

**BETHLEHEM AREA SCHOOL DISTRICT
BOARD FACILITIES COMMITTEE
MEETING MINUTES
MONDAY, NOVEMBER 3, 2008**

Mrs. Michele Cann, Facilities Chairperson of the Board of School Directors, called the meeting of the Board Facilities Committee to order at 6:04 p.m. on Monday, November 3, 2008, in the Superintendent's Conference Room at the Education Center. Present were School Board members Benjamin Tenaglia, Charlene Koch, Loretta Leeson, Michele Cann, Irene Follweiler, Rosario Amato, Judith Dexter, and Eugene McKeon. Also present were Dr. Joseph A. Lewis, superintendent of schools; Scott T. Gilliland, director of facilities and operations; Arif Fazil, district engineer (D'Huy Engineering, Inc.); Mary Katona, assistant superintendent for curriculum and instruction; Thomas Washington, assistant superintendent for human resources; Dr. Dean Donaher, director of student services; David Himmelberger, supervisor of transportation; Julie Victory, supervisor of mathematics; Michael LaPorta, principal of Freedom High School; Ann Behers, operations manager; and representatives from the press.

The following items were discussed:

COURTESY OF THE FLOOR TO VISITORS –

Stephen Antalics, 737 Ridge Street, Bethlehem: Mr. Antalics asked the board to please explain item 2.1 on the agenda, Demolition of Old Northeast Middle School, in 25 words or less so he could ask an intelligent question about it. He also told the board that he would like to see Courtesy of the Floor moved on the agenda back to before Open Forum to give the public a chance to ask questions after all the items on the agenda has been reviewed.

Mrs. Cann explained that Courtesy of the Floor was moved to give the public a chance to speak before the meeting instead of waiting until the end to address questions to the board. Mrs. Cann also told Mr. Antalics that after item 2.1 was reviewed, she would give him the opportunity to address his question to the board.

DISCUSSION ITEMS –

Mrs. Cann then explained item 2.1 on the agenda. She stated that it was an item that needs to be addressed by the board soon.

Dr. Lewis said that the board had previously requested more information on the old Northeast Middle School building; information was provided to them in the memo that was dated October 29, 2008. He said that there will need to be additional money borrowed in order to demolish the building.

Mrs. Leeson stated that she would like to table this item as well as item 2.2 on the agenda, Capital Improvement Follow-up, until the board has a better picture of the district's finances.

Dr. Lewis said that it was on the agenda as a discussion item and was not able to be tabled at a Committee Meeting. At this time, the board can choose not to discuss these items, and they will be brought back for discussion at a later time.

Mrs. Leeson said that at this time, the district does not have any money to consider any new projects.

Mrs. Cann said that the board cannot continue to “remain in the dark” about items that need to be addressed. She wanted to have these items discussed.

Mrs. Leeson again said that the district has no money. She questioned why the board should spend time talking about it tonight and then have to talk about it again at a later time. She said that the district’s finances are volatile right now and suggested having discussions about new projects in three months or so. The district has paid out an enormous amount of money over the past few months in interest on the bond swaps.

Dr. Lewis said that the approximate figure of money paid out in interest was about \$1.5 million over a six week period. He said he wanted the board to have the information they needed so they would know what kind of conditions the buildings were in and what items need to be addressed.

Mrs. Koch, Mr. Amato, Mr. McKeon, and Mr. Tenaglia said that they would like to continue with the discussions and hear the information.

Mr. Gilliland explained the plan to demolish the old Northeast Middle School building. He explained that the current Pennsylvania Department of Education (PDE) PlanCon approval for this site provided them with an exception to keep the existing building up not only while the new Northeast Middle School building was being constructed, but also to house the Liberty High School freshman during renovations to Liberty High School. The original approvals were approved on the basis that the existing building would be demolished. If the building is not demolished, new zoning variances would be required. If the variances were approved, the city and the Lehigh Valley Planning Commission could possibly require a new site development plan with costly underground detention ponds and other features to handle storm water. Should the board decide not to demolish the old Northeast Middle School building, these items required by the city and planning commission are anticipated to be very costly. Major capital improvements would also need to be completed, such as a new roof at the approximate cost of \$2 million. If the building is abandoned for a period of time, there may be problems with the various approval agencies.

Mr. Fazil said the plan for the old Northeast Middle School site needs to be completed by the summer of 2011 according to the original approval issued by the PDE.

Mr. Amato asked when the lease at the old Northeast Middle School building for Northampton Area School District ends. What problems would we have with the permits and approvals if the building demolition was not addressed in a timely manner?

Mr. Fazil said that by keeping two buildings on the same site, there would be zoning issues for impervious cover and parking as well as two buildings located on one site. He noted that other land development issues will include storm water analysis and mitigation.

Dr. Lewis said there may be a series of fines issued to the district by the city if the building is abandoned. He reminded the board of the notices that were issued by the city in relation to the portables at the Rosemont building. Once they were vacant, the district was told by the city that the portables needed to be removed, or the district would be cited. Dr. Lewis noted that the city was more than fair with the district.

Mr. Amato stated that the board could not just walk away from the old Northeast Middle School building. He asked Mr. Fazil how long the district had until after June 30, 2008, to make a decision about the building.

Mr. Fazil said that it takes approximately seven to eight months for the approvals and approximately nine months to restore the property. Total time would be approximately one and a half years. Athletic fields will be constructed on the ground where the existing building is.

Mr. Amato said in the year and a half it will take to complete the demolition and construction of athletic fields, the district should be in better financial shape.

Mrs. Cann asked if it would be possible to delay making any decisions until after Northampton Area School District vacates the building.

Mr. Fazil said that the building cannot be left empty or abandoned. All it takes is one complaint from the community, and the city will act.

Mrs. Leeson stated that the community is fully aware of the financial state of district and does not think that there will be any complaints. She said if she remembers correctly, the modulars at the Rosemont building were left up for about six to eight years after the project was complete.

Mr. Fazil said there is still the issue of the storm water run off. It goes to the Lehigh Valley Planning Commission; this is beyond the city.

Mrs. Leeson added that the district does not have any money, and she would like to discuss this again once the finances are stabilized.

Mrs. Cann asked Mr. Antalics if he would like to ask his question to the board at this time.

Mr. Antalics said that the existing Broughal Middle School building is still a viable building. The State of Pennsylvania is concerned about putting money back into "green" areas. Mr. Antalics also stated that the district keeps saying that we need to have athletic fields. This is not a correct statement as athletics in general are considered extra curricular activities and extra curricular activities are not required. The building does not need to be demolished and should be preserved

not only for historical reasons, but also as a “powerful tool for financial gain” for the district. He believes that the old Broughal Middle School building should be sold rather than demolished.

Mr. McKeon asked if we would have the same issue with storm water run off at the Broughal site.

Mr. Gilliland said yes, the same issues with storm water run off would apply.

Mr. Amato stated that the site plans for the new Broughal Middle School that were approved by PDE were only for one building, not two. It would cost a small fortune to get an approval for two buildings.

Mr. Fazil said that it would not be cost effective to the district to consider keeping the building as the current contract already includes the demolition plans. It would cost additional money to change the contract.

Mr. Tenaglia said 2011 was the date in which the Northeast project needs to be completed. The last step is to demolish the building; this has to be done in order to complete the Northeast project the way it was approved.

Mr. Fazil said that the district was given an exception to keep the two buildings on the same site in the original approval plans. This helped by not only housing the students from Northeast while the new building was being built, but also by housing the freshman from Liberty High School during the ongoing construction.

Mr. Tenaglia asked when the approvals in place will expire.

Mr. Fazil answered that the exact date for PDE was May 2011, and he is not aware of any date with the other approval agencies. There is still the issue that if the building becomes unused the district may be questioned by the Lehigh Valley Planning Commission as to where all the storm water run off is going. The problem will have to be rectified.

Mr. Gilliland explained item 2.2 on the agenda, Capital Improvement Follow-up. He said that the items are listed in order of priority. Mr. Gilliland talked about the fire alarm system replacement at Asa Packer Elementary School [item 1] and said that the alarm systems at our schools are tested every year. Asa Packer’s system passed inspection; however, replacement parts cannot be acquired if the system were to fail as it is outdated. Should it fail, the school would have to be put on fire watch much like East Hills Middle School last year. The best option would be to replace the fire alarm system at Asa Packer over the summer while the students are not in school. Simplex will no longer guarantee or cover this system.

Mr. Gilliland continued to explain items two, three, and four and the Capital Improvement Project list. He said that these roof projects at Freemansburg, Farmersville, and Asa Packer Elementary Schools were deferred from last year. The existing roofs at Farmersville and Asa Packer are at the end of their warranties. As long as the roofs are in good shape, the warranties

can be extended by 10 years by simply recoating. Recoating the roofs costs approximately two to three dollars per square foot as opposed to replacing them at ten to fifteen dollars per square foot. There are certain items that cannot be deferred any longer. Mr. Gilliland reminded the board that the East Hills Middle School roof project was delayed and ended up having to be replaced. The leaks caused damage to the interior of the school as well.

He then outlined the remainder of items on the Capital Improvement Project list.

Mrs. Dexter said that the project list includes approximately \$1.2 million in repairs for the stadium. What was the worst case scenario if these projects were not completed?

Mr. Fazil said that the stadium would be okay for one year, maybe two. We are recommending that the stands be repainted to prevent any rusting. If they rust, extensive repairs may be required.

Mrs. Leeson suggested using advertising and ticket sales money to make the stadium self sustaining.

Dr. Lewis said that this was not possible. Money from the stadium project is used to pay down the debt of the field improvement, and to provide funding for scholarships.

Mr. Amato asked if these items at the stadium pose a safety hazard if they are not fixed.

Mr. Fazil said that the repainting of stands at the stadium was not necessarily a direct safety hazard, but rather the district protecting its assets. There is no other stadium in this area that compares to size of the Frank Banko stadium. A stadium half of its size would cost approximately \$5 million to build right now. Repairing the concrete walls around the stadium [item 6 on the Capital Improvement Project list] is on the list to fix the cracks and gaps appearing in the walls that surround the stadium. Once damage gets to a certain point, the wall can no longer be repaired and will have to be replaced. The fence around the stadium is continuously being patched [item 8], and the toilet rooms are severely outdated [item 9] as there is no hot water and the toilets use a continuous water flow system.

Mr. Gilliland said that re-coating the tennis courts at Liberty High School [item 7 on the Capital Improvement Project list] was deferred from two years ago. This project was held off due to the construction project at Liberty High School.

Mr. Fazil stated that the courts are in decent shape, but there are divits and cracks appearing in the court. This item has been on the Capital Improvement Project list for many years.

Mr. Amato said that cracks and divits on the court affect the ability to play and could turn into a safety issue.

Mrs. Cann asked if these projects can be funded by new bond money that will be borrowed.

Dr. Lewis said that Mr. Majewski is in the process of investigating where new bond money will be acquired from. At this point in time, he did not want to speak for Mr. Majewski as to if new bond money could be used to fund these projects. Five to six million dollars will already need to be borrowed in order to complete the Broughal Middle School project.

Mr. Gilliland explained item 2.3 on the agenda, Transportation/Maintenance Fleet Replacement Deferral. The administration has suggested that the purchase of new Transportation/Maintenance vehicles be deferred for another year due to budgetary constraints.

Mr. McKeon asked what the condition of the fleet was.

Mr. Gilliland outlined the model years of the some of the older busses on the fleet. He said that the district has to have a cycle of replacement for busses, and to keep up with that cycle, the district would have to purchase eight to ten buses per year.

Mr. McKeon asked if the buses can be part of a bond issue.

Dr. Lewis indicated that bond funds could be used to purchase buses and maintenance vehicles.

Mr. Amato asked if any of the buses were a safety issue or hazard.

Mr. Gilliland said he or the district would not put a bus on the road that was not safe. All buses still have to pass state inspection, and if they do not pass, a decision is made whether to invest the money to fix it or to take it off the road.

Mrs. Koch said that from her understanding, when a bus is purchased, it was not able to be delivered immediately. What was the time line from purchase date to date received?

Mr. Himmelberger said it was approximately six months from the time a bus was ordered until the time it was received.

Dr. Lewis said that an alternative to purchasing buses if they broke down would be to obtain private transportation contracts. The cost of private transportation contracts has not been investigated yet.

Mr. Gilliland then explained agenda item C, Memorandum of Understanding with Local Police Department. He said that this memorandum was between Bethlehem Area School District and the Freemansburg Police Department and is similar to the other memorandums that have been established with other police departments.

Dr. Lewis said that the items on the Capital Improvement Project list have been prioritized for a reason. Asa Packer Elementary School's fire alarm system was not an option to consider not doing as it needs to be replaced. He felt that if it was not recommended to have the roofs recoated to extend the warranties at Farmersville and Asa Packer Elementary Schools and the roof replaced on the Multi-Purpose room at Freemansburg Elementary School, it would be a

disservice to the district. The costs of not having these items done far outweigh the costs of full replacement. He is recommending that the board approve items one through four on the Capital Improvement Project list.

Mrs. Cann said that the administration is requesting direction on which items can be placed on the Regular Board Meeting agenda.

Dr. Lewis added that the recoating of the roofs creates a strong odor and should be done over the summer while the students are not in the building. A decision needs to be made as to if these items can be approved by the board so the bidding process can be completed in time for the projects to take place over the summer.

Mrs. Cann asked if it would be possible to have these projects approved under the condition that they would be awarded only if bond funds were made available. Would this be possible?

Mr. Fazil answered that the design could be done and the project put out for bid. There is a small fee involved to get to that point, but once bids are received, the project would either need to be awarded or bids rejected.

Mrs. Dexter said that she has seen the condition of some of the buildings that need repair. She noticed that there were buckets on the floor to catch water leaking from the roof during a visit to Nitschmann Middle School.

Mr. Fazil asked Mrs. Dexter how long ago she noticed these buckets as that problem was addressed. Mr. Fazil said that he did not include the amount for Nitschmann as he was asked to hold off on the planning and design of the Nitschmann project.

Mrs. Dexter said that it was about a year ago she noticed the buckets at Nitschmann. She wanted to know if there were any "grueling" emergencies there.

Mr. Gilliland said that the leaking was due to a bad roof drain and that problem has been addressed.

Dr. Lewis said that the board asked that the discussion on Nitschmann be deferred until April. To date, nothing has been determined on the Nitschmann project. He then said that once bids are received for the Capital Improvement Projects discussed, the board can choose not to execute them if they want.

Mrs. Dexter asked if the district was locked into the 6.5 percent fee charged by D'Huy Engineering, Inc. for Capital Improvement projects. Can we go out to bid and see if we can get another firm to do it for a lesser fee?

Dr. Lewis answered that was an option for the board to decide.

Mrs. Cann asked if the administration can start to consider these projects, or if the district should wait to see the outlook on its finances before any decisions are made.

Mr. Fazil said that usually these projects are brought before the board in November for approval and bids are received in February or March for award. The bid period is approximately four weeks; that time frame does not count the design phase.

Dr. Lewis said that this may be a good time to receive bids as they may be more competitive due to the condition of the economy. He asked what the terminating date on the bids was.

Mr. Fazil said it was typically about sixty days.

Mrs. Dexter said that it was approximately \$765,000 to complete the first four items on the Capital Improvement Project list. Can we pay for these out of the general operating funds instead of using bond funds?

Dr. Lewis said that he did not want to speak for Mr. Majewski, but he would not recommend paying for these items out of the general operating funds.

Mr. Gilliland said that the fees that D'Huy Engineering, Inc. charges are competitive. He has dealt with numerous firms in the past, and in the past three years in working with D'Huy, all of the jobs have been completed correctly, on a timely basis, and some below the estimated project expense.

Mrs. Dexter said that in the district's current financial state, every dollar counts. Renegotiations have already been done with Xerox and Sodexo; are D'Huy's fees negotiable?

Dr. Lewis stated that if the board is asking him to have a conversation with Mr. Fazil regarding his fees, he will, but it was not his intention to put Mr. Fazil on the spot at tonight's meeting.

Mrs. Dexter asked Mr. Fazil what the fee for the design phase of a project was.

Mr. Fazil answered that 70 percent to 80 percent of the 6.5 percent fee was the design cost.

After a vote, it was decided that item one, [Asa Packer Elementary School fire alarm system replacement] item two, [Freemansburg Elementary School roof replacement on the Multi-Purpose room] and items three and four [Farmersville and Asa Packer Elementary Schools roof recoating to extend warranty] on the Capital Improvement Projects list would appear on the Regular Board Meeting agenda.

Mr. Gilliland asked if agenda item C, Memorandum of Understanding with Local Police Department, can appear on the agenda for the Regular Board Meeting.

Mrs. Cann then polled the board to see if agenda item A, Authorization to Expend Bond Funds for the Design and Approval for the Demolition and Site Work of the Old Northeast Middle School should appear on the Regular Board Meeting Agenda. After a vote, it was decided that

this item would be carried to the Board Finance Committee Meeting on Monday, November 10, 2008, to be further discussed, and agenda item C would appear on the Regular Board Meeting agenda.

Mr. Tenaglia asked Mr. Gilliland if a Memorandum of Understanding has been established with the Colonial Regional Police Department.

Mr. Gilliland said yes, a memorandum with Colonial Regional Police Department has been in place for over a year. Memorandums of Understanding have not been received from Fountain Hill Police Department and the City of Bethlehem Police Departments. These were submitted over a year ago, and Mr. Gilliland has been told that they are being reviewed by their legal departments.

AGENDA ITEMS FOR THE NOVEMBER 17, 2008, REGULAR BOARD MEETING –

After discussion, the board committee agreed to bring the following agenda items to the November 17, 2008, Regular Board Meeting:

- A. Pennsylvania Department of Education Self-Certification Approvals – Various Projects
- B. Memorandum of Understanding with Local Police Department

OPEN FORUM –

Mrs. Leeson noted that the two leases requesting exceptions will be discussed at next week's Board Finance Committee Meeting.

Mrs. Dexter said that she submitted a list of ten items for questions about bills. She has requested this information three times and still has not received an answer. Mrs. Dexter wanted to know when she would receive answers to her questions.

Dr. Lewis said that her questions have been directed to the proper cabinet members, and she should have her answers by the end of the week.

The meeting was adjourned at approximately 7:06 p.m.

Minutes prepared by:

Kristen M. Snyder, Secretary to the Director of Facilities and Operations

Scott T. Gilliland, Director of Facilities and Operations