

**EAST STROUDSBURG AREA SCHOOL DISTRICT
BOARD OF EDUCATION
SPECIAL MEETING FOR THE PURPOSE OF DISCUSSING AND TAKING ACTION ON A SPECIAL
CONSTRUCTION COUNSEL LETTER OF AGREEMENT AND STUDENT EXPULSIONS**

October 22, 2018 – 6:17 P.M.

Carl T. Secor Administration Building

Minutes

- I. **President** Robert Huffman called the meeting to order at 6:00 p.m. and led those present in the Pledge of Allegiance. **Board Secretary**, Patricia Rosado called the roll.
- II. **Board Members present:** George Andrews, Larry Dymond, Jason Gullstrand, Robert Huffman, Keith Karkut, Debbie Kulick, Wayne Rohner, Richard Schlameuss, and Lisa VanWhy.
- III. **School personnel present in the Administration Center:** Fred Mill and Patricia Rosado. Chris Brown, Solicitor.
- IV. **Community members present in the Administration Center:** Mrs. Elkasas, Audrey Garrett, Maria Hopkins, Michal Peterson and Darryl Sabino
- V. **ADOPTION OF AGENDA**

ACTION BY THE BOARD:

Motion was made Debbie Kulick to adopt this agenda for October 22, 2018, as submitted. Motion was seconded by Lisa VanWhy and carried unanimously, 9-0.

- VI. **PUBLIC PARTICIPATION** – Limited to Agenda Items (3 min. ea.)

None

- VII. **NEW BUSINESS**

a. PUPILS

i. 233 – Suspension and Expulsion

1.

ACTION BY THE BOARD:

Motion was made by Keith Karkut to approve the revised adjudication, as presented, with regard to the student expulsion hearing held on September 24, 2018. Motion was seconded by Richard Schlameuss and carried unanimously, 9-0.

2.

ACTION BY THE BOARD:

Motion was made by Richard Schlameuss to approve the adjudication, as presented, with regard to the student expulsion hearing held on September 19, 2018. Motion was seconded by Keith Karkut. Motion was made by Keith Karkut for the Board to go into an Executive Session in order to discuss the student expulsion. Motion was seconded by Richard Schlameuss and carried unanimously, 9-0. Mr. Brown said the Executive Session is solely for this particular student expulsion. Executive Session was held from 6:04 p.m. to 6:17 p.m. Motion was then passed 8-1. Keith Karkut voted no.

b. OPERATIONS

i. 818 – Contracted Services

ACTION BY THE BOARD:

Motion was made by Lisa VanWhy to approve the Letter of Agreement between the East Stroudsburg Area School District and Lyman & Ash, Special Construction Counsel. Motion was seconded by Keith Karkut and carried unanimously, 9-0.

(See pages 2-3)

Ms. Kulick asked if Lyman & Ash's reports will go directly to the Property/Facilities Committee. She said that no committee should be more empowered than the other committees. Mrs. VanWhy said this is not the intention but they will report their findings to the full Board. Ms. Kulick said the information should come to the administration first. Mr. Dymond said working with administration will be counter-productive. Lyman and Ash asked to work with just two individuals. Mr. Rohner said the Property/Facilities Committee will send all recommendations to the whole Board. Mrs. VanWhy said Lyman & Ash will investigate and if anything comes back that needs approval, it will go back to the Board. Mr. Schlameuss asked if there will be any monetary boundaries that will be set so that if nothing is found out of their investigation, the district will not have to pay a lot of money. Mrs. VanWhy said we can terminate the contract at any time. Ms. Kulick asked how can we be assured that once the Property/Facilities receives information, it will come back to the Board and Administration. Mr. Dymond said all information will be shared with everyone. Mr. Schlameuss said any action that is required will need to come to the Board. What is the process if they find out something and are ready to recover funds? Mr. Rohner said the Property/Facilities meeting will be getting direction and information from Lyman & Ash. Mr. Karkut said since this is a litigation, the Board will need to talk about it in an Executive Session. You cannot speak about this in a public meeting. How far does this investigation go before it goes before the whole Board? The preliminary work will go before the Property/Facilities Committee but once it gets to a certain point, it should go back to the whole Board. Mr. Andrews said the Property/Facilities Committee will wean out the beginning process and then it will go to the Board. Mr. Brown said his concerns are that he has no problem with the contract but if the Property/Facilities gives some directions to Lyman & Ash such as for them to look at the roof at building A and then an issue in building B etc., then what happens if the whole Board does not agree. They need to make sure the full Board is aware of what all the steps are. Mr. Andrews said the Property/Facilities Committee can give a report to the Board after each meeting. Mr. Brown said typically you give a report and then have recommendations for the Board to approve. The Property/Facilities Committee should not authorize expenses without the whole Board being in agreement. Mrs. VanWhy said one or two people can give guidance to Lyman & Ash as opposed to the whole Board. Mr. Schlameuss said that his concern is that the Board as a whole should be providing direction. Mrs. VanWhy said Mr. Rohner has indicated many times all of the issues that need to be looked at. Mr. Schlameuss said we should get a list of things and these are areas that they should start with and it should be approved by the Board. Mrs. VanWhy said we should get the approval of the contract so that Lyman & Ash can get started. Mr. Schlameuss said he does not know all of the issues and the Board needs to know. Mr. Rohner said Lyman & Ash will begin to look into Middle Smithfield Elementary School because of roof and mold issues. \$300,000 of taxpayers' money was spent in 2015 to replace saturated insulation and for mold remediation as well as other issues. Mr. Schlameuss said we don't need the whole list now but we need to see the list so they can stick to the parameters. Mr. Andrews said we can do that but right now we need to have a contract. Mr. Rohner the land development plan was not executed. The district spent money where we never received the entire product. Mr. Schlameuss said we need to know the statute of limitations before going further. Mr. Rohner said he agrees but if they can prove fraud it will come back to life. Mr. Karkut asked will they be looking at the North Campus. This should be a priority because they are running out of time. Mr. Rohner said Middle Smithfield Elementary is within the limits. We are gathering all information on sink holes and roofs. Sloppy work was done. All items will be looked at. Mr. Dymond said in an email, Lyman & Ash indicated that if they are approved tonight they would start by looking at four schools in order for them to get started. Depending on what they see they may add up to six schools. Mr. Karkut said the North Campus has leaked from the beginning of when it was built. A whole different firm did East Stroudsburg Elementary School and there are no issues. Ms. Kulick said there is never an issue with amending this list of concerns that they receive. Mr. Schlameuss said we need to follow a two-tier process. What are the four schools? Mr. Rohner said Lyman & Ash will provide that information. Mrs. VanWhy asked if there is a problem with meeting with them as a whole Board. Mr. Dymond said Lyman & Ash would be willing to do that but for now they will be coming to the

Property/Facilities Committee meeting on November 1, 2018. Mr. Huffman said just like Mr. Schlameuss mentioned, he would also like to know the cost. Mr. Schlameuss said it's a possibility that the district can end up spending \$100,000 before they do anything concrete. Mrs. VanWhy said the Board should set up a meeting with Lyman & Ash. Mr. Karkut said there is no penalty in terminating the contract at any time.

ACTION BY THE BOARD:

Motion was made by George Andrews to adjourn. Motion was seconded by Larry Dymond and carried unanimously, 9-0.

VIII. ADJOURNMENT: 6:35 P.M.

Respectfully Submitted,

Patricia L. Rosado
Board Secretary