

PLEASANTVILLE BOARD OF EDUCATION
Pleasantville High School/701 Mill Road/Cafeteria
REGULAR BOARD WORKSHOP/ACTION MINUTES
January 26, 2016
6:00 P.M.
MINUTES

1.Call to Order **6:00pm**

2.Reading of the Open Public Meetings Act Notice

Statement-Board President

“This is to advise those present at this January 26, 2016 Regular Board Workshop/Action Meeting of the Board of Education of the City of Pleasantville, in the County of Atlantic, that Notice was given on December 21, 2015 of the 2016 Revised Annual Designation of the Regular Monthly Board Meetings, as required by the provisions of Chapter 231 of the Laws of 1975; Notice thereof has been distributed for publication in the Press, the Absecon/Pleasantville Current and the Mainland Journal, posted in the Administration Building and forwarded to the City Clerk of the City of Pleasantville, within the time required by said act.”

•Board Secretary inform the Board Dr. Fitts is out sick

3.Roll Call – Board Secretary, Mr. Elisha Thompkins:

Member	Yes	No	Abstain	Absent
James Barclay	√			
Bernice Couch				√
Tony Davenport				√
Silvia Landron	√			
Paul Moore				√
Sharnell Morgan				√
Elysa Sanchez	√			
Ethel Seymore	√			
Carla Thomas	√			

•Sharnell Morgan arrived at 6:19pm

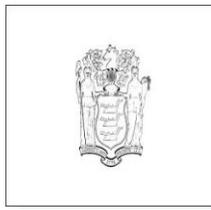
4.Flag Salute and Moment of Silence – **Ethel Seymore**

5.Voices of the Children- **None**

- Geradine Hayer**
- Joanne Famularo**
- Anne Smith**
- Michael Breman**
- Latanya Elias**

6.Review of Board Minutes – Mr. Elisha Thompkins: **None**

•Attorney read Proclamation from Governor Christie



STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

Proclamation

WHEREAS, New Jersey's public schools serve nearly 1.4 million children in pre- kindergarten through 12th grade; and

WHEREAS, New Jersey's 4,800 local board of education members devote countless hours, without remuneration, to the oversight of school district operations, including finances, policy, curriculum and staffing; and

WHEREAS, New Jersey's local boards of education endeavor to meet the challenges facing public schools and to help students attain the education necessary to excel in college and in the workplace and to enable them to compete in a global economy; and

WHEREAS, local boards of education have contributed to New Jersey being among the leading states in measures of academic quality, such as National Assessment of Educational Progress scores, and the preparation for college through Advanced Placement offerings and SAT assessments; and

WHEREAS, the National School Boards Association and the New Jersey School Boards Association have declared January 2016 to be School Board Recognition Month; and

WHEREAS, by making meaningful contributions to public education, the dedicated members of local school boards have greatly enhanced the quality of life in our State;

NOW, THEREFORE, I, CHRIS CHRISTIE, Governor of the State of New Jersey, do hereby proclaim:

JANUARY 2016

AS

SCHOOL BOARD RECOGNITION MONTH

in New Jersey.

GIVEN, under my hand and the Great Seal of the State of New Jersey, this eleventh day of January in the year two thousand sixteen, the two hundred fortieth year of the Independence of the United States.



Motion by Elysa Sanchez Second by Silvia Landron

Yea: Nay:



GOVERNOR

ROLL CALL:

Member	Yes	No	Abstain	Absent
James Barclay	√			
Bernice Couch				√
Tony Davenport				√
Silvia Landron	√			
Paul Moore				√
Sharnell Morgan	√			
Elysa Sanchez	√			
Ethel Seymore	√			
Carla Thomas	√			

SIX YES; MOTION PASSED

7. Board Approval of Workshop/Action Agenda Items:

8. Audit Presentation for 2015-2016 (Presentation by Auditor Mr. Garcia)

9. OFAC (Presentation by Board Secretary Elisha Thompkins Jr.)

Motion by Sharnell Morgan Second by Elysa Sanchez Yea: Nay:

ROLL CALL:

Member	Yes	No	Abstain	Absent
James Barclay	√			
Bernice Couch				√
Tony Davenport				√
Silvia Landron	√			
Paul Moore				√
Sharnell Morgan	√			
Elysa Sanchez	√			
Ethel Seymore	√			
Carla Thomas	√			

SIX YES; MOTION PASSED

10. Human Resources

- **Items# 1-thru 17 (Passed)**
- **Carla Thomas recues on Items# 1 only**

Motion by Ethel Seymore Second by Silvia Landron Yea: Nay:

ROLL CALL:

Member	Yes	No	Abstain	Absent
James Barclay	√			
Bernice Couch				√
Tony Davenport				√
Silvia Landron	√			
Paul Moore				√
Sharnell Morgan	√			
Elysa Sanchez	√			
Ethel Seymore	√			
Carla Thomas	√			

SIX YES; MOTION PASSED

11. Curriculum & Instruction
•Items # 1-15 (Passed)

Motion by Elysa Sanchez Second by Silvia Landron Yea: Nay: _____

ROLL CALL:

Member	Yes	No	Abstain	Absent
James Barclay	<input checked="" type="checkbox"/>			
Bernice Couch				<input checked="" type="checkbox"/>
Tony Davenport				<input checked="" type="checkbox"/>
Silvia Landron	<input checked="" type="checkbox"/>			
Paul Moore				<input checked="" type="checkbox"/>
Sharnell Morgan	<input checked="" type="checkbox"/>			
Elysa Sanchez	<input checked="" type="checkbox"/>			
Ethel Seymore	<input checked="" type="checkbox"/>			
Carla Thomas	<input checked="" type="checkbox"/>			

SIX YES; MOTION PASSED

12. Finance & Facilities
•Items# 1-3 (Passed)
•Item# 4 Name Replacement to Karin Farkas
•Items#5-10 (Passed)
•Item# 11(Tabled)
•Items#12-28 (Passed)
•Item# 29 (Tabled)
•Items# 30-37 (Passed)

Motion by Elysa Sanchez Second by Silvia Landron Yea: Nay: _____

ROLL CALL:

Member	Yes	No	Abstain	Absent
James Barclay	<input checked="" type="checkbox"/>			
Bernice Couch				<input checked="" type="checkbox"/>
Tony Davenport				<input checked="" type="checkbox"/>
Silvia Landron	<input checked="" type="checkbox"/>			
Paul Moore				<input checked="" type="checkbox"/>
Sharnell Morgan	<input checked="" type="checkbox"/>			
Elysa Sanchez	<input checked="" type="checkbox"/>			
Ethel Seymore	<input checked="" type="checkbox"/>			
Carla Thomas	<input checked="" type="checkbox"/>			

SIX YES; MOTION PASSED

Motion to go into Executive Session- **7:34pm**

Motion by Ethel Seymore Second by Sharnell Morgan

Executive Session Motion by Ethel Seymore and Seconded by Sharnell Morgan at 7:34 p.m., it is hereby resolved that the Pleasantville Board of Education may go into closed or private session from which the public shall be

excluded in accordance with the provisions as set forth in N.J.S.A. 10:4-12 and 10:4-13. The following subjects shall be discussed on this date in the session of the Board closed to the public: PERSONNEL, PUPIL MATTERS, PENDING, AND ANTICIPATED LITIGATION. BE IT FURTHER RESOLVED that the discussion in closed session will be disclosed to the public at this time or a future meeting of the Board when it is no longer necessary to maintain the confidential nature of the items discussed.

Roll Call:

Member	Yes	No	Abstain	Absent
James Barclay	√			
Bernice Couch				√
Lawrence Davenport				√
Silvia Landron	√			
Paul Moore Jr.				√
Sharnell Morgan	√			
Elysa Sanchez	√			
Ethel Seymore	√			
Carla Thomas	√			

Motion to come out of Executive Session 9:04pm

Motion by: Ethel Seymore

Second by: Sharnell Morgan

Yea: √ Nay:

Roll Call:

Member	Yes	No	Abstain	Absent
James Barclay	√			
Bernice Couch				√
Lawrence Davenport				√
Silvia Landron	√			
Paul Moore Jr.				√
Sharnell Morgan	√			
Elysa Sanchez	√			
Ethel Seymore	√			
Carla Thomas	√			

Reconvene Board Meeting- **Action on Items following Executive Session**

RESOLUTION TERMINATING THE LAW SUIT ENTITLED PLEASANTVILLE BOARD OF EDUCATION V. HUNT, HAMLIN & RIDLEY

Whereas the Pleasantville Board of Education is desirous of terminating the law suit entitled, Pleasantville Board of Education v. Hunt, Hamlin & Ridley, et al., under docket number ATL-L-419-14; and

Whereas the Pleasantville Board of Education believes that the continued pursuit of the lawsuit continues to cost the Board of Education exorbitant amounts of money in an attempt to pursue a claim against the firm of Hunt, Hamlin & Ridley that is doing nothing more than causing and continue to cause legal fees to rise and be paid to a law firm we no longer want to pursue this claim and passed resolution terminating their services; and

Whereas the Board of Education submits that the further escalation of fees and costs is fiscally imprudent given the fact that the Board of Education does not deem it necessary or appropriate to continue the pursuit of a claim that continues to cost the board of education exorbitant amounts of legal fees that this district cannot afford and that there is no reason to believe that the defendants in the case will be seeking money damages from the Board of Education for pursuit of the claim and thus will completely end this matter;

NOW THEREFORE BE IT RESOLVED, that the Pleasantville Board of Education terminates the law suit entitled, Pleasantville Board of Education v. Hunt, Hamlin & Ridley, et al., which is currently pending under docket number: ATL-L-419-14, in the Atlantic County Superior Court.

MOTION BY: Sharnell Morgan. SECOND BY: Ms. Elysa Sanchez Yea: X No:

Roll Call:

Member	Yes	No	Abstain	Absent
James Barclay	√			
Bernice Couch				√
Lawrence Davenport				√
Silvia Landron	√			
Paul Moore Jr.				√
Sharnell Morgan	√			
Elysa Sanchez	√			
Ethel Seymore	√			
Carla Thomas	√			

SIX YES; MOTION PASSED.

RESOLUTION TERMINATING THE LAW FIRM OF COOPER LEVINSON

WHEREAS the Pleasantville Board of Education is desirous of terminating the firm of Cooper Levinson as counsel in the matter entitled, Pleasantville Board of Education v. Hunt, Hamlin & Ridley, et al.;

WHEREAS the Pleasantville Board of Education believes that the continued pursuit of the lawsuit continues to cost the Board of Education exorbitant amounts of money in an attempt to pursue a claim against the firm Hunt, Hamlin & Ridley; and

WHEREAS the Board of Education submits that the further escalation of fees and costs is fiscally imprudent given the fact that the Board of Education does not deem it necessary or appropriate to continue the pursuit of a claim that continues to cost the board of education exorbitant amount of legal fees that this district cannot afford;

NOW THEREFORE Be it Resolved that the Pleasantville Board of Education terminates the firm of Cooper Levinson, in the case entitled, Pleasantville Board of Education v Hunt, Hamlin & Ridley, et al., which is currently pending under Docket Number ATL-L-419-14 with transfer of the matter to go to the Smith Legal Group with Board instructions.

MOTION BY: Ethel Seymore. SECOND BY: Sharnell Morgan Yea: X No:

Roll Call:

Member	Yes	No	Abstain	Absent
James Barclay	√			
Bernice Couch				√
Lawrence Davenport				√
Silvia Landron	√			
Paul Moore Jr.				√
Sharnell Morgan	√			
Elysa Sanchez	√			
Ethel Seymore	√			
Carla Thomas	√			

SIX YES; MOTION PASSED.

13. Motion to Adjourn the Meeting **9:10pm**

Motion by: Ethel Seymore Second by Sharnell Morgan .Yea: √ Nay:

Roll Call:

Member	Yes	No	Abstain	Absent
James Barclay	√			
Bernice Couch				√
Lawrence Davenport				√
Silvia Landron	√			
Paul Moore Jr.				√
Sharnell Morgan	√			
Elysa Sanchez	√			
Ethel Seymore	√			
Carla Thomas	√			

January 27, 2016

Members of the Board of Education of Pleasantville, New Jersey

Dear Pleasantville Board of Education Members,

Per N.J.S.A. 18A:7A-55(a), "the Commissioner of Education shall have the authority to appoint a State monitor and additional staff, as necessary, to provide direct oversight of a board of education's business operations and personnel matters..."

This correspondence relates to oversight of the Board's business operations, specifically actions taken during the Board of Education's January 6, 2016, reorganization meeting.

The electronically recorded proceedings from the reorganization meeting were made available on January 26, and upon review of that record, the resolutions pertaining to RFPs and appointment of legal counsel have been taken under advisement.

First, review of the recorded proceedings reflects that following the election of officers and prior to the executive session, the Board discussed a motion regarding issuing a request for proposals (RFP) for legal services. Following the discussion, which included reference to the motion specifically pertaining to Smith Legal and Carroll Law, the Board approved the motion to procure legal services RFPs. This action is consistent with 6A:23A-5.2(a5), which states:

Professional services contracts are issued in a deliberative and efficient manner such as through a request for proposal based on cost and other specified factors or other comparable process that ensure the district receives the highest quality series at a fair and competitive price or through a shared serves arrangement. This may include, but is not limited to, issuance of such contracts through a requisition for proposals (RFP) based on cost and other specified factors or other comparable process...

Later, the Board adjourned to executive session and when reconvened took additional action. Specifically, James Carroll read aloud a resolution to extend the current professional services contracts of both The Smith Legal Group and The Carroll Law Firm. The Board subsequently made the necessary motions and passed that resolution.

Upon review of the reorganization meeting proceedings, it does not appear that the Board rescinded its earlier action to go out for RFPs before subsequently taking action on the consent agenda item introduced after the executive session.

Having taken the resolutions under advisement, the post-executive walk on resolution that extended the appointment The Smith Legal Group, LLC and the Carroll Law Firm is overturned. The Board's initial resolution to solicit RFPs for legal services is affirmed.

Finally, this determination neither precludes either The Smith Legal Group, LLC or the Carroll Law Firm from responding to RFPs nor diminishes the opportunity for either firm henceforward.

Sincerely,

Constance J. Bauer, Ed.D.

State Monitor, Pleasantville Public School District

Cc:

Leonard Fitts, Interim Superintendent

Elisha Thompkins, Board Secretary

Glenn Forney, Department of Education, Office of State Monitors

Darryl Rhone, The Smith Legal Group, LLC

James Carroll, Carroll Law Firm

January 27, 2016

Dear Pleasantville Board of Education Members,

At the January 26, 2016, Board of Education meeting, two resolutions were presented following the executive session. The first resolution was to drop the charges filed against Hunt, Hamlin and Ridley, and the second was to terminate Cooper Levenson as counsel on the case. As stated during the meeting last evening, pursuant to the authorities delineated in 18A:7A-55b(1), these actions have been taken under advisement.

This memorandum serves to provide notice that the Board's action in each resolution is overturned.

Additional information regarding the decision will be forthcoming.

Sincerely,

Constance J. Bauer, Ed.D.

State Monitor, Pleasantville Public School District

Cc:

Leonard Fitts, Interim Superintendent

Elisha Thompkins, Board Secretary

Glenn Forney, Department of Education, Office of State Monitors

Sydney Sayovitz, Esq.

Mark Solfer, Cooper Levenson

Darryl Rhone, The Smith Legal Group

RESPECTFULLY SUBMITTED BY:

A handwritten signature in black ink, appearing to read "Elisha Thompson, Jr.", with a large, stylized flourish at the end.

4/20/16

**Elisha Thompson, Jr. Date
Business Administrator/Board Secretary**