

DUNMORE SCHOOL DISTRICT

**REGULAR MEETING
NOVEMBER 20, 2019**

The Regular Monthly Meeting of the Dunmore Board of School Directors was held **Wednesday, November 20, 2019, at 6:00pm** in the High School Cafeteria. The Work Session was held on **Monday, November 18, 2019, at 6:00pm in the Board Room.** Mr. McHale presided.

I. ROLL CALL OF DIRECTORS

MR. BUTLER	PRESENT
MR. COLEMAN	PRESENT
MR. DURKIN	PRESENT
MR. HOLTHAM	PRESENT
MR. KRANICK	PRESENT
MR. McHALE	PRESENT
MR. MURACCO	PRESENT
MR. SUMMA	PRESENT
MR. HALLINAN	PRESENT

ALSO PRESENT: Mr. Marichak, Mrs. Lopatka, Atty. Matthew Dempsey

***** ANNOUNCED EXECUTIVE SESSION** –Immediately following the **Work Session on November 18, 2019**, for Personnel/Legal Matters;

***** PUBLIC DISCUSSION – None**

II. APPROVED MINUTES

Motion by Mr. Hallinan seconded by Mr. Durkin **to approve the MINUTES** of the Regular Meeting **October 23, 2019.**

ALL PRESENT WERE IN FAVOR

III. COMMUNICATIONS

Motion by Mr. Butler seconded by Mr. Muracco that permission be granted to the following for the use of District facilities/equipment:

1. Sherry Nicolais request for DHS Auditorium for Baton recital on 4/24/20 6:30pm to 8:30pm and 4/22/20 for rehearsal from 5:00pm to 7:00pm
2. Kids Night Out DEC gym Head Coach Ryan Ferguson Softball Team 12/13/19 from 6:00pm to 8:30pm
3. Volleyball Instructional sessions Sunday nights DHS Gym 6:30pm – 8:00pm from 1/12/20 to 4/26/20.
4. Cross Country conditioning use of facilities.

The use of District facilities is subject to the conditions established by the Dunmore School District and may not conflict with any regularly scheduled activity.
ALL PRESENT WERE IN FAVOR

- B. Motion by Mr. Muracco seconded by Mr. Hallinan to establish December 2, 2019, at 6:00pm in the Administration's Office Board Room as reorganization meeting for the Dunmore Board of School Director's
ALL PRESENT WERE IN FAVOR

IV. PERSONNEL

- A. Motion by Mr. Hallinan seconded by Mr. Muracco to accept the Personnel Reports.
ALL PRESENT WERE IN FAVOR
- B. Motion by Mr. Coleman seconded by Mr. Kranick to appoint Casey Maloney, Volunteer – 7th Grade Boys Basketball Coach pending Clearances.
ALL PRESENT WERE IN FAVOR
- C. Motion by Mr. Kranick seconded by Mr. Holtham to accept letter to resignation from Matthew DeVivo, Girls Head Soccer Coach effective date immediately.
ALL PRESENT WERE IN FAVOR
- D. Motion by Mr. Muracco seconded by Mr. Holtham to accept letter of resignation from Christopher Phillips, Boys Head Soccer Coach effective immediately.
ALL PRESENT WERE IN FAVOR
- E. Motion by Mr. Kranick seconded by Mr. Durkin to appoint Alyssa Lopatka, Volunteer Basketball Cheer Coach.
ALL PRESENT WERE IN FAVOR

V. EDUCATION – FEDERAL PROGRAMS

- A. Motion by Mr. Durkin seconded by Mr. Muracco to approve Special Education Settlement with Student ID# 3051354716.
ALL PRESENT WERE IN FAVOR

VI. FINANCE

- A. Motion by Mr. Muracco seconded by Mr. Coleman to approve the following payrolls:
11/1/19 & 11/15/19;**

NOVEMBER 1, 2019.....\$363,016.17
NOVEMBER 15, 2019.....\$375,343.15
\$738,359.32

ALL PRESENT WERE IN FAVOR

- B. Motion by Mr. Coleman seconded by Mr. Kranick to accept the Treasurer's Report for the month(s) of OCTOBER 2019.**

ALL PRESENT WERE IN FAVOR

- C. Motion by Mr. Muracco seconded by Mr. Hallinan to accept the Real Estate Tax Collector's Report for month (s) of OCTOBER 2019.**

ALL PRESENT WERE IN FAVOR

- D. Motion by Mr. Hallinan seconded by Mr. Coleman to approve Payment for LIST OF BILLS: \$558,924.91.**

ALL PRESENT WERE IN FAVOR

- E. Motion by Mr. Muracco seconded by Mr. Kranick to accept Activities Reports for month (s) of OCTOBER 2019.**

ALL PRESENT WERE IN FAVOR

- F. Motion by Mr. Muracco seconded by Mr. Holtham to accept Wage Tax Collector's Report for month (s) of OCTOBER 2019.**

ALL PRESENT WERE IN FAVOR

- G. Motion by Mr. Muracco seconded by Mr. Coleman to approve the District's Property/Casualty/Fleet Proposal including Boiler and Machinery Insurance with Utica National Insurance Co. The cost for 2019-2020 is \$46,855. (Increase of \$1,310)**

ALL PRESENT WERE IN FAVOR

- H. Motion by Mr. Holtham seconded by Mr. Hallinan to approve a one (1) year contract With TRUGREEN for lawn care services for 2020. The cost of the contract \$7,178.25. (Increase of \$162.40 from prior year)**

ALL PRESENT WERE IN FAVOR

- I. Motion by Mr. Muracco seconded by Mr. Durkin to approve Capital project Payment (s):**

CMS \$126,753.08

ALL PRESENT WERE IN FAVOR

- J. Motion by Mr. Kranick seconded by Mr. Coleman to adopt the attached resolution Stipulating that there will be no increase in the rate of any tax for the support of its Public Schools for 2020-2021 fiscal year by more than the index established by the Pa. Dept. of Education for the Dunmore School District (Act 1) (See attached)**

ALL PRESENT WERE IN FAVOR

- K. Motion by Mr. Butler seconded by Mr. Muracco to retain the services of Government Software Services, Inc. for the 2019 Homestead/Farmstead printing and mailing services As required by the Taxpayer Relief Act (Act1) at a cost of the \$0.35 per mailing, no Increase from prior year.**

ALL PRESENT WERE IN FAVOR

- L. Motion by Mr. Durkin seconded by Mr. Kranick to rescind the Superintendent's contract Dated November 17, 2015.**

ALL PRESENT WERE IN FAVOR

- M. Motion by Mr. Durkin seconded by Mr. Coleman to approve the contract of the Superintendent, John Marichak, for a period of five years (July 1, 2019 through June 30, 2024)**

ALL PRESENT WERE IN FAVOR

- N. Motion by Mr. Kranick seconded by Mr. Summa to increase the salary of the Secretary to The Superintendent, Kelly Byron, by 2.75% each year for 2019-20, 2020-21 and 2021-22.**
ALL PRESENT WERE IN FAVOR

PUBLIC DISCUSSION

none

NEW BUSINESS:

This is Mr. Joseph Durkin's last meeting as a Dunmore School Director after having been elected three times by the citizens and having served a total of twelve years. Mr. Durkin said: "That it has been a pleasure to be on this journey with all the Directors and certainly quite interesting." He commended Superintendent of Schools John Marichak, Businesss Administrator Antoinette Lopatka, and Solicitor Matthew Dempsey for excellent and admirable work and wished continued future success to all.

Director Michael Butler cited Mr. Durkin's loyalty and for having acted as a calming force during his tenure on the Board.

Director Michael Hallinan thanked Mr. Durkin for his service on the Board and also in the Military, of which Mr. Durkin is very proud.

In other business, Director Joseph Muracco gave "a shout out" to the 2019 Dunmore Bucks Football Team for a fine season and a shout out to Supt. John Marichak for having been named to the Pennsylvania Hall of Fame for Sports.

REPORT from BOARD PRESIDENT:

Director James McHale hoped for "success for the fall-winter sports teams," and wished Mr. Durkin "a good retirement" after many year4 of service to the Dunmore School District as aneducator and an administrator, and later as a member of the Board of Education. He also praised him as a "calming influence" at Board meetings.

November (2019) BOARD NOTES

- I would like to recognize the entire Dunmore School Community for their generosity and efforts in the Do it for Dougher fund raising campaign.
 - Through ticket sales, dress down days, tee-shirt sales and donations from staff we raised over \$2,500 for a very worthy cause
 - Mr. Dougher is a resident of the Borough and has two children in our school district
 - He is in need of a bi-lateral lung transplant and we wish him the best
- Our Health Careers Club under the supervision of Mrs. Kim Bochicchio are undertaking a campaign of Holiday Cards for Soldiers. Monday, November 18, 2019 – the club met after school and created cards for soldiers of the 82nd Airborne, in Fort Riley, Kansas. The Campaign will be on-going.
- I would like to recognize and congratulate Mrs. Cristin Hogan and our entire Art program. In the annual celebrate sober contest, we won the entire contest. We won the first 5 places. This program covers multiple counties. We will not know the exact placement of 1 through 5 until late November, but we won them all. Students who placed are as follows:
 - Maddy Senatore – 12th grade
 - Maria Micciche – 12th grade
 - Brianna Canazaro – 12th grade
 - Sierra Sherman – 11th grade
 - Hadassah Schork – 11th grade
- I will be updating on where the student placed at a future meeting.
- Also, you may have noticed that our art students have begun painting the windows of our local business (23 in all) in and around the Dunmore Corners to kick off the Holiday season
 - Take notice as you travel through town
- I would like to personally thank Mr. Joseph Durkin as this is his last Board Meeting. It has been a pleasure from my perspective to have a professional educator working with this administration.
 - Joe has been the epitome of class and the voice of reason for this School District.

EMPLOYMENT CONTRACT
OF
DISTRICT SUPERINTENDENT

THIS AGREEMENT is made effective as of 20th day of November, 2019, by and between the **Dunmore School District**, with offices located at 300 West Warren Street, Dunmore, PA 18512 (hereafter referred to as "**District**") and **JOHN MARICHAK**, an individual currently residing at: 837 Wheeler Avenue, Scranton PA 18510, (hereafter referred to as "**Marichak**" or as "**Superintendent**").

1. **Term.** The District hereby employs Marichak and Marichak hereby accepts employment as Superintendent of Schools of the District for a five (5) year term commencing on July 1, 2019 and ending June 30 of 2024.

2. **Professional Certification.** At all times during the term of this Agreement, Superintendent shall maintain qualifications required by the Department of Education, Commonwealth of Pennsylvania.

3. **Duties and Full-Time Employment.**

a) Superintendent shall perform such duties as are customary for the chief administrator and supervisory officer of a public school district in Pennsylvania, subject to the direction of the Board. Superintendent's duties shall include, but shall not be limited to, those set forth in the job description attached hereto as Exhibit 'A'.

b) Superintendent shall attend all regular and special meetings of the Board and all committee meetings thereof (excepting those related to his own employment) unless he has a compelling reason to be absent from a meeting. Superintendent shall serve as advisor to the Board and its committees in all matter affecting the District. Superintendent shall have the right to speak on all issues before the Board but shall not have the right to vote. The Board and its members, individually, shall promptly refer all criticisms, complaints and suggestions called to its attention to Superintendent for study, disposition, or recommendation as appropriate.

c) Superintendent shall be responsible for the total day-to-day administration of the District, subject to officially adopted policies of the Board. All official contacts between Board members and the staff of the District shall be through Superintendent exclusively. Nothing in this section shall preclude the right of the Board members to exercise their responsibilities as individuals in the areas of monitoring District operations, conducting oversight activities, or visiting schools, as set forth in Board policy or directed by the Board.

d) Superintendent agrees to devote his full-time attention, energies, skills, and labor to his employment by the District during the term of his Agreement. Superintendent shall have the right to undertake consultative work, speaking engagement, writing, lecturing, adjunct teachings or other

The District may adjust the Superintendent's annual salary during the terms of this Agreement; provided that such adjustment shall not reduce the annual salary in effect at any given time. Any adjustment in salary made during the term of this Agreement or any extension thereof shall be treated as an amendment to the salary term set forth in the preceding paragraph of this Agreement. However, when the Superintendent's salary is increased, it shall not be considered that the District has entered into a new agreement with the Superintendent nor that the termination date of this Agreement has been extended.

b) The Superintendent shall also be entitled to receive the fringe benefits set forth below:

- 1) Term Life Insurance shall be provided at the rate of one and one half (1-1/2) times the Superintendent's salary until termination for any reason.
- 2) Twenty-one (21) vacation days exclusive of legal holidays. Superintendent shall receive payment for up to ten (10) unused days at \$200.00 per day.
- 3) Three (3) personal days will be granted per year.
- 4) Twelve (12) paid sick days per year. Unused days may be accumulated without limit. Upon termination of contract, the Superintendent shall be paid (\$125.00) One-hundred twenty-five dollars for unused sick days earned under this term or subsequent terms, not to exceed 100 days.
- 5) Full tuition benefits for educational studies approved by the Board.
- 6) Superintendent will be paid an additional (\$2,000) Two Thousand Dollars per year for waiver of Health Insurance.
- 7) Superintendent shall also be entitled to the same retirement incentive package provided to the Act 93 Employees of Dunmore School District.

In addition to these benefits, the Superintendent shall receive all other benefits afforded other professional employees.

c) Salary increases and/or possible performance bonuses for Superintendent shall be determined by the Board each year in its discretion, taking into consideration the performance assessment described in Section 4. However, the parties agree that the Superintendent will receive a minimum pay increase of 2.5%.

7. Investigations by the Board. In the event that the Board directs that any investigation of Superintendent's conduct or performance be undertaken, Superintendent shall be: (i) notified of the occurrence and purpose of such investigation prior to the commencement of the same; (ii) granted the

16. Professional Liability. The District agrees that it will defend, hold harmless and indemnify Superintendent from any and all demands, claims, suits, actions and legal proceedings brought against Superintendent in his individual capacity or in his official capacity as agent and employee of the District, provided the incident arose while Superintendent was acting within the scope of his employment and excluding criminal litigation and as such, liability coverage is within the authority of the District to provide under state law.

17. Reappointment. In the event the Board decides that it does not desire to renew the contract of the Superintendent for another term, the District shall notify Superintendent in writing no later than one-hundred fifty (150) days prior to the expiration date of the Board's intention not to reappoint him. In the event that the Board fails to take such action at a regular meeting of the Board of School Directors occurring at least one-hundred fifty (150) days prior to the expiration date of the term of office of the Superintendent, the Superintendent shall continue in office for a further term of similar length to that which he is serving.

Dunmore School District
BOARD OF DIRECTORS

RESOLUTION

WHEREAS, on June 27, 2006, the Pennsylvania legislature passed Act 1 of Special Session 2006, entitled the "Taxpayer Relief Act" (hereinafter "Act 1");

WHEREAS, Act 1 requires school districts to limit tax increases to the level set by an inflation index unless the tax increase is approved by voters in a referendum or the school district obtains from the Department of Education or a court of common pleas certain referendum exceptions;

WHEREAS, Act 1 does, however, allow a board of school directors to elect to adopt a resolution indicating that it will not raise the rate of any tax for the support of the public schools for the following fiscal year by more than its index, provided this resolution must be adopted no later than 110 days prior to the date of the election immediately preceding the upcoming fiscal year;

WHEREAS, the adjusted index for the **2020-2021** fiscal year for Dunmore School District is **3.4%**;

WHEREAS, the Dunmore School District Board of Directors has made the decision that it shall not raise the rate of any tax for the support of its public schools for the **2020-2021** fiscal year by more than its index.

AND NOW, on this **20th day of November, 2019**, it is hereby RESOLVED by the Dunmore School District (hereinafter "District") Board of Directors (hereinafter "Board") the following:

1. The Board certifies that it will not increase any school district tax for the **2020-2021** school year at a rate that exceeds the index as calculated by the Pennsylvania Department of Education.
2. The Board certifies that it will comply with the procedures set forth in Section 687, of the Pennsylvania Public School Code (hereinafter "School Code"), 24 P.S. §6-687, for the adoption of its proposed and final budget.
3. The Board certifies that increasing any tax at a rate less than or equal to the index will be sufficient to balance its final budget of the **2020-2021** fiscal year.
4. The Administration of the District will submit the District's information on a proposed increase in the rate of a tax levied for the support of the District to the Pennsylvania Department of Education on the uniform form prepared by the Pennsylvania Department of Education no later than five days after the Board's adoption of this Resolution.
5. The Administration of the District will send a copy of this Resolution to the Pennsylvania Department of Education no later than five days after the Board's adoption of this Resolution.

6. The Board understands and agrees that by passing this Resolution it is not eligible to seek referendum exceptions under Section 333(f) of Act 1 and is not eligible to request approval from the voters through a referendum to increase a tax rate by more than the index as established for the **2020-2021** fiscal year.

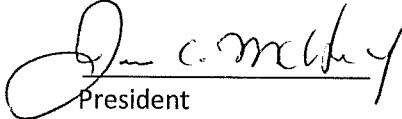
7. Once this Resolution is passed, the Administration of the District is not required to comply with the preliminary budget requirements set forth in paragraphs (a) and (c) of Section 311 of Act 1. Provided, however:

(a) The Board understands and agrees that, upon receipt of the information submitted by the District as set forth in paragraphs 4 and 5 above, the Pennsylvania Department of Education shall compare the District's proposed percentage increase in the rate of the tax with the index.

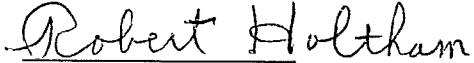
(b) Within ten days of the receipt of this information, the Pennsylvania Department of Education shall inform the District whether its proposed tax rate increase is less than or equal to the index.

(c) If the Pennsylvania Department of Education determines that the District's proposed increase in the rate of the District's tax exceeds the index, the District is subject to the preliminary budget requirements as set forth in paragraph (a) and (c) of Section 311 of Act 1.

**Dunmore School District
Dunmore, Pennsylvania**


President

ATTEST


Secretary

(SEAL)

DUNMORE SCHOOL DISTRICT
RESOLUTION NO. 1 OF November, 2019

**ADOPTING THE LOCAL ECONOMIC REVITALIZATION
TAX ASSISTANCE (LERTA) PROGRAM PROVIDING FOR
TAX EXEMPTION FOR CERTAIN DETERIORATED
PROPERTIES WITHIN THE SCHOOL DISTRICT OF
DUNMORE; PROVIDING FOR AN EXEMPTION
SCHEDULE; AND ESTABLISHING STANDARDS AND
QUALIFICATIONS FOR PARTICIPANTS.**

WHEREAS, the General Assembly of the Commonwealth of Pennsylvania has enacted legislation known as the "Local Economic Revitalization Tax Assistance Act" (LERTA), (Act 76 of 1977, 72 P.S. §4722 et seq.) amended July 11, 1998 (P.L. 518, 90) which authorizes local taxing authorities to provide for tax exemption for certain deteriorated residential, commercial and other business property; and

WHEREAS, the Dunmore School District, Lackawanna County, Pennsylvania, (the "School District") is a local taxing authority authorized by LERTA to provide tax exemption in accordance therewith; and

WHEREAS, the Planning Commission of Dunmore held a public hearing to determine the boundaries of said deteriorated areas, which hearing was duly advertised; and

WHEREAS, at said public hearing, agencies and individuals had the opportunity to present to the Planning Commission of Dunmore their recommendations concerning the location of the boundaries of deteriorated areas; and

WHEREAS, the Dunmore Planning Commission adopted a Resolution on March 4, 1999 (the "Resolution") to designate the area of land identified as PIN NO. 14713030005, approximately 3.3 Acres (Exhibit "A") (the "Property"), as blighted within the Borough of Dunmore ("Borough"); and

WHEREAS, the School District will request that the Borough (the "Borough") and the County of Lackawanna enact similar legislation to participate in the LERTA program.

2. The exemption from real estate taxes shall be limited to that Improvement for which an exemption has been requested in the manner set forth in this Resolution and for which a separate assessment has been made by the Lackawanna County Assessor.

Section 4. Exemption Schedule.

1. Any tax exemption granted hereunder shall commence upon the first day of the first full tax year following the issuance of the new assessment in connection with the completion of the Improvements and such tax exemption shall continue for a term of 10 years from the date thereof. The schedule of real estate taxes to be exempted shall be in accordance with the below portion of Improvements to be exempted each year:

Length	Percentage Exempt
First Year	100%
Second Year	100%
Third Year	100%
Fourth Year	100%
Fifth Year	100%
Sixth Year	100%
Seventh Year	100%
Eighth Year	100%
Ninth Year	100%
Tenth Year	100%

2. Upon the completion of the 10 year exemption schedule term set forth above, the exemption from taxes shall end and the entire property (land and building) shall be fully subject to School District property taxes.

3. The exemption from taxes granted under this Resolution shall be upon the property and shall not terminate upon a sale or exchange of the property.

Section 6. Effective Date.

This Resolution shall become effective on 11-20, 2019, and its terms shall continue in effect without annual reapproval for a period of 5 years from the effective date and shall apply to any application filed at any time during that 5 year period by an Applicant in connection with a construction permit for said Deteriorated Property. Any exemption from property taxes granted hereunder shall be for 10 years, and shall be determined in accordance with Section 4.

Section 7. Repealer.

Any resolution, or part of any resolution, that conflicts with the provisions of this Resolution is hereby repealed.

Section 8. Validity.

The provisions of this Resolution are severable. If any of its sections, clauses, or sentences shall be held illegal, invalid, or unconstitutional, such provisions shall not affect nor impair any of the remaining sections, clauses, or sentences.

ADOPTED this 20th day of Nov, 2019 by the Dunmore School District of the Borough of Dunmore, Lackawanna County, Pennsylvania.

- O. Motion by Mr. Butler seconded by Mr. Coleman to increase the salary of the Substitute Caller, Gina Sheehan as follows:

2019-20 \$1,000

2020-21 \$ 500

2021-22 \$ 500

ALL PRESENT WERE IN FAVOR

- P. Motion by Mr. Kranick seconded by Mr. Muracco to approve an extension of the Act 93 Agreement for the period of July 1, 2019 through June 30, 2022. (See attached)

- Q. Motion by Mr. Muracco seconded by Mr. Coleman to increase the salary of Business Administrator, Antoinette Lopatka, as follows:

2019-20 \$2,000

2020-21 \$3,000

2021-22 \$3,000

ALL PRESENT WERE IN FAVOR

- R. Motion by Mr. Muracco seconded by Mr. Summa to accept the attached resolution to Accept the attached resolution to approve a LERTA property on Meade Street.
(see attached)

ALL PRESET WERE IN FAVOR

VII. NEW BUSINESS – See attached

VIII. PRESIDENT’S REPORT – See attached

IX. SUPERINTENDENT’S REPORT –See attached

*** ACCEPTANCE OF REPORTS

Motion by Mr. Coleman seconded by Mr. Muracco to accept the Superintendent’s Report and make it part of the MINUTES.

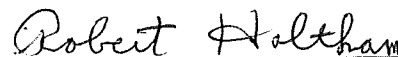
ALL PRESENT WERE IN FAVOR

X. ADJOURNMENT

Motion by Mr. Holtham seconded by Mr. Butler to adjourn to meet in Regular Session or at the call of the CHAIR.

ALL PRESENT WERE IN FAVOR

Respectfully submitted,



Robert Holtham

Board Secretary