

## SCRANTON, PENNSYLVANIA, DECEMBER 19, 2007

A regular meeting of the Board of Directors of the School District of the City of Scranton was held on Wednesday, December 19, 2007 in the Board Room of the Administration Building, 425 N. Washington Avenue, Scranton, PA 18503.

President Gilbride called the meeting to order at 7:00 P.M. with a Pledge of Allegiance to the Flag.

**ROLL CALL:** By Secretary Bevilacqua.

**PRESENT:** Directors Brazill, Hartman, Jeffers, Lesh, McGuigan, Patrick O'Malley, Paul O'Malley, Phillips and President Gilbride.

**MINUTES:** Director Hartman put a motion on the floor to accept the Minutes from the meetings held on October 15, 2007, November 12, 2007 and November 14, 2007. The motion was seconded by Director Paul O'Malley and passed unanimously on a roll call vote.

### **COMMUNICATIONS TO THE BOARD:**

Secretary Bevilacqua announced that the Scranton Board of School Directors held an executive session on Monday, December 10, 2007 at 7:00 P.M. to discuss real estate and personnel matters.

### **VISITING DELEGATIONS:**

Mr. Ozzie Quinn 116 Masters St. welcomed the newly elected officers to the board and wished them well.

Mr. Quinn spoke on an article that stated that "Teachers Make Every Other Profession Possible." He discussed that the children are hurting in this district because we're losing good teachers to other districts because of the health care premiums (*referring to the protest the Scranton Federation of Teachers held one hour prior to this evening's meeting in front of the Administration Building because of the 34% health insurance increase*). Mr. Quinn told board members that raising the teacher's health care premiums by 34% was pitiful.

Mr. Quinn read an article that stated most of the crushing property tax burden born by the taxpayers and the high cost of public education was born by the high cost of salaries, federal special education mandates and similar programs. He said however that this applies to Scranton; the tremendous increase in property taxes in the past seven years has increased because of high construction. He also spoke on long term indebtedness of the school district, City and County Government and the effect it has on the taxpayers.

Mr. Quinn in closing urged the members of board, as well as the teachers to support "House Bill 1275" to get out of debt. He discussed how this bill would decrease the debt of the school board.

Mr. Quinn also told board members to give the teachers the recognition that they deserve.

Ms. Marie Schumacker, East Mt. Rd., said that after the fiasco with the Best Program it was stated that the district put a grant system into place and questioned how a citizen would be able to view that system.

Mr. Sheridan asked Ms. Schumacker to give him a call and he would be happy to review the grant system with her.

Ms. Schumacker also asked if the tremendous increase to the teachers' health care premiums is a ploy to give the union a reason to strike or if it's an exaggeration to gain attention from Harrisburg. She stated that she seems to think there is something behind the increase and questioned how the health care insurance carriers are selected. She asked if there was a public advertisement and if so how many responded. She also asked several questions as to what has changed to cause such an increase.

Mr. Patrick McDonough SFT said that he stands here tonight as an officer of the SFT, a 37 year teacher and an advocate for his teachers. He stated that the morale of this district's teaching staff is at an all time low. He said that beginning teachers are not earning a sustainable income. He commented that mid-level

and veteran teachers are experiencing net incomes that have decreased each year over at least the last five years while expenses and the cost of living have increased.

Mr. McDonough stated that teachers are resigning and are actively pursuing jobs in other districts. He commented on how our teachers with families are investigating qualifications for food stamps and other welfare programs. He said that the para-educators are in worse shape all due the amount of money being paid to their health insurance.

Mr. McDonough stated we need the board to stand up and say we will correct this now up by finding an actable middle ground for our employees and our citizens. He said that they need the board to exercise a degree of social conscience. He said if the board doubts the severity of the problem then why his colleagues on the street are. He said they feel this is where they have been forced and that they feel that they do not have any real value in Scranton.

Mr. McDonough said in closing, he called upon the members of the board this evening to pass a resolution that will correct the problem by providing more equitable funding for their health care. He said please take my colleagues, the teachers and the para's of the students of Scranton off the street. He thanked the board for their attention to this issue this evening.

Mr. Jerry Flanagan, 1206 Business Agent said he was here this evening representing the 213 members of the Scranton School District's support staff. He stated that he has received numerous calls from his colleagues regarding the increase in their health insurance. He said that they can not afford this increase and gave an example of a secretary in the district making \$18,000 dollars a year and paying \$5,000 dollars for Access II Health Care. He stated that she will only be making \$13,000 dollars before taxes a year. He said how you could possibly ask someone to work like that, it can't be done. He asked the members of the board for their help in ratifying this health insurance situation.

Ms. Rosemary Boland 929 Hickory St. told members of board that they are not indentured servants and they are not paying anymore referring to the increase in the health care benefits.

Ms. Boland spoke at length on how the current teachers' contract was negotiated in 2002 and how the district has attributed the increases to a growth in plan usage and prescription drug costs.

Ms. Boland also spoke on the following topics regarding the 34 % increase in health benefits:

- ✓ Co-pay for doctors visits and mandates on prescription drugs.
- ✓ Stated employees are not sure if should have a colonoscopy or die from cancer.
- ✓ The Scranton School District as being one of the largest contributors the NEIU Budget, and their employees/retirees don not have to pay for health care benefits.
- ✓ The maximum salary of the paraeducators and the district hiring practice.
- ✓ Blue/Cross of Northeastern Pennsylvania having billions of dollars in surplus and funding two area hospitals and the new medical college.
- ✓ The history of HMO's and the administration and the district trying use them.
- ✓ Requested proof from the board for justification on 34% the rate increase and discussed Stop Loss.
- ✓ Reminded the members of the board that the teachers in this district put them on the map.
- ✓ Expects the board to study and do their homework and demanded that they find a solution to the increase in the health care benefits and also the Broker the district hired for \$50,000 dollars to do his.

Mrs. Boland said in closing that she is willing to sit down, cooperate and share the information that she has accumulated on health care with, "the powers that be" to get a solution to this health care disaster.

**REPORT FROM A REPRESENTATIVE OF THE PTA: NO REPORT**

**REPORT FROM THE PSBA REPRESENTATIVE: NO REPORT**

**REPORT FROM STUDENT REPRESENTATIVE: NO REPORT**

**SOLICITOR'S REPORT: NO REPORT**

**CHIEF EXECUTIVE OFFICER'S REPORT:**

Mr. Sheridan announced that a student from Scranton High School received an early admission to Stanford University.

Mr. Sheridan thanked the teachers and support staff for the Christmas generosity. He said they helped out several families throughout the district and they do it without any PR.

Mr. Sheridan stated that Ms. Boland had some good ideas and he is looking forward to the Insurance Committee to solve this problem.

#### **ATHLETICS AND STADIUM:**

The following resolution was submitted by Director Paul O'Malley. It is the recommendation of the Athletic and Stadium Committee that the following coaching assignment for the 2007-2008 school year be ratified. Salary in accordance with the Collective Bargaining Agreement.

Jennifer Palazzari

Freshman Cheerleader Advisor  
West Scranton High School

The resolution was seconded by Director Jeffers and passed unanimously on a roll call vote.

#### **BUDGET AND FINANCE COMMITTEE:**

### **RESOLUTION TO FILE OF SOLICITOR**

#### **NO. 1 - 2008**

#### **2008 BUDGET:**

The following resolution was submitted by Director Jeffers.

**BE IT RESOLVED** that the Board of Directors of the School District of the City of Scranton hereby authorizes the expenditure of **\$105,917,668.00** upon adoption of the Budget for the year 2008, copies of which are carried hereby and are available to the public.

**BE IT FURTHER RESOLVED**, that the District Secretary shall file and advertise the Budget in accordance with law.

#### **ON THE QUESTION:**

Director Hartman asked Mr. Sunday for an explanation for the increase in the district's automotive insurance.

Mr. Sunday explained how the billing for automotive insurance to Director Hartman.

Director McGuigan asked what the board intentions are if the former East Scranton Intermediate School is not sold. She stated that it has been figured into the Revenue Side of the 2008 Budget.

Mr. Sunday responded to Director McGuigan concerns. He said that they have increased the budget by two hundred thousand dollars and that we had advertised in the amount of five hundred thousand dollars for the property. He said if the sale does not go through we would then line item something out of the budget.

Director McGuigan then asked about the overtime salaries that have been budgeted in for Buildings and Grounds. She said that one hundred and five thousand dollar (\$105,000) has been allotted for overtime and every year we go over that amount. She said that we have some school custodian supervisors that are making in excess of seventy-five thousand dollars, (\$75,000) more than what our teachers are making. She then suggested that the board could be put a cap on excessive amounts or mandate that the over-time be board approved.

Director Paul O'Malley said that he would like to see that amount of over-time in black or white. He explained that most of the overtime comes from the district's rental.

Director Hartman requested a copy of all the overtime from all district buildings for the 2007 year. He also suggested that all rental money get put into a separate account, rather being deposited into the district's General Fund.

At this time discussion was held regarding the district's overtime.

The resolution was seconded by Director Lesh and passed unanimously on a roll call vote.

## **2008 BUDGET**

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- X. TAX ANTICIPATION LOAN

**FOR ACTION ON THE 19<sup>TH</sup> DAY OF DECEMBER, 2007.**

**ALSO**

**NO. 2 - 2008**

### **REAL ESTATE TAX LEVY:**

The following resolution was submitted by Director Jeffers.

**BE IT FURTHER RESOLVED**, that the Board of Directors of the School District of the City of Scranton hereby levies a tax of 99.80 mills per One Thousand (\$1,000.00) Dollars of assessed valuation on real estate pursuant to authority of the Act of the General Assembly, March 10, 1949, P.L. 30, ART. VI, Sec. 672, as amended.

The resolution was seconded by Director Hartman and passed unanimously on a roll call vote.

**ALSO**

**NO. 3 - 2008**

**LOCAL TAX ENABLING ACT OF 1965**

**511 TAXES:**

The following resolution was submitted by Director Jeffers.

**BE IT FURTHER AND SEPARATELY RESOLVED:**

That under authority of the Local Tax Enabling Act of 1965, Act 511, P.L. 1257, of the Act of the Assembly of the Commonwealth of Pennsylvania, and in compliance with the school laws of Pennsylvania, as amended, there is levied, claimed and imposed taxes for the calendar year 2008; and

That all Act 511 taxes, hereinafter levied under the Local Tax Enabling Act of 1965, are intended to generate the maximum amounts of tax revenues allowed and permitted by law; and that where the City of Scranton and/or the School District of the City of Scranton have perfected claims to proportionate shares of any of the hereinafter recited Act 511 taxes, that these claims shall persist and remain in force and effect; and that where a maximum legal levy has been hereby made that the same shall only be adjusted or reduced, in accordance with law, to that amount which shall represent the proportionate share of the School District of the City of Scranton; and

The subjects and subject matter of taxes levied by the School District of the City of Scranton for the year 2008 are intended to be within the limits of the School District of the City of Scranton, coterminous with the City of Scranton, while the aggregate of taxes collected by similar levies, if any, by the City of Scranton, are separate, distinct and apart from the taxes levied hereunder by the School District of the City of Scranton, unless otherwise provided by law, and shall be collected by tax collectors herein named and appointed or hereinafter named and appointed for which purpose there is continued, levied and imposed the following Act 511 taxes, separate Resolutions for each of which follow:

**LEVY I: EARNED INCOME TAX**

**LEVY II: MERCANTILE/BUSINESS PRIVILEGE TAX LICENSE**

**LEVY III: MERCANTILE TAX**

**LEVY IV: BUSINESS PRIVILEGE TAX**

**LEVY V: OCCUPATION PRIVILEGE TAX**

**LEVY VI: REALTY TRANSFER TAX**

**WHEREFORE**, the above taxes are continued for 2008, and shall continue in full force and effect unless repealed or amended by law or action of successor School Boards.

The resolution was seconded by Director Hartman and passed unanimously on a roll call vote.

**ALSO**

**RESOLUTION TO FILE OF SOLICITOR**

**NO. 3 - 2008**

**511 TAX LEVY I**

**511 TAX LEVY I: (EARNED INCOME TAX)**

The following resolution was submitted by Director Jeffers.

Continuing a levy of one (1%) percent being a tax imposed upon salaries, wages, commissions, earned income and other compensation of residents of the School District of the City of Scranton and upon net profits earned by such residents from all businesses, professions and all other activities, salaries, wages, commissions relating to earned income.

The resolution was seconded by Director Hartman and passed unanimously on a roll call vote.

**ALSO**

**RESOLUTION TO FILE OF SOLICITOR**

**NO. 3 - 2008**

The following resolution was submitted by Director Jeffers.

**511 TAX LEVY II: (MERCANTILE/BUSINESS PRIVILEGE TAX LICENSE)**

Continuing a tax on all firms, persons and entities engaged in occupations and businesses at the rate of Five (\$5.00) Dollars for the privilege of doing business; to be known as "**SCHOOL LICENSE TAX**".

The resolution was seconded by Director Hartman and passed unanimously on a roll call vote.

**ALSO**

**RESOLUTION TO FILE OF SOLICITOR**

**NO. 3 -- 2008**

**511 TAX LEVY III**

The following resolution was submitted by Director Jeffers.

**511 TAX LEVY III: (MERCANTILE TAX)**

Continuing and claiming a mercantile tax on persons, firms and entities engaged in business, as follows: Wholesale dealers, or vendors at the rate of .000452 on each dollar of gross volume of business, on retail dealers or vendors at the rate of .000679 on each dollar of gross volume of business, based upon annual gross receipts for the year 2007, or by rules and regulations, as applicable, and/or for succeeding years thereafter, to be known as "**MERCANTILE TAX**".

The resolution was seconded by Director Hartman and passed unanimously on a roll call vote.

**ALSO**

**RESOLUTION TO FILE OF SOLICITOR**

**NO. 3 -- 2008**

**511 TAX LEVY IV**

The following resolution was submitted by Director Jeffers.

**511 TAX LEVY IV: (BUSINESS PRIVILEGE TAX)**

Continuing a tax upon the privilege of engaging in a business at the rate of .00513 per dollar of gross annual receipts, (5.13 per \$1,000) to be known as "**BUSINESS PRIVILEGE**", based upon annual receipts for the preceding year, i.e., 2007.

The resolution was seconded by Director Hartman and passed unanimously on a roll call vote.

**ALSO**

**RESOLUTION TO FILE OF SOLICITOR**

**NO. 3 -- 2008**

**511 TAX LEVY V**

The following resolution was submitted by Director Jeffers.

**511 TAX LEVY V: (OCCUPATION PRIVILEGE TAX)**

Continuing a tax of Five (\$5.00) Dollars on each individual engaging in an occupation, as defined by statute; to be known as "**OCCUPATION PRIVILEGE TAX**".

The resolution was seconded by Director Hartman and passed unanimously on a roll call vote.

**ALSO**

**RESOLUTION TO FILE OF SOLICITOR**

**NO. 3 -- 2008**

The following resolution was submitted by Director Jeffers.

**511 TAX LEVY VI: (REALTY TRANSFER TAX)**

Continuing a tax on the transaction of the transfer of real property. Each person who accepts the delivery of any document or on whose behalf delivery of any document is accepted shall be subject to paying tax of one-half (1/2) of one (1%) percent of the value of the property represented by each document, excepting those excluded by law, to be known as "**REALTY TRANSFER TAX**", the collection which shall be through the Recorder of Deeds in and for Lackawanna County, Pennsylvania, for which purpose the said Recorder of Deeds is hereby deputized.

The resolution was seconded by Director Lesh and passed unanimously on a roll call vote.

**ALSO**

**RESOLUTION TO FILE OF SOLICITOR**

**NO. 4 - 2008**

The following resolution was submitted by Director Jeffers

**GENERAL CONDITIONS:**

In order to fully effectuate the tax levies, their implementation and collection, the District Secretary and/or the District Solicitor are hereby authorized and directed to act on behalf of the School District in all matters necessary in carrying out the intent hereof, including, but not limited to, legal advertisement of same where required.

All of the said levies are made in order to fund the general accounts of the School District in the conduct of a thorough and efficient public school system, in trust to the Board of Directors of the School District of the City of Scranton.

Accordingly, all of the actions are collectively and individually intended to continue in effect all previous actions taken on like and similar matters, subject, only to any amendments herein. To effect the tenor hereof, all previous enactments or funds appropriated on matters herein set forth shall be so adjusted, conformed and compounded, including, but not limited to, budget appropriations made to or on behalf of the Act 511 Tax Collector, and the administrative and salaried staff as supervised by him, and the rules and regulations as published with the enactment or reenactment of Act 511 taxes which action shall commence January 1, 2008.

The resolution was seconded by Director Lesh and passed unanimously on a roll call vote.

**ALSO**

**RESOLUTION TO FILE OF SOLICITOR**

**NO. 5 - 2008**

The following resolution was submitted by Director Jeffers.

**APPOINTMENT OF REAL ESTATE AND/OR  
511 TAX COLLECTOR:**

**BE IT RESOLVED** that Kenneth McDowell and/or his legal successor, is recognized and/or appointed as the Collector of Taxes for the year 2008 or until withdrawn by action of the Board of Directors of the School District of the City of Scranton for levies as follows

1. **Real Estate Taxes**
2. **Earned Income Tax**
3. **Occupation Privilege Tax**
4. **Business Privilege Tax**
5. **Mercantile Tax**
6. **School License Tax**

**BE IT FURTHER RESOLVED**, that the Board of Directors of the School District of the City of Scranton shall require the posting of adequate bonds in conformity with law and/or based upon previous practice in these same premises which shall be properly approved by Court and/or the District Solicitor and filed with the District Secretary.

The resolution was seconded by Director Lesh and passed unanimously on a roll call vote.

**ALSO**

**RESOLUTION TO FILE OF SOLICITOR**

**NO. 6 - 2008**

The following resolution was submitted by Director Jeffers.

**DESIGNATION OF DEPOSITORIES FOR TAX COLLECTIONS:**

**BE IT RESOLVED THAT**, PNC BANK, Scranton, Pennsylvania, be hereby designated depository in which the funds and monies in the custody of Kenneth McDowell, Wage Tax Collector, or his legal successor, may be deposited.

The resolution was seconded by Director Hartman and passed unanimously on a roll call vote.

**ALSO**

**RESOLUTION TO FILE OF SOLICITOR**

**NO. 7 - 2008**

The following resolution was submitted by Director Jeffers.

**SUBJECT: APPOINTMENT OF ADMINISTRATIVE HEARING OFFICER**

**BE IT RESOLVED** that Kenneth McDowell and/or his legal successor, is recognized and/or appointed as the Administrative Hearing Officer pursuant to Act 50 of 1998 at Section 8430(4) and shall continue to provide the taxpayer review or appeal process as was in offered on the effective date of this statute (Act 50 of 1998).

**BE IT FURTHER RESOLVED** that any and all forms, rules, as well as practices or procedures previously utilized by the tax collector on the effective date of this statute be adopted.

The resolution was seconded by Director Lesh and passed unanimously on a roll call vote.

**ALSO**

**RESOLUTION TO FILE OF SOLICITOR**

**NO. 8 - 2008**

The following resolution was submitted by Director Jeffers.

**SUBJECT: TAXPAYER BILL OF RIGHTS/DISCLOSURE STATEMENT**

**BE IT RESOLVED** that pursuant to Act 50 of 1998, at Section 8423, the attached Taxpayer Bill of Rights and Disclosure Statement be adopted.

The resolution was seconded by Director Phillips and passed unanimously on a roll call vote.

**ALSO**

**SCRANTON SCHOOL DISTRICT  
TAXPAYERS BILL OF RIGHTS DISCLOSURE STATEMENT**

The following resolution was submitted by Director Jeffers.

Every taxpayer is obligated to pay all taxes levied by the School District to which the taxpayer is subject when taxes are not paid or a school district has questions about whether a taxpayer has fulfilled all tax obligations, the school district has legal rights to enforce taxpayer obligations. In conjunction with taxpayer obligations and school district rights, the Commonwealth of Pennsylvania has enacted a Local taxpayer's Bill of Rights which grants legal rights to taxpayers, and creates obligations for school districts so that equity and fairness control how school districts collect taxes. This document is the School District Disclosure Statement required by the Bill of Rights. This document is merely a summary of your rights. For a complete statement of your rights and the obligations of the School District, See § 53 P.S. Subch.C.

**APPLICABILITY/ELIGIBLE TAXES**

This Disclosure Statement applies to eligible taxes levied by the School District. For this purpose, eligible taxes include any tax levied by the School District other than the real estate tax. This Disclosure Statement does not apply to real estate taxes. The specific eligible taxes levied by the School District are: (1) Earned Income, (2) Occupational Privilege, (3) Business Privilege Tax, (4) Mercantile Tax, (5) School License Tax. Unless expressly provided in the Local Taxpayers' Bill of Rights, the failure of any School District representative to comply with any provision of this Disclosure Statement related regulations of the Local Taxpayers Bill of Rights will not excuse the taxpayer from paying the taxes owed. All taxes are collected and administered by the Single Tax Office through its Collector of Taxes, specifically Mr. Kenneth

McDowell or his legal successor. A separate disclosure statement relating to the earned income tax is available from that office. This Disclosure Statement does not apply to the earned income tax.

## **TAXPAYER RIGHTS AND SCHOOL DISTRICT OBLIGATIONS WHEN THE SINGLE TAX OFFICE REQUESTS INFORMATION OR AUDITS TAXPAYER RECORDS**

### **Minimum Time Period for Taxpayer Response**

- The taxpayer has 30 calendar days from the mailing date to respond to the Single Tax Office requests for tax information.
- Upon written request, the Single Tax Office will grant reasonable time extensions for good cause.

The Single Tax Office will notify the taxpayer of the procedures to obtain an extension in its initial request for tax information.

### **Requests for Prior Year Return**

- An initial Single Tax Office request may cover only taxes required to be paid or tax returns required to be filed no more than 3 years prior to the mailing date of the request.
- The Single Tax Office may make a subsequent request relating to other taxes or returns if, after the initial request, the Single Tax Office determines that the taxpayer failed to file a tax return, underreported income or failed to pay a tax for one or more of the tax periods covered by the initial request.

### **Use of Federal Tax Information**

- The Single Tax Office may require a taxpayer to provide copies of federal tax returns if the Single Tax Office can show that the information is reasonable necessary for enforcement or collection of a tax and the information is not available from the Pennsylvania Department of Revenue or other sources.

## **TAX AUTHORITY/UNDERPAYMENT/REQUIRED NOTICES**

The Single Tax Office must notify the taxpayer in writing of the basis for any underpayment determined by the Single Tax Office.

## **TAX APPEALS**

### **Tax Appeal Petitions**

- To appeal a tax assessment or denial of a refund request, the taxpayer must file a tax Appeal Petition with Kenneth McDowell or his legal successor. The petition must be mailed or delivered to the attention of Kenneth McDowell at the following address:

**Single Tax Office  
431 Wyoming Avenue  
Scranton, PA 18503**

- Tax Appeal Petitions requesting a refund must be filed within the time set forth above under "Tax Overpayment Refunds."
- Tax Appeal Petitions appealing a tax assessment or notice of underpayment must be filed within 90 days after the date of the tax assessment or underpayment notice.
- Regulations regarding the form and content of petitions as well practice and procedure for tax appeals may be obtained in person, or by mailing a request to the above address or by calling the Single Tax Office at (717) 963-6756 during the hours of 8:30 AM to 4:30 PM., Monday through Friday.

### **Single Tax Office Decision**

- The Single Tax Office will issue a decision on tax Appeal Petitions within 60 days after receipt of a complete and accurate petition.
- If the petition was complete and accurate when filed, the Single Tax Office's failure to render a decision within 60 days will result in the petition being deemed approved.

### **Appeals to Court**

- Any person aggrieved by the decision of the Single Tax Office who has a direct interest in the decision has the right to appeal to the County Court of Common Pleas.
- Appeals to court must be filed with the court within 30 days after the date of the Single Tax Office's adverse decision.

### **SINGLE TAX OFFICE ENFORCEMENT PROCEDURES**

Depending on the type of tax involved and the specific circumstances, if a taxpayer has not paid a tax liability determined to be due or which the Single Tax Office has reason to believe might be due, possible Single Tax Office enforcement options include.

- Inquiry by Single Tax Office.
- Single Tax Office audit of taxpayer records.
- The Single Tax Office may contact the taxpayer and attempt to resolve the liability through payment full, an installment payment plan, or compromise.
- The Single Tax Office may employ private collection agencies to collect the tax.
- The Single Tax Office may file a lien against the taxpayer, and in some cases, against an employer or other person responsible for payment of the tax.
- The Single Tax Office may attach or require an employer to make reductions in the wages or earnings of the taxpayer.
- The Single Tax Office may file suite against the taxpayer before a district judge in the County Court of Common Pleas.
- The Single Tax Office may execute and attach taxpayer bank accounts, sell taxpayer vehicles, other personal property or real estate, based on a judgement or lien obtained through legal proceedings.
- The Single Tax Office may seek criminal prosecution of the taxpayer.

### **TAX INFORMATION CONFIDENTIALITY**

Information gained by the Single Tax Office as a result of any audit, return, report, investigation, hearing or verification shall be confidential. However, confidentiality will not preclude disclosure for official purposes, whether in connection with legal proceedings or otherwise, and will not preclude disclosure to the extent required by any applicable law.

### **TAXPAYER COMPLAINTS**

If a taxpayer has a complaint about the Single Tax Office action relating to taxes, the Superintendent of Scranton School District may be contacted in writing at 425 North Washington Avenue, Scranton, PA 18503 or another person designated by the Scranton School Board will facilitate resolution of the complaint by working with the appropriate Single Tax Office personnel.

The resolution was seconded by Director Lesh and passed unanimously on a roll call vote.

### **ALSO**

### **RESOLUTION TO FILE OF SOLICITOR**

#### **NO. 9 - 2008**

The following resolution was submitted by Director Jeffers.

**AUTHORIZING THE ISSUANCE OF SEVEN MILLION MAXIMUM TAX ANTICIPATION NOTES; DETERMINING THE FORM AND TERMS OF SUCH NOTES; ESTABLISHING A SINKING FUND AND DIRECTING PAYMENTS THERETO IN RESPECT OF SUCH NOTES FROM TAX AND OTHER REVENUES; AUTHORIZING FILING OF CERTAIN DOCUMENTS AND OTHER INCIDENTAL ACTION AND REPEALING INCONSISTENT RESOLUTIONS**

**BE IT RESOLVED**, by the Board of School Directors of the School District of the City of Scranton, Lackawanna County, Pennsylvania, that

1. The School District hereby authorizes the issuance of if tax anticipation notes in an aggregate principal amount not to exceed \$7,000,000 (the "Notes")

pursuant to the Local Government Unit Debt Act enacted July 12, 1972, as amended; the Notes shall be issued from time to time in such amounts as shall be determined by the School District, provided that the amount of Notes to be issued shall be within the limitations set forth in the Local Government Unit Debt Act and shall not be greater than the estimated maximum cumulative cash flow deficit of the School District during the period in which the Notes will be outstanding, as determined under the Federal Income Tax Rules relating to arbitrage bonds.

2. The Notes shall be in substantially the following form, such insertions or variations are as appropriate.

The resolution was seconded by Director Hartman and passed unanimously on a roll call vote.

**RESOLUTION TO FILE OF SOLICITOR**

**NO. 10 - 2008**

The following resolution was submitted by Director Jeffers.

**SUBJECT: TAX ANTICIPATION LOAN**

**BE IT RESOLVED**, that upon request made, the Secretary received bids from local banks as follows:

<b><u>BANKS</u></b>	<b><u>BIDS</u></b>
1. Community Bank	3.28%
2. Fidelity Bank	No Bid
3. First National Bank	4.19%
4. PNC Bank	3.35%

**BE IT FURTHER RESOLVED**, based upon tabulation of the above bids, the Board of Directors of the School District of the City of Scranton, upon recommendation of the Business Manager and District Solicitor, hereby awards the sale of a Tax Anticipation Note, being #1 of a series, expected to be issued in the year 2008, with all subsequent issuance hereafter subject to prior approval of the School Board, being in the amount of \$7,000,000 at the rate of 3.28% per annum to Community Bank.

**BE IT FINALLY RESOLVED**, that the authority granted herein shall be carried out and perfected by adoption of Resolution to File of Solicitor No. 9 together with all other documentation as required by the Local Government Unit Debt Act enacted July 12, 1972, as amended, and the filings in accordance with law shall be made by the Secretary and/or District Solicitor depending upon their respective responsibilities in furtherance of which the President and District Secretary or their legal substitutes are hereby authorized to execute and deliver all instruments required to carry out the tenor hereof subject to approval of the District solicitor.

BY: \_\_\_\_\_  
Secretary

**CERTIFIED** from the records of the Secretary this 19th day of December 2007,  
as a true and correct copy of official action of the Scranton School Board taken at its public  
Meeting on December 19, 2007, at which 9 Directors were present.

BY: \_\_\_\_\_  
Secretary

YEA:   9  

NAY:   0  

**THE SCHOOL DISTRICT OF THE CITY OF SCRANTON**

**TAX ANTICIPATION NOTE**

The following resolution was submitted by Director Jeffers.

The **SCHOOL DISTRICT OF THE CITY OF SCRANTON** (the "**Local Government Unit**"), Lackawanna County, Pennsylvania, for value received, hereby promises to pay on or before December 30, 2008, at the office of Community Bank, located at 125 North State Street, Clarks Summit, PA 18411, the sum of SEVEN MILLION DOLLARS (\$7,000,000.00) in lawful money of the United States of America, with interest thereon from the date hereof payable on or before December 30, 2008 at the rate of 3.28% per annum with no further obligation on the part of the School District of the City of Scranton.

This Tax Anticipation Note has been duly authorized for issuance by the Local Government Unit pursuant to the Local Government Unit Debt Act, Act No. 185 of the 1972 General Assembly of the Commonwealth of Pennsylvania, approved July 12, 1972, and by a resolution (the "**Resolution**") of the Local Government Unit adopted December 19, 2007. This Note is payable from, and equally and ratably with other such Notes, is secured by the pledge of, and a first lien and charge on, the taxes and revenues of the Local Government Unit to be received between the first day of the month next following the date hereof, and the date of maturity stated above. From such taxes and revenues there shall be deposited with the Bank, as sinking fund depository pursuant to the Local Government Unit Debt Act, the amounts specified in the Resolution.

This Note is subject to prepayment in whole or in part at the option of the Local Government Unit at any time and from time to time.

**IN WITNESS WHEREOF**, the Local Government Unit has caused this Note to be duly signed this   19th   day of December, 2007.

**ATTEST:**

**THE SCHOOL DISTRICT OF  
THE CITY OF SCRANTON**

\_\_\_\_\_  
**SECRETARY**

**BY:** \_\_\_\_\_  
**PRESIDENT**

(SEAL)

3. This Note shall be executed and delivered on behalf of the School District by the President or Vice President, and the seal of the School District shall be affixed to such Note, attested by the Secretary or Assistant Secretary; each Note shall be dated the date of its issuance, shall mature no later than December 28, 2008 and shall bear interest from the date of issuance payable on a per annum basis at the rate of rates to be specified in a further resolution awarding notes to a purchaser thereof.
4. The Local Government Unit hereby establishes a sinking fund and designates PNC Bank & Trust (the "Bank") as a sinking fund depository pursuant to the Local Government Unit Debt Act. The Treasurer of the School District is hereby authorized and directed to pay the Bank, as such sinking fund depository of the School District, Eighty-five (85%) percent (or such lesser percentage of anticipation revenues of the School District as was borrowed during such period) or all taxes and other revenues of the School District collected after the first day of the month next following the date of the delivery of each Note to the Bank until the amount in such sinking fund (including any interest to be earned thereon) shall equal the principal of and interest remaining to be paid upon the Notes then outstanding, at which time

the monies in such sinking fund shall be paid to the Bank against receipt by the School District of an equal principal amount of the Notes.

5. The Officers of the School District are hereby authorized and directed to take such additional action as may be incidental to the issuance of, and necessary for the validity of, the Notes, including the filing with the Pennsylvania Department of Community Affairs, of a certified copy of this Resolution and a Certificate as to the taxes and revenues remaining to be collected by the School District, all as required by the Local Government Unit Debt Act and to make changes to the form of the Note, in consultation with the solicitor, as are necessary to carry out the intent hereof.

6. All prior resolutions or parts thereof inconsistent herewith are hereby repealed.  
Certified from the records of the Secretary this 19<sup>th</sup> day of December, 2007, as a true and correct copy of official action of the Scranton School Board taken at its public meeting on December 19, 2007 at which 9 Directors were present.

By: \_\_\_\_\_  
Secretary

YEA: 9

NAY: 0

The resolution was seconded by Director Hartman and passed unanimously on a roll call vote.

ALSO

The following resolution was submitted by Director Jeffers.

It is the recommendation of the Budget and Finance Committee that the following resolution be considered:

The Exception Bill List as per the bill payment approval policy for the period ended **December 19, 2007** be approved as per the attached:

The resolution was seconded by Director Hartman and passed unanimously on a roll call vote.

SEE ATTACHMENTS

ALSO

The following resolution was submitted by Director Jeffers.

It is the recommendation of the Budget and Finance Committee that the following resolution be considered:

The list of bill payment in accordance with the bill payment approval Policy be approved as per the attached:

I move that orders be drawn upon the treasury as follows:

**December 19, 2007**                      **\$ 708,135.58**

The resolution was seconded by Director Paul O'Malley and passed unanimously on a roll call vote.

SEE ATTACHMENTS

ALSO

The following resolution was submitted by Director Jeffers.

The BUDGET AND FINANCE COMMITTEE presents the following resolution for your consideration:

BE IT RESOLVED, that the Treasurer's Report for the month ending October 31, 2007, be accepted as follows:

Opening Balance	\$	11,332,594.17
Monthly Revenue	\$	8,273,606.24
Transfer and Refunds	\$	<u>382,137.90</u>
TOTAL AVAILABLE	\$	19,988,338.31
Total disbursements	\$	<u>10,500,956.11</u>

BALANCE IN GENERAL ACCOUNT      \$            **9,487,382.20**

The resolution was seconded by Director Hartman and passed unanimously on a roll call vote.

SEE ATTACHMENTS

**COMPUTERIZATION COMMITTEE:**

The following resolution was submitted by Director Lesh.

The Computerization Committee that Tritt-Schell Consulting Services be approved for E-rate preparation and filing.

<b>SERVICE</b>	<b>AMOUNT</b>
E-rate Consulting Services	\$12,000.00
Invoice for successful filing of Year 11, E-rate Bear Reimbursements, totaling \$190,000.00	

The resolution was seconded by Director Jeffers and passed unanimously on a roll call vote.

SEE ATTACHMENTS

**EDUCATION COMMITTEE:**

The following resolution was submitted by Director McGuigan.

**It is the recommendation of the Education Committee that the following Resolution be adopted:**

*WHEREAS*, this Committee was duly authorized to conduct an expulsion hearing in the matter of Expulsion No.17, of 2007, and;

*WHEREAS*, the Committee after due notice to the student of the charge alleged and after affording the student the opportunity to challenge the same at time of informal hearing, as well as a full hearing;

*DOES HEREBY RECOMMEND* that the students be expelled as set forth in the report previously presented for your consideration.

*THEREFORE, BE IT RESOLVED*, the student identified in this Resolution as Expulsions No.17, of 2007, be expelled upon the terms and conditions as set forth in the report mentioned above.

The resolution was seconded by Director Jeffers and passed unanimously on a roll call vote.

**PERSONNEL COMMITTEE:**

The following resolution was submitted by Director Phillips.

It is the recommendation of the Chief Executive Officer that the following be approved:

BE IT RESOLVED, that Mr. Thomas Gilbride, Groundskeeper, be appointed Recycling coordinator and daytime foreman at a salary of \$52,741 effective January 2, 2008.

ON THE QUESTION:

President Gilbride said for a matter of disclosure that this is not him, nor is he related to this individual in any way.

Director McGuigan asked if the Recycling Coordinator's salary was going to be paid from grants.

President Gilbride commented that it will be paid through grants, but the district will not be able to receive any grants until we have the program up and running for some time.

Director McGuigan then asked if the district would be looking to purchase a fleet or new recycling vehicles because of this new position.

Mr. Sheridan stated that the district will be able to purchase vehicles as well as pay for this position if it is successful with grant money from the program.

Director McGuigan commented that the district is behind our recycling program. She stated that she is happy with the program but suggested waiting a few months down the road to see if it becomes successful.

Director Hartman stated the he agreed with Director McGuigan.

At this time discussion took place regarding this person doing the daytime foreman position until the recycling program is up and running.

Director McGuigan stated that she would be voting no to this position because she feels we're putting the "cart before the horse," and see would like to see the program up and running before a new position is created.

The resolution was seconded by Director Lesh and passed with eight (8) affirmative votes and one (1) negative vote. Director McGuigan cast the negative vote.

ALSO

## **SUPERINTENDENT'S REPORT NO. 1015 - RESIGNATIONS**

The following resolution was submitted by Director Phillips.

### **RESIGNATIONS**

#### **NON-CERTIFIED**

1. Robert Bates Effective: February 1, 2008  
Custodian #4  
Administration Building

Years of Service – 28.1

#### **OTHER**

1. Martin Duffy Effective: December 17, 2007  
Hall/School Monitor  
Scranton High School

ON THE QUESTION:

Director Lesh recognized Robert Bates for almost 29 years to this district and wished him long and prosperous years in his retirement.



- COST: \$100.00  
 DATES: December 12, 2007  
 LAST CONFERENCE ATTENDED AT DISTRICT EXPENSE: April, 07
8. Ann Nicastro ER&D Capt. Area Winter Int.  
 Linthicum Heights, Md.  
 COST: \$1139.00  
 DATES: January 17-20, 2008  
 LAST CONFERENCE ATTENDED AT DISTRICT EXPENSE: July, 07
9. Ted Anderson ER&D Winter Institute  
 Linthicum Heights, Md.  
 COST: \$1073.70  
 DATES: January 16-20, 2008  
 LAST CONFERENCE ATTENDED AT DISTRICT EXPENSE: July, 07
10. William King Legal & Liability Issues in Schools  
 Las Vegas, NV  
 COST: \$700.00  
 DATES: December 5-6, 2007  
 LAST CONFERENCE ATTENDED AT DISTRICT EXPENSE: Oct., 07
11. Robert Montgomery PASA Training  
 NEIU #19  
 COST: \$70.00  
 DATES: January 30, 2008  
 LAST CONFERENCE ATTENDED AT DISTRICT EXPENSE: Oct., 06
12. Suzanne Furey 50 Ready-to-use Writing Lessons  
 Scranton, PA  
 COST: \$274.00  
 DATES: February 27, 2008  
 LAST CONFERENCE ATTENDED AT DISTRICT EXPENSE: N/A
13. Ann Genett Verbal Behavior Training  
 Harrisburg, PA  
 COST: \$91.85  
 DATES: November 8-9, 2007  
 LAST CONFERENCE ATTENDED AT DISTRICT EXPENSE: Sept., 07
14. Mary Ellen Reese 50 Ready-to- use Writing Lessons  
 Scranton, PA  
 COST: \$259.00  
 DATES: February 27, 2007  
 LAST CONFERENCE ATTENDED AT DISTRICT EXPENSE: N/A
15. Paul McGloin ABCA Nat'l Convention  
 Philadelphia, PA  
 COST: \$1,530.95  
 DATES: January 3-6, 2008  
 LAST CONFERENCE ATTENDED AT DISTRICT EXPENSE: Jan., 05
16. Paul McGloin Coaches Clinic  
 Cherry Hill, NJ  
 COST: \$678.35  
 DATES: January 17-18, 2008  
 LAST CONFERENCE ATTENDED AT DISTRICT EXPENSE: Jan., 05

The resolution was seconded by Director McGuigan and passed unanimously on a roll call vote.

ALSO



ALSO

The following resolution was submitted by Director Phillips.

It is the recommendation of the Personnel Committee that the following resolution be approved.

WHEREAS, the Scranton School Board recognizes the importance of providing appropriate health services, and

WHEREAS, the District realizes that the number of students who are diabetic require monitoring and often, medication and,

WHEREAS, the District desires to deliver these health in the most efficient and economical manner and,

THEREFORE, BE IT RESOLVED, that the board authorizes the Chief Executive officer to enter into an agreement with Mrs. Shannon Lewis as an independent Licensed Practical nurse contractor. Compensation will be set at \$15.00 per hour, 5 days per week during the 2007-2008 school year. No other employee benefits are offered.

BE IT FURTHER RESOLVED, Mrs. Lewis will report directly to the medical department supervisor and the Chief School Nurse. This appointment is contingent upon the satisfactory submission of required background checks and other requirements deemed by the Personnel Manager.

ON THE QUESTION:

Director McGuigan said this just another black and white example of how we treat our employees in this district. And then asked Mr. Vail how many L.P.N.'s are currently working in the district.

Mr. Vail said that we have eight (8) L.P.N.'s currently employed in or district at this time.

Director McGuigan said we have eight L.P.N.'s that serve under the title of Matron, yet we have not bothered to change their job description to what this job description detail. She said that some are performing in the capacity as an L.P.N. and some are not.

Director McGuigan stated hiring this person will not solve the problem in our health ranks now.

Director McGuigan then called upon Mr. McTiernan to explain what these would mean to our matron positions.

Mr. McTiernan said the current Matrons and L.P.N.'s are in line with the current Bargaining Agreement. He explained that they have the option in Article 34 to give medication or to oversee the self administration of medication or not.

Director McGuigan questioned if the Matron's job description does not include that they would administer medication.

Mr. McTiernan spoke on a mediation that they had several months ago, and the mediation stated that we need to follow the Collective Bargaining Agreement. He stated that Director McGuigan was correct they need to follow the contract.

Director McGuigan then asked Attorney McGrath if it was possible to add an addendum to their contract. She said that we have the personnel in the schools already and asked why we are not using them effectively instead of hiring an L.P.N.

Mr. McTiernan stated that we are using them effectively but the problem is that we have twenty (20) school buildings including the Annex and we have twenty school nurses including the L.P.N's. He said that five of the schools nurses are locked at their secondary buildings due to their hiring. He explained y the district does not have enough nurses to operate effectively and he refer to packets a letter from the Regional PTA requesting more medical personnel in our buildings.

Mr. McTiernan discussed some of the problems the district is having serving the diabetic children; he stated that we do not have enough coverage.

Mr. McTiernan reviewed the annual cost of this position to the district, as opposed to hiring a full time certified nurse employee.

Director McGuigan then asked if we would be paying this L.P.N. more hourly than what we pay the matrons in the district.

Mr. McTiernan stated that he did not think that was true and discussed that the Collective Bargaining Agreement would not allow it. He then discussed the research that was done regarding this position.

Director Hartman said the only thing that he does not approve of in this contract is the word contract. He said if the district needs somebody, then that person should be hired fulltime.

At this time discussion to place regarding any ratifications this position might have on the 1206 Contract. Attorney McGrath explained that this is a scheduling problem, not a shortage of nurses in the district.

Director McGuigan said she still wanted to know what we are going to do with our matrons. She said once upon a time the district decided that our matrons would have L.P.N.'s license to become matrons.

Mr. McTiernan stated that Article 34 in the 1206 Bargaining Agreement needs to be lined up with the job description.

Director McGuigan said some matrons are going to give medicine and some are not. She said that she is going to assume that this person might have to cover for a matron who has decided not to give shots.

Mr. McTiernan addressed Director McGuigan's concerns he stated that there are back up measures in place.

Mary Clare Kingsley said that she will be the incoming 1206 Business Agent. She read Article 34 of the 1206 Collective Bargaining Agreement.

Mrs. Kingsley stated that this article was put into the contract to protect our elementary clerks many years ago. She explained that our clerks were giving prescription medications to students and they were not comfortable with it because they were not trained. She stated why this article was put in and that this Article was not put in for the L.P.N.'s that were hired much later. She said they were hired as matrons and their job description required them to be L.P.N.'s.

The resolution was seconded by Director Lesh and passed with eight (8) affirmative votes and one (1) negative vote. Director McGuigan cast the negative vote.

#### **BUILDINGS AND GROUNDS COMMITTEE:**

The following resolution was submitted by Director Brazill.

It is the recommendation of the Chief Executive Officer that the following resolution be considered for adoption:

**BE IT RESOLVED**, that Part C: site Acquisition is a required submission under the Pennsylvania Department of Education Planning and Construction Workbook (PlanCon) and this document has been completed and is in conformance with the Scranton City School District's Long Range Strategic Plan; Comprehensive Special Education Plan and approved PlanCon Project #3387 for John F. Kennedy School.

**THEREFORE, BE IT RESOLVED** that the Scranton Board of School Directors does hereby approve for submission to PDE PlanCon C: Site Acquisition for the John F. Kennedy School.

#### **ON THE QUESTION:**

Director McGuigan asked Mr. Gilmore to address the public on why the playground was eliminated.

Mr. Gilmore stated that the Zoning Board said that we needed the area for parking thus the playground had to be eliminated.

Director McGuigan then asked where are children at Kennedy School going to play.

Mr. Gilmore said the children at Kennedy School will have to use the multi-purpose room and won't be playing outside. They will be kept in school for the entire day.

At this time a lengthy discussion took place regarding eliminating a playground and looking for additional property to construct a playground.

Director Hartman asked how much this is costing the district and the taxpayers.

Mr. Gilmore stated that is costing seventy-five thousand (\$75,000) per month.

Director Lesh stated that the Zoning Board is "playing scrooge at Christmas time," by delaying the project from moving ahead.

Director Lesh said he has never seen so many complication for providing a better teaching environment being held up by another government municipality.

Mr. Sheridan said that he agreed with Directors Lesh and Hartman this is a disgrace what the Zoning Board is doing by delaying these projects

Mr. Lesh suggested that the four hundred teachers that protested tonight, should protest at the next Zoning Board hearing.

Mr. Sunday commented that Scranton Prep just put on two new additions and added no new parking. They received what ever variances they needed and based on that it was also an existing condition. He said based upon that, the district thought they would have received the same variances.

President Gilbride asked if anyone attended the Zoning Board Hearing and objected to the variance.

Mr. Sunday stated that one person attended the meeting that had a parking problem once during a snow storm.

Mr. Sunday also commented that every time the district goes before the Zoning Board we jump through hoops. He said there have been other educational entities such as LJC and Scranton Prep and there never seems to be any out cry unless it's the public school system.

Director McGuigan asked Mr. Gilmore if there was a possibility that there will be a playground at Kennedy School when everything is all said and done.

Mr. Gilmore stated that there is always a possibility.

The resolution was seconded by Director Jeffers and passed unanimously on a roll call vote.

SEE ATTACHMENTS

ALSO

The following resolution was submitted by Director Brazill.

It is the recommendation of the Chief Executive Officer that the following be considered for adoption:

BE IT RESOLVED, that Part D, Project Accounting Based on Estimates a required submission under the Pennsylvania Department of Education Planning and Construction Workbook (PlanCon) be approved for submission for the New West Elementary and John F. Kennedy Schools. The submission of Part D has been completed by the Design Team and Investment Banker of the District at the direction of the Pennsylvania Department of Education.

The resolution was seconded by Director Hartman and passed unanimously on a roll call vote.

SEE ATTACHMENTS

ALSO

The following resolution was submitted by Director Brazill.

It is the recommendation of the Chief Executive Officer that the following be considered for adoption:

BE IT RESOLVED, that the attached PLANCON F, Design Development, a required submission under the Pennsylvania Department of Education Planning and Construction Workbook (PlanCon), be approved for submission for the New West Elementary and John F. Kennedy Schools. The Board Transmittal has been completed by the Design Team of the District at the direction of the Pennsylvania Department of Education.

The resolution was seconded by Director Jeffers and passed unanimously on a roll call vote.

SEE ATTACHMENTS

ALSO

The following resolution was submitted by Director Brazill.

It is the recommendation of the Chief Executive Officer that the following be considered for adoption:

BE IT RESOLVED, that the Board of School Directors of the Scranton School District approves the submission to the Department of Education plans and specifications for Asbestos Abatement/Removal at John F. Kennedy School as a Self Certification Non Reimbursable Project. The Board certifies to the best of its knowledge and belief, construction bid documents will comply with applicable laws, regulations and policies, and the project will not pose a hazard to the health and safety of users as per the attached.

The resolution was seconded by Director Jeffers and passed unanimously on a roll call vote.

SEE ATTACHMENTS

ALSO

The following resolution was submitted by Director Brazill.

**The Building and Grounds Committee recommends the following resolution for your approval:**

**WHEREAS**, it is the intention of the Scranton School District Board of Education to sell the following school and real estate (the parcels and improvements) formerly known as East Scranton Intermediate School, Quincy Avenue, Scranton, Lackawanna County, Pennsylvania 18510, which is unused and unnecessary for school purposes; and

**WHEREAS**, Section 707(2) of the Pennsylvania School Code of 1949, as amended, provides, in part, that the Board of Education shall fix the terms and conditions for the sale of the school and real estate by Motion and Resolution.

**NOW, THEREFORE, BE IT RESOLVED** that the Scranton School District Board of Education does hereby authorize the sale of the aforementioned school and real estate by the receipt of sealed bids to be received at the Administration Building of the Scranton School District; 425 N. Washington Avenue, Scranton, Pa. 18503, at the Office of the Board Secretary until 12:00 noon on the 9th day of January, 2008. (No bids will be accepted that are transmitted by means of facsimile or e-mail). All bids shall be opened at 10:00 a.m. the following day at the Administration Building. The public is invited to attend.

**BE IT FURTHER RESOLVED**, that the Scranton School District does hereby fix the terms and conditions of the sale of the said school and real estate as follows:

**TERMS AND CONDITIONS OF SALE:**

All interested bidders shall submit their bid for the purchase of said school and real estate in a sealed envelope properly addressed and noted to the Office of the Secretary of the Scranton School District on or before 12:00 noon on the 9th day of January, 2008. All bids shall be opened at 10:00a.m. the following day at the Administration Building, 425 N. Washington Avenue, Scranton, PA 18503. Said sealed bid shall be accompanied by a certified or cashier's check payable to the order of the Scranton School District in a sum equal to ten(10%) percent of the amount of the bid to secure the School District against any loss resulting from the failure of the bidder to comply with the terms of his bid, which said sum shall be retained as a deposit toward the purchase price of the successful bidder or, in the event the bidder fails to make settlement within thirty (30) days of the Board's acceptance of the bid, or such additional time as may be granted in writing by the School Board, forfeited as liquidated damages.

Interested bidders may obtain, from the Office of the Board Secretary, bid packets which set forth the terms and conditions of the sale as adopted by the Boards' Resolution of December 19, 2007. This will also include a legal description of the property. The Office of the Board Secretary is open for business during the hours of 8:30 a.m. to 4:00 p.m., Monday through Friday. No request for proposals will be considered which fails in any respect to comply with the terms of the bid conditions.

Each prospective bidder will be requested to supply the following information by means of sealed bid, no e-mail or facsimile transmissions will be accepted.

1. Bid price
2. Proposed use of the property.
3. Sources and use of funding for acquiescence and development of the property
4. Minimum bid - five hundred thousand (\$500,000.00) dollars

All bids must have a completed and attached non-collusion affidavit. This form is used in connection with all proposals and bids for purchase of goods and services for the Scranton School District. Please submit your affidavit as part of your official proposal.

Said School District parcel shall be sold "as is" and any bidder shall be deemed to have made an inspection of the building and conducted a title search of the premises prior to submitting his or her bid. A successful bidder shall, in addition to the amount of his or her bid, pay all the Pennsylvania and school real estate transfer taxes, U. S. revenue stamps (if any), registration and recording costs of any real estate agent's or realtor's commission, if any, as well as seller's attorneys fees.

The purchase price shall be payable in cash or certified check for the balance upon delivery of a Quit-Claim Deed by the Scranton School District to the successful bidder. Settlement shall take place within thirty (30) days from the said School Board's acceptance of the best bid. Title shall pass at the time of the settlement. The School District reserves the right to reject any or all bids for the purchase of the school and real estate.

The sale of the aforesaid school and real estate may be adjourned from time to time without further notice except with the announcement of an adjournment date or dates at the time of sale or any adjournment thereof. The property formerly known as East Scranton Intermediate School is located in an area zoned R-1-A, and all prospective bidders are notified that any proposed use of said school should be discussed with the appropriate officials of the City of Scranton and the County of Lackawanna.

**INSPECTION OF PROPERTY:**

Bidders interested in inspecting the building should contact the Scranton School Board of Directors between the hours of 8:30 a.m. and 4:00 p.m. at (570) 348-3423. The Board reserves the right to schedule one or more "open houses" in order to allow prospective bidders to inspect the property. The legal description of the property formerly known as East Scranton Intermediate School, located at Quincy Avenue, Scranton, Pennsylvania 18510 is as follows:

**DESCRIPTION OF FORMER EAST SCRANTON INTERMEDIATE SCHOOL  
QUINCY AVENUE, SCRANTON, PENNSYLVANIA****PARCEL 1.**

**ALL** that certain piece or parcel of land situate in the City of Scranton, County of Lackawanna, and Commonwealth of Pennsylvania, bounded and described as follows, *to wit*:

**BEGINNING** at a point in the Southeasterly right-of-way line of Quincy Avenue, said point being located South 50° 00'00" West ninety (90.00') feet from the intersection of said right-of-way line of Olive Street;

**THENCE** along said right-of-way line of Quincy Avenue South 50° 00' 00" West two hundred-forty (240.00') feet to a point;

**THENCE** leaving Quincy Avenue along lands of David J. Phillips and Nancy A. Phillips (Inst. #200435027) South 40° 00'00" East one hundred sixty-two and one hundredth (162.01') feet to a point in the Northwesterly right-of-way line of Costello Court;

**THENCE** along said right-of-way line North 50° 00' 00" East two hundred forty (240.00') feet to a point;

**THENCE** leaving Costello Court along the lands of Joseph M. Bosek and Joanne M. Bosak (Deed Book 979, Page 543), Robert R. Novak, III and Robin E. Novak (Inst. #200226946), Lynne Hunt-Bobb (Inst. #200322975), and James L. Griffith and Dawne M. Griffith (Inst. #200400898) North 40° 00' 00" West one hundred sixty-two and one hundredth (162.01') feet to the point of **BEGINNING**.

**CONTAINING** 0.89 acres of land being the same, more or less.

**BEING ALL** of the same premises conveyed by Harriet C. Penman, *et al*, by deed dated December 6, 1926, and recorded in Lackawanna County Deed Book 361, Page 282, **ALL** of the same premises conveyed by Benjamin W. Silverstone, *et ux*, by deed dated January 26, 1927, and recorded in Lackawanna County Deed Book 359, Page 569, **ALL** of the same premises conveyed by Ronald P. Gleason, *et ux*, by deed dated December 8, 1926, and recorded in Lackawanna County Deed Book 359, Page, 569, **ALL** of the same premises conveyed by Mary A. McDonald, by deed dated December 9, 1926, and recorded in Lackawanna County Deed Book 365, Page 25, **ALL** of the same premises conveyed by Edwin J. Shepherd, *et ux*, by deed dated January 7, 1927, and recorded in Lackawanna County Deed Book 356, Page 215, **ALL** of the same premises conveyed by Mary A. McDonald, by deed dated March 1, 1927, and recorded in Lackawanna County Deed Book 362, Page 443.

**PARCEL 2**

**ALL** that certain piece or parcel of land situates in the City of Scranton, County of Lackawanna, and Commonwealth of Pennsylvania bounded and described as follows, *to wit*;

**BEGINNING** at the intersection of the Northwesterly right-of-way line of Costello Court and the Northeasterly right-of-way line of Vine Street;

**THENCE** along said right-of-way line of Costello Court North 50° 00'00" East one hundred thirty (130.00') feet to a point;

**THENCE** leaving Costello Court along lands of David J. Phillips and Nancy A. Phillips (Inst. #200435027) North 40° 00' 00" West seventy-one and twenty-two hundredth (71.22') feet to the point;

**THENCE** along lands of John Nowicki (Inst. #2004020128), Milton Jerkowitz, *et ux*, (Deed Book 631, Page 515), and Mark T. Rossetti (Inst. #200336224) South 50° 00' 00" West one hundred thirty (130.00') feet to the point of **BEGINNING**.

**CONTAINING** 0.21 acres of land being the same, more or less.

**BEING ALL** of the same premises conveyed by Gertrude Fallick, by deed dated February 19, 2003, to the Scranton School District and recorded in Lackawanna County at Instrument #200733252.

The resolution was seconded by Director Jeffers and passed unanimously on a roll call vote.

**TRANSPORTATION COMMITTEE:**

The following resolution was submitted by Director Jeffers.

The Transportation Committee presents the following additional Transportation for the 2007-2008 school year to be approved:

<b>NAME</b>	<b>AMOUNT</b>	<b>ANNUAL COST</b>
Jeane M. Decker 507 Broadway Ave. Scranton, Pa 18504	.23 per mile	\$ 745.20

The resolution was seconded by Director Paul O'Malley and passed unanimously on a roll call vote.

**PRESIDENT'S REPORT:**

President Gilbride thanked his fellow board members but especially Directors Jeffers, Lesh, and Phillips for the work they did on the budget. He stated that the board does not like the fact of raising taxes but, sometimes you're in a position in which you have to.

President Gilbride stated that he has had preliminary discussions with the incoming new majority Lackawanna County Commissioners in regard with the district working with the County on mutual purchasing etc. He said obviously they are not in office yet and that they will have to establish their own protocols. He said it will be an ongoing measure in which the board will be involved with to hopefully attempt to save the taxpayer's money by not duplicating services and or purchases.

President Gilbride said lastly he would like to thank the Scranton Federation of Teachers regarding their protest before this evening's meeting concerning the health insurance rate. He said unfortunately over the last 18 -24 months this issue has been polarizing and he said thinks not rightfully He stated the district is not against its teaching staff. He stated nothing could be further from the truth. He said that he believes he is speaking for the entire board and that there is not one board member here that would not like to take care of this issue successfully, but that it will require a two way line of communication. He stated that it is not just one way being told how to do something.

President Gilbride spoke on the teacher's contract that was voted on by the teachers years ago before this majority was ever on this board. He stated that health care is a travesty in this country and discussed working with the teachers during contract negotiations. He thanked the teachers for their showing of solidarity. He stated that it was a wonderful act of democracy they took part in this evening for the support that they received and that they should be credited for that but, hopefully we can harness that same energy together to make a difference as opposed to working against each other.

**NEW BUSINESS:**

Mr. Sheridan stated that Director Patrick O'Malley would like to honor the West Scranton High School football at the January board meeting.

Director Patrick O'Malley congratulated the Dunmore Bucks coaching staff and football players for bring home a silver medal from the states and for making Lackawanna County look great.

Director Patrick O'Malley also stated that he would like to invite President Boland from the SFT to meet with the board and share ideas on the district's health care situation.

Director Hartman said that he and Director Lesh were on the board when the last teacher's contract was ratified and stated that he believes that the teachers are being ripped off by Blue Cross. He also stated that he believes that this situation could be remedied and he will continue to question this issue at every future board meeting.

Director McGuigan said that she agrees with the statements made by Director Hartman. She stated that as a board we can show our teachers tonight that we are willing to work with them.

At this time Director McGuigan put a motion on the floor to pay for the audit that the teachers have requested. She said let Blue Cross justify the 34% increase in health care benefits because apparently the district does not have anyone whose job it is to question these rates.

The motion to pay for the audit was seconded by director Hartman.

ON THE QUESTION:

President Gilbride asked if the district had a price on what the audit would cost.

Mr. Sunday stated that five years ago the price for such an audit was Sixty-five thousand dollars (\$65,000).

President Gilbride then asked who the district would be looking at to conduct the audit.

Mr. Sunday stated that former director Todd O'Malley had a contact with a Philadelphia firm that was doing it and at that time they were the only firm in state that was doing such an audit.

Director Paul O'Malley suggested that before the board takes action on this vote he would like to get the names and the cost of such an audit before voting on it blind.

Ms. Boland stated that she would be happy to provide the members of board with some names.

At this time discussion took place on what the cost of the audit would be and who would do such an audit.

At this time Director Hartman withdrew his second on Director McGuigan motion to pay for the audit.

Director Phillips said that he fully supports Director McGuigan's motion because his wife is a teacher in the district and that he could empathize with the teachers because his family has also been affected by the increase in health premiums. He suggested tabling the motion until the board knows the cost for the audit and the board can get together with the SFT and work this all out.

President Gilbride asked Ms. Boland if she could provide the board with some information as to who would do the audit and meet with the board in two weeks.

At this time Director McGuigan withdrew for motion to pay for the audit until the district has more information.

Director Lesh said that the Zoning board is costing this district one hundred and fifty thousand dollars. He stated that money could be used to pay for this audit and encouraged the teachers to go to the next Zoning Board hearing and show their support to the district.

Director Patrick O'Malley wished everyone a Merry Christmas and a "Happy Safe New Year."

Director Phillips spoke on an incident that occurred at West Scranton High School a few months ago. He suggested that the board look into security and the access of the building.

Director Paul O'Malley stated that would be happy to discuss further that issue with Director Phillips with regards to securing the access to that building.

There being no further business, the meeting was adjourned at 9:15 P.M.

BY: \_\_\_\_\_  
SECRETARY