

BETHLEHEM AREA SCHOOL DISTRICT
BOARD FACILITIES COMMITTEE
MEETING MINUTES
MONDAY, FEBRUARY 2, 2009

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, February 2, 2009, in the Dining Room of the Education Center. Present were School Board members Dr. Craig Haytmanek, Benjamin Tenaglia, Charlene Koch, Loretta Leeson, Michele Cann, Irene Follweiler, Judith Dexter, and Eugene McKeon. Also present were Dr. Joseph A. Lewis, superintendent of schools; Stanley Majewski, assistant to the superintendent for finance and administration; Scott T. Gilliland, director of facilities and operations; Arif Fazil, district engineer (D'Huy Engineering, Inc.); Thomas Washington, assistant superintendent for human resources; Dr. Dean Donaher, director of student services; David Himmelberger, supervisor of transportation; Michael LaPorta, principal of Freedom High School; Frank Arbushites, acting director of information technology; Ann Behers, operations manager; and representatives from the press.

The following items were discussed:

COURTESY OF THE FLOOR TO VISITORS—

Michael LaPorta, Jr., Principal, Freedom High School: Mr. LaPorta stated that Freedom High School recently held a class meeting for all eleventh grade students. Dr. Lewis and Mrs. Leeson attended this meeting and spoke to the class; they offered many kind words of encouragement to the students. Mr. LaPorta apologized to Mrs. Leeson because in his opening comments to the class, he thanked Dr. Lewis for attending the class meeting, but unintentionally excluded recognizing and thanking her for attending the meeting as well.

Stephen Antalics, 737 Ridge Street, Bethlehem: Mr. Antalics commented on the new Broughal Middle School building on Morton Street saying that he did not care for the variety of bricks and colors that were chosen for the project.

John DelVecchio, 206 10th Street, Bethlehem: Mr. DelVecchio said that he attended the school board meetings that were held on January 12, 2009, and January 26, 2009. At these meetings, district teachers and students said that moving the Career Academy from the Monocacy building to Liberty High School would be detrimental to them and the program. Mr. DelVecchio noted that he saw in the current budget that by moving this building, the district could save a significant amount of money on building costs such as heat, electric, and custodial services. He does not want to see the Career Academy program eliminated, but would like to see the school board reconsider this option of moving them. He complimented the school board members by saying that they were “great” and “diverse”.

Dr. Lewis stated that reconsidering moving the Career Academy is no longer an option for this school year as moving the building now would be too sudden. The move of Career Academy is on a district long-range plan.

DISCUSSION ITEMS –

Dr. Lewis reviewed item two on the agenda, Board Policy 006 – Second Reading. He said that the proposed changes were on page eleven of the policy and were noted by the sentences shown in bold print under number two and four. Dr. Lewis read the changes aloud and then asked the board if this item could be put on the agenda for approval at the next board meeting.

Mrs. Follweiler recommended that the agenda listed on page six of the policy should be followed for all meetings, including those meetings called for a specific purpose.

Mrs. Leeson suggested eliminating the phrase, “unless a special meeting is called for a specific purpose” from the policy so it would read that “the following shall be the order of business” [referring to the agenda for meetings]. She also said that the phrase, “All special meetings of the Board shall be held in the auditorium at the East Hills Middle School, 2005 Chester Road, Bethlehem, Pennsylvania, or at such other place or places as the Board may determine” was not accurate as meetings are held at other buildings besides East Hills. She suggested eliminating the part of the sentence that contained the name of East Hills Middle School and the address and rewording the phrase to read that the board will announce the location of the meetings.

Mrs. Cann then polled the board to ask if everyone agreed with the changes being proposed. After a vote, it was decided that this item would appear on the agenda.

Mr. Majewski reviewed item three on the agenda, Transportation Cost Analysis. He said that the administration was seeking approval from the board to prepare and circulate a Request for Proposal (RFP) for the privatization of transportation. Without distributing an RFP, there would not be any way for the district to gather accurate cost information to see if there would be a savings to the district by privatizing transportation. Mr. Majewski said there is likelihood that the district could see substantial savings. If the RFP were sent out, the board or district would not be committed to privatizing transportation. The purpose was to gather information and compare costs. Mr. Majewski also said that the district needs to figure the different levels of subsidies it receives from the state into the cost analysis. The RFP contained in the board’s agenda packet was just a sample; he does not want to release any specific details or information of the RFP as he believes it would affect the bid pricing by providing an unfair advantage to a contractor who obtained the information early.

Dr. Lewis agreed that he did not want specific details of the proposal released before the RFP was ready to be put into circulation. He also said the district had to weigh the reimbursements from the state for using a contracted service versus an in-house service.

Mrs. Leeson said that when the bid for the food service contract was awarded, the company managed our food service, but used the district’s employees. Was this same type of agreement possible with transportation?

Dr. Lewis said that he would not recommend an RFP without the provision for transfer of entities [drivers and office staff].

Mr. Majewski said that again, this RFP was a sample and not specific to our district’s needs. With the board’s approval, an RFP could be customized to the district’s needs to include specific items such as the purchase of our inventory and the leasing of the bus depot.

Mrs. Leeson suggested outlining exactly what will happen to district's employees pay in the proposal.

Dr. Lewis stated that we were getting ahead of ourselves and whatever specific terms can be listed in the proposal will be included.

Mr. Gilliland again said that this RFP was a sample and would be customized to fit our needs. We need to compile and distribute an RFP for transportation to explore what options are available.

Mrs. Cann asked Mr. Himmelberger if he could further explain agenda item 3, Transportation Cost Analysis.

Mr. Himmelberger explained that the formula used by the state to calculate reimbursement is complex. For example, a district who uses in-house transportation may receive a certain amount of reimbursement for buses one to ten years old and a different [lesser] amount for buses over ten years old. A contractor's scale is different; they may receive a larger amount for buses age one to four and lesser amounts for buses over four years old. It proves favorable to contractors to own newer fleets. Mr. Himmelberger also recommended that the district continue to write the routes and handle the scheduling if transportation is privatized. By doing this, the district can maintain control. He does not recommend letting the contractor write the routes and scheduling. Mr. Himmelberger said he also wanted to clarify some things that have been circulating among the district. District drivers are upset about the possibility of privatizing transportation. Some employees have said that a private company will not provide the same level of service that district drivers do. Mr. Himmelberger said that no matter who you are, you are there [employed as a driver] because you like children and enjoy driving a bus. The students of this district will not receive a different level of service no matter who does the bus runs. He also said that because the purchase of new buses were not approved by the board over the last few years, the recommended seven to eight buses per year, we owe it to the taxpayers to explore the option of privatization of transportation. Mr. Himmelberger said he believed there also would be an advantage to hiring a transportation consultant. A consultant would be able to review all transportation options without any bias and also has expertise and knowledge in options that the district is not aware of. Mr. Himmelberger suggested that once the RFP is complete, possibly a transportation consultant could be brought in on an hourly basis to help review and finalize the document.

Mrs. Cann questioned how a company that earns a profit can provide services cheaper than the district can?

Mr. Gilliland said that the savings are based on the cost of the fleet. Each [new] bus costs the district \$80,000. Contractors are able to get more competitive prices from the bus companies. Mr. Gilliland said that the district needs to spend \$1 million per year to keep the fleet on a modest replacement schedule.

Mrs. Cann asked if the subcontractor owned the buses and if they would provide the maintenance and fuel.

Mr. Gilliland said that it would prove more of a savings to the district if we continued to purchase the fuel as we are exempt from state taxes. The subcontractor would be in charge of the maintenance to the buses since they will own them.

Dr. Haytmanek asked how the reimbursement was calculated.

Mr. Himmelberger said that the state takes the age and capacity of the bus and uses a multiplier to find the reimbursement costs.

Dr. Lewis said that the state subsidies per mile per student for contracted services are higher than that of in-house services.

Mrs. Koch said that she does not remember the district coming forward and saying that we needed buses this desperately. Now we are being told that they are needed? How did we get ourselves in this position?

Mr. Majewski said that in the past, the district has been able to use bond fund money to purchase buses. Savings on past projects such as Northeast Middle School have allowed us to use the remainder of the bond money to purchase the buses. Buses cannot be purchased using the General Operating Fund because it does not have the capacity to fund these purchases without the district raising taxes.

Mrs. Koch said that it was not discussed with the board how desperately new buses were needed. She questioned how long the contract for private transportation would last for.

Mr. Majewski answered that it would be a standard five year agreement.

Mr. McKeon said that he believed the RFP has to be done so the district can properly analyze the cost savings.

Mrs. Leeson said that every year, the buses have been put into the original budget and when it comes time for budget cuts, every year they have been placed on the cut list saying that the replacements can wait for another year. Can they be purchased out of bond funds or the General Operating Budget?

Mrs. Koch asked if the transportation depot building would be sold if transportation was privatized.

Mr. Majewski said that the building would not be sold; a lease arrangement would be made and included as part of the RFP.

Mr. Tenaglia asked if the RFP will specify the maintaining of employees.

Mr. Himmelberger said it would and it will also include estimates of the driver's hours, mileage of the runs, and the routes from last school year so the contractors can provide accurate cost information. This information is not shown in the sample RFP that was presented at tonight's meeting.

Mr. Tenaglia asked if an amount would be specified for the leasing of the depot.

Mr. Himmelberger answered that a rental charge for the depot would be included in the RFP; however, he does not recommend charging an excessive amount as it would be reflected in the price of the contract from the company.

Mr. Tenaglia asked if the administration was looking for direction from the board.

Dr. Lewis answered yes; we need the board's approval in order to move forward with the RFP.

Mr. Tenaglia asked what the timeframe was of when the RFP would be brought to the board.

Dr. Lewis said the administration would like to present the proposal to the board by February 23, 2009.

Mr. Majewski said that the district should hear from the union on whether they are able to provide a lower cost option than the contractor by May 2009. As long as the district had the proposals by the end of May, a decision could be made then because the final adoption of the budget is not until the end of June. The cost for transportation items would still be able to be adjusted depending on what option the district decided to go with.

Mrs. Dexter asked that if a transportation consultant were hired, would they put the RFP together.

Mr. Himmelberger said that yes, the consultant would draft the RFP. The consultant will know what items should be listed in the proposal.

Mrs. Dexter noted that Mr. Russ Liebensperger was the transportation consultant who was recommended by the administration. Would he or his company benefit from the privatization?

Mr. Himmelberger said that the district does do business with him, but the amount of work is not extensive. There is a provision in the proposal to exclude him from bidding.

Mrs. Dexter asked about the maintenance of the fleet of the contractor. Whose decision was it to decide where the fleet was taken for repairs?

Mr. Himmelberger said it was up to the vendor to decide who repaired the buses.

Mrs. Dexter suggested using a consultant from out of state as we do not want to mix interests.

Mr. Himmelberger said that Mr. Liebensperger benefiting from the contract is a concern, but it is not a major factor.

Mr. Majewski said that language can be included in the contract to state that Mr. Liebensperger will not benefit directly or indirectly from the contract. Mr. Liebensperger has already agreed that he is willing to include that statement in the proposal.

Mr. Gilliland said that Mr. Liebensperger is a recognized expert in the field of transportation as he understands the subsidies. He suggested that the district needs "another eye" on the reevaluation

of the fleet and the inventory to establish the fair value. A consultant is more familiar with fair values of these items.

Mrs. Koch asked what would happen if the district awarded a five year contract and then decided that we did not like using private transportation. Would we be out of buses because they have all been sold?

Mr. Majewski answered that the business of transportation was not a monopoly; there was more than one contractor available if the district did not like one particular company. Yes, we would be without a fleet. We are going to start by selecting a company that provides us with the best quote and service and go from there. A transportation consultant would be able to provide us with the guidance we need as we do not have the extensive knowledge that he has. Mr. Majewski thought that hiring a consultant was a serious option to consider.

Mrs. Koch asked if there was a chance of keeping some buses. Is a district supervisor going to remain in charge?

Dr. Lewis said that he recommends that the current management remains there. He reminded the board that if the district decided to privatize transportation, subsidies would still come to the district.

Mr. Majewski said that a consultant would be able to provide us with a proper structure of an RFP.

Mr. Tenaglia said that the board has already voted against spending \$10,000 to hire a transportation consultant. The board was not going to change their mind on this. Can the district solicitor provide us with direction and assist us with the RFP?

Dr. Lewis stated the district could decide to bring a consultant in on an hourly basis after the RFP was completed to review it for "loopholes". The solicitor can review the RFP for the legal language, but most likely would not have the knowledge of the consultant as far as specific items that should be contained in it. Dr. Lewis noted that he had spoken with some colleagues from various districts that have decided to privatize transportation. They have all expressed that it has been a good decision and would most likely not return to in-house transportation.

Mr. Tenaglia suggested that after the RFP is complete, the board and the administration would then decide if a consultant should review the proposal.

Mrs. Leeson said that there are really two questions that are being asked by the administration; the first question is if the administration can move forward with writing an RFP and the second is if a transportation consultant can be hired on an hourly basis. She asked the board what they wanted to proceed with.

Mrs. Follweiler said that she believed the RFP was needed in order to obtain accurate numbers for potential cost savings, but she was not in favor of hiring a consultant.

Mr. Haytmanek said he would like to move forward with the RFP.

Mr. Tenaglia said he wanted to make it very clear that the board was recommending that an RFP be compiled and circulated, but it was not the board's recommendation at this time to privatize transportation.

After a vote, it was decided that the administration could proceed with an RFP.

Mr. Fazil reviewed agenda item A, Authorization to Approve PPL Right-of-Way Agreement – Elizabeth Avenue – Liberty High School Project Site, for the board. He explained the location and why this electric service needed to be installed by PPL Electric Utilities Corporation.

Mrs. Leeson asked if the pole was going to be located at the corner of Elizabeth Avenue and Linden Street by the Liberty High School marquee.

Mr. Fazil said no, it would be placed about 70 feet away from the marquee in the direction toward Liberty High School Lab Center. Mr. Fazil said that approximately ten feet up on the pole, there would be a strut that would be positioned horizontally. From that strut, the cables would come down on the other side of the sidewalk. The cable would be encased in a guy guard; the wires would essentially straddle the sidewalk.

Mrs. Leeson questioned the diagram provided by PPL as it appeared that two of these structures were being installed.

Mr. Fazil said there may be two guy anchors, but only one needs the right-of-way approval. The other anchor would be installed in the grass median; PPL does not need our approval to install the pole as they have a ten foot right of way from the curb. Without the district's approval, this installation would probably still be completed since one option is that PPL will move the guy wire so it is within their right-of-way.

Dr. Haytmanek asked, "Why do we care about this?"

Mrs. Koch asked if there was a reason other than cost that the wires could not be installed underground.

Mr. Fazil answered that many other factors were involved such as costs, engineering, excavation, and the heat produced from the electric lines.

Mr. Tenaglia questioned the need of three phase power by the adjacent business. Mr. Fazil noted that three phase power is more efficient for commercial applications as well as more economical to operate.

After a vote, it was decided that this item would be placed on the agenda for the next special board meeting.

Mr. Gilliland explained agenda item C, Pool Grate Covers Update. He said the Virginia Graeme Baker Pool Safety Act was designed to eliminate entrapment. The law was passed in December 2007 and the corrective measures that need to be taken in order to comply with the law are still being finalized. Mr. Gilliland said that he has been in touch with both the city and the state to discuss what actions need to be taken. He noted that as long as the district retains a consultant to help us achieve compliance, the city and state will accept this action as an effort to bring our

pools into compliance. The grate covers that are required by this law are just starting to be manufactured. Mr. Gilliland stated that we want to comply with this law as soon as possible; he would like to hire a consultant to obtain measurements of the pools and provide recommendations as to the corrective actions needed.

Mrs. Cann asked if this could possibly be covered under a warranty from the pool manufacturer.

Mr. Gilliland said no, it would not. He also said that Mr. Fazil has been in contact with Wallover Architects and was able to negotiate a lower price for their consultant services. If the district has both pools done at the same time, Wallover Architects will only charge \$5,000.

Mr. McKeon asked if it would be possible to have half of the cost paid for out the bond funds for the new pool [Liberty High School].

Mr. Majewski said that it was possible to pay for Liberty's pool out of the Capital Reserve Fund or the bond fund since the pool installation was part of the project. Because Freedom High School's project is complete, it would not be possible to pay for this work out of the bond funds.

Mrs. Leeson recommended using a local diving center to obtain the information and measurements for the pools.

Dr. Lewis said that this is not recommended because of liability reasons.

Mr. Fazil added that at one of his current projects, the school is installing a pool. In order to comply with the Virginia Graeme Baker Pool Safety Act, a special type of sump needs to be installed. Currently, there is only one company that manufactures sumps that are compliant and they are charging a high amount for them. He said that the district's pools drains are classified as unblockable by the definition of the law, but we are required to comply with the other portions of the law. Hiring a pool consultant will help us confirm the conditions and review our options on what it is going to take to comply.

After a vote, it was decided that this item would appear on the agenda.

AGENDA ITEMS FOR THE FEBRUARY 9, 2009, SPECIAL BOARD MEETING –

After discussion, the board committee agreed to bring the following agenda items to the February 9, 2009, Special Board Meeting:

Aâ, Authorization to Approve PPL Right-of-Way Agreement – Elizabeth Avenue – Liberty High School Project Site

Bâ, Revisions to Board Policy Number 006 – Board Meetings – Third Reading

AGENDA ITEMS FOR THE FEBRUARY 23, 2009, REGULAR BOARD MEETING –

After discussion, the board committee agreed to bring the following agenda item to the February 23, 2009, Regular Board Meeting:

Câ, Pool Grate Covers Update

OPEN FORUM–

Mrs. Leeson said that during both of the Liberty and Freedom High School grade eleven class meetings, the proficiency requirements were explained to the students. The students appeared to be receptive to the information that was given to them. She then asked if the “smart boards” were still planning on being installed at the new Broughal Middle School.

Mr. Fazil said that the classrooms were scheduled to receive LCD flat televisions that would be integrated with the teacher’s computer. By doing this, it would eliminate the cost and need for separate televisions and overhead projectors, and this was also part of the analysis and recommendation from the district’s information technologies department during design.

Mrs. Leeson requested a cost of the televisions from Mr. Arbushites.

Mr. Arbushites said he would provide the board with the costs as soon as the items were bid. He currently did not have prices.

Mr. Fazil said that the wiring for the classrooms was being bid out now.

Mrs. Leeson said that the need for these televisions and wiring needed to be reviewed due to the current budget crisis. Mrs. Leeson also said that in a recent visit to Liberty High School, she noted that several of the clocks did not work. She requested that the clocks be fixed. Mrs. Leeson said that she was in Freedom High School and found that the signage that was posted was extremely helpful in helping people find their way through the building. She would like to see if this same type of [directional] signage could be installed at Liberty High School.

Mr. Gilliland said that the signage project at Freedom High School was a project that was done in conjunction with the Freedom PTO. Mr. Fazil and his company assisted with the signage design and the PTO paid for the purchase of the signs.

Mr. Tenaglia referred to a memo that went out to the board regarding the Monocacy building. He said that in the memo, the staff members and students were directed to vacate the rear building as it does not contain a fire alarm that is wired into the main panel. He wanted to know if this has been followed through and all staff and students have stopped using this area. Does this action satisfy the city?

Mr. Gilliland answered yes, the city is fine with the action that we have taken.

Mrs. Dexter asked if there had been any costs incurred with Mr. Liebensperger.

Mr. Gilliland said that no charges or costs have been incurred.

Mrs. Dexter asked if the new Broughal Middle School would be ready to open in August 2009. She also questioned why the dedication plaque for Broughal was not on the current board agenda.

Dr. Lewis answered that yes, Broughal Middle School should be completed by August 2009. A dedication day will be held and it should be open for next school year. Dr. Lewis said that they were holding the item for the Broughal dedication plaque to ensure that the most current board members were listed on the plaque.

The meeting was adjourned at approximately 7:47 p.m.

Minutes prepared by:

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

Scott T. Gilliland, Director of Facilities and Operations