
- Mr. Potsko stated that when public policy is being changed, the public should be included in the deliberation process. The recommendations should be done with members of the board and public.
- Mr. Barrett stated that the work session was the place for that deliberation and no one showed up. He stated that he and the board go over the entire agenda at the work session, “line by line” and if he (Potsko) wanted to attend next month’s work session, he was welcomed to do so.
- Mr. Potsko claimed he did not know work sessions were open to the public, and was under the impression that the public meeting was a “working session”. (A member of the public continued to argue statements being made and was rebuked by Mr. Redick who informed that the interruptions would no longer be tolerated and if they continued, the individual responsible would be removed from the public meeting. Mr. Oravic agreed with Mr. Redick’s rebuke.)
- Mr. Potsko asked for the time of the Work Session. Mr. Barrett replied that it takes place at 5:15PM.

Mary Ann Potsko, Hanover Township addressed the Board in person. Topics included:

- Asked for clarification on the consulting fee for Mr. Joseph Alberola, item #23.

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- Mr. Barrett replied that the district is intending to replace the Director of Building and Grounds. When that replacement is determined by the Board of Education, Mr. Alberola will provide that training for a maximum of 3 hours a day.
- Mrs. Potsko asked how long this might go on.
- Dr. Kopko noted that this would be a temporary position, while Mr. Oravic stated it would take about a month. Dr. Kopko confirmed that it is a temporary agreement at the pleasure of the Superintendent and the Board.

George Yuhas, Tunkhannock, addressed the board as a member of the public, noting he would not be speaking on any voting items. Topics included:

- Raised an objection under the Declaration of Rights of Pennsylvania, stating that the board was breaking statutory laws, by not providing pertinent information to members of the press and public.
- Stated that he was redressing his government because this board is the governing body that serves at the pleasure of the general assembly. He noted that his redress is that the Board does not have pertinent information needed by the press and public. He maintained that by doing this, the board is restricting his "first amendment rights again this week like you did last week".
- He stated that his bag was the only bag that was searched, and that was a violation of his rights, unless the board searched every bag of every person present in the room, because right now, "that is retaliation" and "it's on camera".
- He stated that the presence of security was an overreaction by the board of education and that he stands there speaking on the Constitution, not statutory policy, so if you shut my mike off, if someone comes and touches me, you are standing on federal grounds.
- Yuhas stated that at a work session, the public could not participate. "Read your policy." He asked that a board member, as a point of order, to read what a work session is. Yuhas continued that "you don't know what your doing". And asked that the board "take advise from you citizenry"—noting the citizens had control of the board and the board had control of the statutes and policy.
- Yuhas challenged the board to not blindly "take the advise of their attorney" and stated that "your superintendent should not be leading your government meeting, it's a government meeting, Mr. President".
- Mr. Yuhas was informed that his "3 minutes were up". He defiantly stated that No, there is no 3 minutes in the Declaration of Independence". He continued "I'm just telling you, I'm not playing with the statutory rule. I will sit down but know this: It's a federal offense for retaliation (inaudible). I'm sitting down, I'm going to yield my time right now."

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APPROVAL AND ACCEPTANCE OF MINUTES/REPORTS:

It was moved by Rick Oravic and seconded by Stacy Bleich: To approve the following minutes and accept the following reports:

- Regular Board Meeting minutes of September 12, 2022
- Luzerne Intermediate Unit Board of Directors Regular Meeting Minutes of August 10, 2022

BOARD VOTE: YES: Bleich, Holmgren, Kopko, Mahle, Oravic, Potsko, Stevens, and Redick

NO: NONE

ABSENT: Masur

ABSTAIN: NONE

Chair declared the motion carried.

SUPERINTENDENT'S REPORT:

Mr. Nathan Barrett, Superintendent, offered his report, which noted the following:

- New feature at the Jr/Sr High School to recognize WBA-CTC Students of the Month. Each month there will be two students featured, one from the CTC and one from our High School.
- First, September Student of the Month Ethan Chafin. Wilkes-Barre Area CTC, congratulations to Ethan and his family.
- September Student of the Month Aidan Shamaski, Wilkes-Barre Area CTC, congratulations to Aidan and his family.
- Congratulations to Mrs. Bennett on completion of the trailers outside of the Jr./Sr. High School, which have been transformed into a makeshift home for our life skills students. Students with multiple disabilities can now use this site for hands on learning of the skills of life and daily living (how to cook, clean, do laundry, set a table). We are very excited to have this opportunity for our students.
- Every aspect of the trailer construction was funded through grant monies. "Thank you, Mrs. Bennett and your department for your hard work and dedication to these students.
- That is my report, Mr. Chairman."

It was moved by Paul Holmgren, seconded by Rick Stevens: To accept the Report of the Superintendent.

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NOTE: Mr. Redick left the public meeting during the Superintendent's Report. Though a quorum is still established, Mr. Redick will be marked as Absent for Votes taken for the remainder of the meeting.

Chair declared the motion carried.

RECOMMENDATIONS:

GENERAL:

It was moved by Stacy Bleich seconded by: Rick Stevens: To approve the following motions 1 through 4:

1. Approve the first reading of the following School Board Policies as per Exhibit G-1.

Policy # 218	Student Discipline
Policy #220	Student Expression/Dissemination of Materials
Policy #220	Attachment
Policy #227	Controlled Substances/Paraphernalia
Policy #237	Electronic Devices
Policy #810.1	School Bus Drivers and School Commercial Motor Vehicle Drivers

2. Approve the second and final reading of the following School Board Policies as per Exhibit G-2:

Policy #004-BOG-O	Statement of Financial Interests
Policy #236.1	Threat Assessment
Policy #805	Emergency Preparedness and Response
Policy # 805.2	School Security Personnel

3. Approve the following Administrative Regulations as per Exhibit G-3.

#136-AR-6	State Required Reclassification, Monitoring & Re-designation of English Learners
#218-AR-0	Discipline in Schools
#810.1-AR-0	Drug Use and Alcohol Misuse Prevention Program—Covered Drivers

4. Approve the 2022-2023 ATSI Plan as per Exhibit G-4.

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BOARD VOTE: (ON MOTIONS #1 TO AND INCLUDING #4 ABOVE):

YES: Bleich, Holmgren, Kopko, Mahle, Oravic, Potsko, and Stevens

NO: NONE

ABSENT: Masur, Redick

ABSTAIN: NONE

Chair declared the motions carried.

FINANCIAL:

It was moved by Rick Stevens, seconded by Joyce Potsko: To approve the following motions 1 through 4:

1. Ratify the following PNC check register(s): Exhibit F-1
September 10, 2022 to September 29, 2022

2. Approve the PNC check register(s): Exhibit F-2
September 30, 2022

3. Law Office of Mark W. Bufalino \$2,395.50
Attorney Mark Bufalino
September 2022

4. Law office of Pugliese, Finnegan, Shaffer & Ferentino \$2,652.00
Attorney William Finnegan
August 2022

BOARD VOTE: (ON MOTIONS #1 TO AND INCLUDING #4 ABOVE):

YES: Bleich, Holmgren, Kopko, Mahle, Oravic, Potsko, and Stevens

NO: Kopko on #2

ABSENT: Masur, Redick

ABSTAIN: Bleich on #1 and #2

Chair declared the motions carried.

PERSONNEL:

It was moved by Rick Oravic seconded by Stacy Bleich: To approve the following Motions 1 through 29, with **Item #21 being TABLED.**

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1. Approve the September 2022 Salary Adjustments as per the HAEA Union Contract. (Exhibit P-1)
2. Approve the September 2022 Tuition Reimbursements as per the HAES Union Contract. (Exhibit P-2)
3. Appoint the following Mentor Teachers for the 2022-2023 school year:

<u>Mentor</u>	<u>Teacher</u>
Shannon Gerrity	Mark Vital
Megan Balara	Chelsea Mahle
April Grosky	Dianna Pierce
Melissa Richardson	Amanda Turner
Carla Meyers	Brianna Williams
Nicole Hummer	Louise Henry
4. Appoint Desiree Bannon as Mathematics Department Chairperson at a salary of \$1,500.00 for the 2022-2023 school year.
5. Ratify the appointment of Joseph Morris as a monitor for In-School Suspension at a rate of \$150.00/day.
6. Approve the request of Employee #31966 to take a Childrearing Leave beginning approximately October 3, 2022 and ending on January 2, 2023 as per Exhibit P-6.
7. Approve the request of Employee #30920 to take an FMLA Leave of Absence, beginning September 23, 2022.
8. Accept the resignation of Brittany Owens, School Nurse, effective September 14, 2022, as per Exhibit P-8.
9. Ratify the appointment of Brittany Owens as a day-to-day substitute School Nurse, at a rate of \$150.00/day, effective September 15, 2022.
10. Appoint Katherine Fine as a Crossing Guard for the 2022-2023 school year at a rate of \$50.00/day.
11. Appoint Dianna Searfoss as a Crossing Guard for the 2022-2023 school year at a rate of \$50.00/day.
12. Ratify the appointment of Theresa Owens as a Hall Monitor for the 2022-2023 school year at a rate of \$15.00/hour.

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13. Ratify the appointment of Susan Cromer to position Cleaner #2A at the Junio/Senior High School at a rate of \$15.00/hour, as per the HAESPA Contract, effective September 28, 2022. This is a 4-hour position, no benefits.

14. Ratify the appointment of Kelsey Henahan as a Personal Care Aide, at a rate of \$15.00/hour, for the 2022-2023 school year.

15. Ratify the appointment of Kandyce Wilcox as a Personal Care Aide, at a rate of \$15.00/hour, for the 2022-2023 school year.

16. Approve the Addendum to the contract with ESS to include daily substitutes at a rate of \$150.00/day, for the 2022-2023 school year, as per Exhibit P-16.

17. Approve the request of Catherine Rinaldi, Title 1 Teacher, to take November 14th, 17th, and 18th, 2022 off as Unpaid Days, with the understanding that this will not set a precedent or establish a past practice. (Exhibit P-17)

18. Motion to approve or reject the recommended expulsion adjudication regarding student O.H.

19. Amend Personnel Motion #21 of the June 7, 2022 Board Meeting to read as follows:

Appoint the following Extra-Curricular Personnel, for the 2022-2023 school year:

Carl Daubert	Head Cross Country	\$2,734
Stephanie Gover	Head Girls Soccer	\$3,748
Jocelyn Holodick-Reed	Head Field Hockey	\$3,748
Maria Majiros	Head Girls Tennis	\$3,227
Elbros Samkough	Head Girls Volleyball	\$3,748
Robert Shoemaker	Head Golf	\$2,808
Maria Skrepenak	Head Girls Basketball	\$6,162

20. Appoint Jason Holeman as a Long-Term substitute Mathematics teacher at a salary of B, Step 1, \$51,078, prorated, effective immediately.

21.(TABLED) Appoint as PIMS Coordinator/HR Secretary at a salary of \$....., effective immediately.

22. Appoint Lynn Vitale as Administrative Assistant to the Superintendent at a salary of \$40,000/year prorated, effective immediately.

23. Appoint Brandon Chafin to Custodial Position #1 at Hanover Green Elementary, at a rate of \$15.00/hour, as per the HAESPA Contract, effective immediately.

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24. Approve the agreement between Terry Elias and the Hanover Area School District, for as needed Speech and Language Services at a rate of \$65.00/hour, for the 2022-2023 school year.

25. Accept the resignation of Mildred-Albino-Morales, Bilingual Aide, effective October 7, 2022, as per Exhibit P-25.

26. Accept the resignation of Amanda Turner, Registered Nurse, effective October 14, 2022, as per Exhibit P-27.

27. Accept the resignation of Kelsey Henahan as a Personal Care Aide, effective October 14, 2022, as per Exhibit P-27.

28. Approve the Management Services Agreement between the Hanover Area School District and School Business Consultants, LLC, to perform the day-to-day operations of the Business Office, in the amount of \$7,500/month, pending the approval from the district solicitor and acceptance by School Business Consultants, LLC.

29. Approve the consulting service contract in the amount of \$75.00/hour, not to exceed 4-hours per day, 3 days per week, between Joseph Alberola and the Hanover Area School District pending approval from the district solicitor and acceptance by Mr. Joseph Alberola.

BOARD VOTE: (ON MOTIONS #1 through #29 Above)

YES: Bleich, Holmgren, Kopko, Mahle, Masur, Oravic, Potsko, Stevens and Redick

NO: NONE

ABSENT: NONE

ABSTAIN: NONE

Note: Dr. Kopko made note that #29 is a temporary position.

Chair declared the motions carried.

NEW BUSINESS

None

OLD BUSINESS:

None

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FUTURE MEETINGS:

November Work Session: Tuesday, November 1, 2022

November Regular Meeting: Tuesday, November 1, 2022

PUBLIC COMMENT:

Mike Potsko, Hanover Township, addressed the Board noting the following:

- Requested that the minutes from the previous month be available prior to the current monthly meeting in draft form.
- Also requested that the opt out form that he detailed in the September meeting be entered into meeting minutes tonight and posted prior to the next meeting so that he could ensure that everything that has been said in the public meeting is "accurate and everything like that".
- Raised the topic of working sessions and the lack of public meeting minutes available to review as a source of confusion stating that any deliberation on agenda items at a working session should be documented in minutes for those meetings.
- Mr. Potsko asked if there were work session minutes from past meetings that he could obtain. Mr. Barrett responded that there were not. Mr. Potsko stated that was a "pretty big deal".

President Mahle then called for Adjournment.

ADJOURNMENT:

It was moved by Rick Stevens, seconded by Dr. Vic Kopko, to adjourn the Regular School Board Meeting at 6:38PM.

ATTEST:  _____, Secretary

Rick Stevens
Hanover Area School Board