

**CHESTER UPLAND SCHOOL DISTRICT
MINUTES OF THE RECEIVER'S
MEETING OF THE PUBLIC
*SPECIAL MEETING***

**June 30, 2016
6:31 P.M.**

A Public Meeting of the Receiver of the Chester Upland School District was held this evening at the Administration Building of the Chester Upland School District located at 232 West 9th Street, Chester, Pennsylvania.

Executive Staff Present: Mr. Peter R. Barsz, Receiver
 Dr. Christopher McGinley, CRO
 Mr. Gregory Shannon, Superintendent
 Ms. Andria Saia, Assistant Superintendent
 Ms. Karen DeShullo, Chief Business Administrator

Solicitors: George Dawson, Esquire
 Robert DiOrio, Esquire

The Receiver's meeting opened with a call to order by Receiver, Mr. Peter R. Barsz and the Pledge of Allegiance.

NOTICE OF ADVERTISED MEETING

(COPY OF ADVERTISED NOTICE ATTACHED)

Receiver Barsz started off the meeting and apologized for the lateness of the start stating that there was a legal matter that the panel had to confer on which would be reported on later in the meeting and that there would be two agenda items added to the Education agenda, which Ms. Saia would present.

PUBLIC COMMENTS

Jean Arnold – Had a question on C-1 and wanted to know if there was going to be any sharing of the deficit, is this a balanced budget and is there a forecast of expectations for short-term, long-term and those kinds of things. Another item she wanted to talk about is or track team that is headed to Florida then Texas, a tennis team that doesn't get a lot of accolades and a dance and drama teacher and wanted to know if we are budgeting for those. Advocated for a committee to find things for the district to do that don't cost anything. Wanted a progress report on where we are with the vendors. Also, raises for teachers and capacity of our school building and where is the space for new students. Are we looking at waste in our district?

Peter Barsz – said that most of these would be addressed by Ms. DeShullo during her budget presentation, but if an item wasn't we would discuss it at a later date.

Ed Mitchell - He is a councilman from Upland Borough. Welcomed George Dawson to the CUSD panel. He said that Upland Borough prides itself on getting 92% of its tax money in within the discount period. Wanted to thank the new Receiver for getting the budget passed on time and that now they can get their tax bills printed and out in a timely manner. He said he likes what he is seeing and hopes it continues.

EDUCATION AGENDA

A-1 Approval of Extension of 2015-16 Contractual Agreement with Visiting Nursing Group

RESOLVED, that the Receiver, acting as the Board of School Directors approve an extension of the 2015-16 contractual agreement with Visiting Nursing Group to provide One-on-one Nursing Services for the term of July 1, 2016 through August 31, 2016. The cost for: One-on-one Nursing Services is \$56.00 per hour. To be billed and paid monthly.

Payable From: General Fund Budget
Cost: Not to Exceed \$6,000
Executive Sponsor: Andria Saia

A-2 Approval of Extension of 2015-16 Contractual Agreement with U.S. Medical Staffing, Inc.

RESOLVED, that the Receiver, acting as the Board of School Directors approve an extension of the 2015-16 contractual agreement with U.S. Medical Staffing, Inc. to provide Substitute one-on-one Nursing Services, one-on-one Personal Care Assistants and a licensed/certified school psychologist for the term of July 1, 2016 through August 31, 2016. The cost for: one-on-one Nursing Services is \$39.90 per hour; one-on-one Personal Care Assistants is \$134.00 per day; and licensed/certified school psychologist services is \$70.00 per hour. To be billed and paid monthly.

Payable From: General Fund Budget
Cost: Not to Exceed \$19,500
Executive Sponsor: Andria Saia

A-3 Approval of Extension of 2015-16 Contractual Agreement with Bayada Pediatrics

RESOLVED, that the Receiver, acting as the Board of School Directors approve an extension of the 2015-16 contractual agreement with Bayada Pediatrics to provide one-on-one nursing services beginning July 1, 2016 through August 31, 2016. The cost for Bayada Pediatrics is \$45.00 per hour for one-on-one nursing services.

Payable From: General Fund Budget
Cost: Not to Exceed \$9,300
Executive Sponsor: Andria Saia

Supplemental Agenda Items added as per Mr. Barsz comments at beginning of meeting

A-4 Approval to accept School to Community Competitive Employment Grant

RESOLVED, that the Receiver, acting as the Board of School Directors approves the acceptance of the School to Community Competitive Employment Grant in the amount of \$50,000.00, and expenditures consistent with the grant's purpose, not to exceed the amount of the \$50,000.00 grant.

Executive Sponsor: Andria Saia

A-5 Approval to enter into an agreement with the Office for Vocational Rehabilitation

RESOLVED, that the Receiver, acting as the Board of School Directors approves the District entering into an agreement with the Office for Vocational Rehabilitation to provide paid work experiences for students with IEPs. This agreement allows the District to become a provider of Youth On-The-Job Training (YOJT). Salaries paid to students for a maximum of 90 days are 100% reimbursable by OVR

Executive Sponsor: Andria Saia

EDUCATION AGENDA ITEMS #A-1 THROUGH A#-5 WERE APPROVED BY PETER R. BARSZ, RECEIVER

PERSONNEL AGENDA

B-1 Approval of appointments, reassignments, resignations and summer employment–ESY programs

RESOLVED, that the following appointments be approved on the effective date respectively noted:

<u>Name</u>	<u>Position/Location</u>	<u>Salary</u>	<u>Effective Date</u>	<u>New Position or Replacement</u>
Long-Elliot, Tia	Assistant Principal CUSA	80,000 12 months	7/5/2016	New 0624 Title I 2016-2017
Shore, Sallyann	Physical Education Teacher Chester High	64,168 M/5 10 months	8/29/16	Replacement 0268 G.F.B. 2016-2017
Thompson, Raymond	Assistant Principal Chester High School	94,000 12 months	7/5/2016	New 0625 Title I 2016-2017

RESOLVED, that the following **reassignment** be approved on the effective date respectively noted:

<u>Name</u>	<u>From Position/Location</u>	<u>To Position/Locations</u>	<u>Effective Date</u>
Moore, Durell	Cyber Monitor Chester High School 32,000 10 months	Physical Education Teacher Chester High School 41, 923 B+16/1 10 months	08/29/2016 0183
Simonson, Ronald	Conflict Resolution Spec. Chester High School 32,000	Climate Manager Chester High School 41,923	8/29/2016

FURTHER RESOLVED, that the following **resignations** be approved on the effective date respectively noted:

<u>Name</u>	<u>Position/Location</u>	<u>Effective Date</u>
Fletcher, Sunday	Elementary Teacher Main Street	8/29/2016 0517

FURTHER RESOLVED, that the Receiver, acting as the Board of School Directors grant approval for the following individuals to participate in the **ESY Summer Program** held June 27, 2016 August 4, 2016 as listed below:

<u>Name</u>	<u>Position</u>	<u>Salary</u>
Pope, Myra	Teacher	\$25./hr
Collins, Kiarra	PCA	\$8.17/hr

Superintendent Shannon asked to introduce two new Assistant Principals and Receiver Barsz approved.

Mr. Shannon introduced Raymond Thompson, Assistant Principal for Chester High and Tia Long-Elliot, Assistant principal at CUSA.

Mr. Barsz welcomed them to Chester Upland School District

PERSONNEL AGENDA ITEM #B-1 WAS APPROVED BY DR. FRANCIS BARNES, INTERIM RECEIVER

BUSINESS AGENDA

Karen DeShullo, Chief Business Administrator, gave a presentation on the Budget

C-1 Approval of the Chester Upland School District's Final General Fund Budget for 2016-2017

1. Adoption of Budget

The Administration presents the following resolution to be adopted approving the final budget for the Chester Upland School for the fiscal year 2016-2017 in the amount of \$131,359,445 as set forth in the summary attached;

RESOLVED, that the Budget of the Chester Upland School District, Delaware County, Pennsylvania, as was proposed at a meeting of the Receiver of said District held the 18th day of May 2016 is hereby adopted as the final Annual General Fund Operating Budget of the Chester Upland School District, Delaware County, Pennsylvania, for the fiscal year beginning, July 1, 2016.

BE IT FURTHER RESOLVED, that the Receiver, acting as the Board of School Directors of the Chester Upland School District, Delaware County, Pennsylvania, hereby authorizes the appropriation and expenditure of the funds as itemized in said Budget during the fiscal year beginning July 1, 2016. The necessary revenue for the same shall be provided by the following taxes enacted pursuant to the provisions of the Act of the General Assembly No. 511 as approved December 31, 1965, and as amended, provided for by resolution imposing such taxes for the fiscal year beginning July 1, 2016, adopted concurrently herewith.

2. Adoption of Real Estate Tax

The Administration presents the following resolution to be adopted approving the Real Estate Tax to meet the 2016-2017 budget requirements of the school district.

The Chester Upland School District by the Receiver, acting as the Board of School Directors, hereby resolves under and by virtue and pursuant to the authority granted in the Public School Code of 1949, as amended and supplemented, as follows:

Section I. That a tax be and the same is hereby levied and assessed on all real property within the City of Chester, Delaware, County, Pennsylvania, subject to taxation for school purposes for the fiscal year beginning the first day of July, 2016, a tax of 59.7633 mills on each one thousand dollars (\$1,000) of assessed valuation, and;

that a tax be and the same is hereby levied and assessed on all real property within Chester Township and Upland Borough, Delaware, County, Pennsylvania, subject to taxation for school purposes for the fiscal year beginning the first day of July, 2016, a tax of 25.6555 mills on each one thousand dollars (\$1,000) of assessed valuation of taxable property.

Section II. That the said tax so assessed shall be levied upon all the property upon which the City of Chester has assessed for tax purposes and the County of Delaware has assessed for tax purposes in the Township of Chester and Borough of Upland.

Section III. This resolution shall become effective and the tax hereby imposed is for the fiscal year beginning on the first day of July, 2016.

3. Readoption of Real Estate Transfer Tax

The administration presents the following resolution to be adopted approving the readoption of the Real Estate Transfer tax.

A RESOLUTION TO PROVIDE REVENUE FOR GENERAL SCHOOL PURPOSES BY IMPOSING, ASSESSING AND LEVYING A TAX UPON TRANSFERS AND CONVEYANCES OF ANY LAND, TENEMENTS OR HEREDITAMENTS, OR ANY INTEREST THEREIN, SITUATE WHOLLY OR PARTLY WITHIN THE CHESTER UPLAND SCHOOL DISTRICT, DELAWARE COUNTY, PENNSYLVANIA; IMPOSING DUTIES AND CONFERRING POWERS ON THE SECRETARY AND TREASURER OF THE DISTRICT; PROVIDING FOR THE PAYMENT OF THE SAID TAX; PRESCRIBING THE METHOD AND MANNER OF COLLECTING THE TAX IMPOSED, ASSESSED AND LEVIED, PROVIDING CERTAIN EXEMPTIONS AND IMPOSING PENALTIES FOR THE NON-PAYMENT THEREOF.

WHEREAS, the Chester Upland School District requires additional revenue by virtue of the ever increasing cost of maintaining school facilities and providing services required under the Public School Code of 1949;

NOW, THEREFORE, under and by virtue of and pursuant to the authority granted by Act 511 of the General Assembly of the Commonwealth of Pennsylvania, approved the 31st day of December, 1965, P.L. 1257, as amended from time to time and by Act 40 of 2005 of the Pennsylvania Department of Revenue, it is hereby resolved, adopted, and enacted as follows:

Section 1. The Real Estate Transfer Tax Resolution of the Chester Upland School District originally adopted by the School District in 1968, and last amended and supplemented, is further amended and supplemented as follows:

SECTION III - IMPOSITION OF TAX; INTEREST is supplemented and amended to read as follows:

The tax imposed under Section III at the rates current in effect for fiscal year 2016-17 and all applicable interest and penalties shall be administered, collected and enforced under the Act of December 31, 1965 (P.L. 1257, No. 511), as amended, known as the "The Local Tax Enabling Act"; provided, that if the correct amount of the tax is not paid by the last date prescribed for timely payment, the Chester Upland School District pursuant to Section 1102-D of the Tax Reform Code of 1971 (72 P.S. §8102-D), authorizes and directs the Department of Revenue of the Commonwealth of Pennsylvania to determine, collect and enforce the tax, interest, and penalties.

Any tax imposed under Section III that is not paid by the date the tax is due shall bear interest as prescribed for interest on delinquent municipal claims under the Act of May 16, 1923 (P.L. 207, No. 153) (53 P.S. §§ 7101, *et seq.*), as amended, known as "The Municipal Claims and Tax Liens Act." The interest rate shall be the lesser of the interest rate imposed upon delinquent Commonwealth taxes as provided in Section 806 of the Act of April 9, 1929 (P.L. 343, No. 176) (72 P.S. §805), as amended, known as the "Fiscal Code", or the maximum interest rate permitted under the Municipal Claims and Tax Liens Act for tax claims.

All other provisions of the Real Estate Transfer Tax Resolution of the Chester Upland School District shall remain in effect.

4. The Receiver pursuant to the authority granted by Section 672-A (b) (4) of Act 141 of 2012 has directed the Board of School Directors of the Chester Upland School District to levy and raise taxes in accordance with this Resolution.
5. Severability. In the event that any section, sentence, clause, phrase or word of this Resolution shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose enforcement of any of the remaining portions of this Resolution.
6. Repealer. All Resolutions or parts of Resolutions inconsistent herewith or in the conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.
7. This Resolution shall become effective and the tax hereby imposed is for the fiscal year beginning on the first day of July, 2016, and shall remain in effect hereafter unless this Resolution is modified, amended or repealed.

Executive Sponsor: Karen DeShullo

C-2 Approval to enter into a business relationship with GHA Technologies, Inc

RESOLVED, that the Receiver, acting as the Board of School Directors, enter into a business relationship with GHA Technologies, Inc. for a 3-year contract for Webroot Endpoint Protection services for antivirus and security software deployment.

Payable From: General Fund Budget
Cost: \$44,512 across 3 year (\$14,837.34 annually)
Executive Sponsor: Joshua Culbertson

C-3 Approval to continue existing business arrangement with Illuminate Education, Inc

RESOLVED, that the Receiver, acting as the Board of School Directors, continue its existing business arrangement with the Illuminate Education, Inc. for the provision of Benchmark exams and access to software for student achievement analysis for the Chester Upland School District for the 2016-2017 academic year and two years afterward (with the option to end the contract each additional year at no financial penalty).

Payable From: General Fund Budget
Cost: \$84,243.60 across 3 year (\$28,081.20 annually)
Executive Sponsor: Joshua Culbertson

C-4 Approval of Award of the Food Services Management Agreement to Chartwells

RESOLVED, that the Receiver, acting as the Board of School Directors, awards the Food Services Management Agreement for the 2016-17 school year to Chartwells. The Food Services Management Agreement and addendum with Chartwells for the 2016-2017 school year is hereby approved.

Payable from: General Fund Budget
Executive Sponsor: Karen DeShullo

C-5 Approval of insurance coverage for the District for 2016-17

RESOLVED, that the Receiver, acting as the Board of School Directors, approves the following insurance coverages to be bound for the 2016-17 fiscal year.

Coverage	Carrier	Amount
Property	PSBA	\$ 178,552
General Liability	PSBA	\$ 74,063
Commercial Crime	PSBA	\$ 1,236
Equipment Breakdown	PSBA	\$ 12,716
Automobile Liability	PSBA	\$ 100,877
Excess Flood	Evanston Insurance Co.	\$ 18,025
School Board Legal Liability	PSBA – ORIC	\$ 70,213
Primary Umbrella	PSBA – AAIC	\$ 58,413
Excess Umbrella	Markel American Ins. Co.	\$ 11,000
Sports/Student Accident	United States Fire Ins. Co.	\$ 14,812
Workers' Compensation	Old Republic Ins. Co.	\$ 950,204
Cyber		<u>\$ 20,000</u>
 Total		 <u>\$ 1,510,111</u> Not to exceed

C-6 Approval that Homestead and Farmstead exclusion real estate tax assessment reductions are authorized

RESOLVED, by the Receiver of Chester Upland School District, that homestead and farmstead exclusion real estate tax assessment reductions are authorized for the school year beginning July 1, 2016, under the provisions of the Homestead Property Exclusion Program Act (part of Act 50 of 1998) and the Taxpayer Relief Act (Act 1 of 2006), as follows:

1. **Aggregate amount available for homestead and farmstead real estate tax reduction.** The following amounts are available for homestead and farmstead real estate tax reduction for the school year beginning July 1, 2016:
 - a. **Gambling tax funds.** The Pennsylvania Department of Education (PDE) has notified the School District that PDE will pay to the School District during the school year pursuant to Act 1, 53 P.S. § 6926.505(b), as a property tax reduction allocation funded by gambling tax funds, the amount of \$2,753,311.29.
 - b. **Philadelphia tax credit reimbursement funds.** PDE has notified the School District that PDE will not pay the School District during the school year pursuant to Act 1, 53 P.S. § 6926.324(3), for reimbursement for Philadelphia tax credits claimed against the School District earned income tax by School District resident taxpayers, since resident taxpayers do not pay a local earned income tax..
 - c. **Aggregate amount available.** Adding these amounts, the aggregate amount available during the school year for real estate tax reduction is \$2,753,311.29.

2. **Homestead/farmstead numbers.** Pursuant to Act 50, 54 Pa. C.S. § 8584(i), and Act 1, 53 P.S. § 6926.341(g)(3), the County has provided the School District with a certified report listing approved homesteads and approved farmsteads as follows:
 - a. **Homestead property number.** The number of approved homesteads within the School District is 4,166.
 - b. **Farmstead property number.** There are no approved farmsteads within the School District.
 - c. **Homestead/farmstead combined number.** Adding these numbers, the aggregate number of approved homesteads and approved farmsteads is 4,166.

3. **Real estate tax reduction calculation.** The receiver has decided that the homestead exclusion amount shall be equal. Dividing the paragraph 1(c) aggregate amount available during the school year for real estate tax reduction of \$2,753,311.29 by the paragraph 2(c) aggregate number of approved homesteads of 4,166 (before considering the assessed value of approved homesteads having an assessed value below the preliminary calculation of the maximum real estate assessed value reduction amount to be established as the homestead exclusion amount), the preliminary calculation of the maximum real estate tax reduction amount applicable to each approved homestead is \$660.90.

Based on calculations provided by the School District Business Office from the best available information and carefully evaluated by the Receiver, considering the assessed value of approved homesteads having an assessed value below the preliminary calculation of the maximum real estate assessed value reduction amount to be established as the homestead exclusion amount, an additional aggregate amount of \$57,906.29 will be available during the school year for real estate tax reduction applicable to approximately 666 homesteads, resulting in an additional real estate tax reduction amount available for each of the 3,500 remaining homesteads of \$16.55. Adding this additional amount to the preliminary calculation of the maximum real estate tax reduction amount of \$660.90, the final maximum real estate tax reduction amount applicable to each approved homestead is \$677.45.

4. **Homestead exclusion authorization** – July 1 tax bills. The tax notice issued to the owner of each approved homestead within the School District shall reflect a homestead exclusion reduction equal to:

For The City of Chester:

The lesser of:

- The City of Chester Assessed Value multiplied by the 2016-17 millage rate of .0597633;
- or \$677.45

For Chester Township or Upland Borough:

The lesser of:

- The County of Delaware Assessed Value multiplied by the 2016-17 millage rate of .0256555;
- or \$677.45

For purposes of this Resolution, “approved homestead” shall mean homesteads listed in the report referred to in paragraph 2 above and received by the School District from the County Assessment Office on or before May 1 pursuant to Act 1, 53 P.S. § 6926.341(g) (3), based on homestead/farmstead applications filed with the County Assessment Office on or before March 1. This paragraph 4 will apply to tax notices issued based on the initial tax duplicate used in issuing initial real estate tax notices for the school year, which will be issued on or promptly after July 1, and will not apply to interim real estate tax bills.

Executive Sponsor: Karen DeShullo

***BUSINESS AGENDA AND SUPPLEMENTAL BUSINESS AGENDA ITEMS #C-1 THROUGH C-6
WERE APPROVED BY PETER R. BARSZ, INTERIM RECEIVER***

There being no further business *Receiver, Peter R. Barsz adjourned* the meeting at 7:11 pm.

**CHESTER UPLAND SCHOOL DISTRICT
FINANCIAL RECOVERY RECEIVER**

Peter R. Barsz
Interim Receiver

Date