

**PLEASANTVILLE BOARD OF EDUCATION**  
**Pleasantville High School/701 Mill Road/Cafeteria**  
**SPECIAL BOARD MINTUES**  
**February 23, 2016**  
**6:00 P.M.**  
**MINTUES**

1. Call to Order **6:05pm**

2. Reading of the Open Public Meetings Act Notice

**Statement-Board President**

“This is to advise those present at this February 23, 2016 Special Board Action Meeting of the Board of Education of the City of Pleasantville, in the County of Atlantic, that Notice was given on February 17, 2016 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.”

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

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

**Paul Moore arrived at 6:12pm**

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

5. Public Comments. Please limit comments to (5) minutes and all comments should be courteous and respectful.

**David Callaway**  
**Teresa Mitchell**  
**Heather Hay**

**Linda Henderson**  
**David Callaway**

6. Voices of the Children South Main Street School (**Snap shot of Rise Up Event**)

7. **State Monitor Report**

8. Review of Board Minutes – Mr. Elisha Thompkins: November 17, 2015 December 15, 2015

Motion by: **Ethel Seymore** \_\_\_\_\_ Second by: **Elysa Sanchez** \_\_\_\_\_ Yea:   √   Nay: \_\_\_\_\_  
 Roll Call:

<b>Member</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
James D. Barclay	√			
Bernice Couch	√			
Lawrence Davenport				√
Silvia Landron	√			
Paul Moore Jr.	√			
Sharnell Morgan	√			
Elysa Sanchez	√			

Ethel Seymore	√			
Carla Thomas	√			

**EIGHT YES; MOTION PASSED**

9. **Curriculum & Instruction Presentation (Ms. Cordivari presented student data information update)**

Board Approval of Consensus Agenda Items:

- 10. Finance & Facilities
- 11. Policy
- 12. Curriculum & Instruction

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

Roll Call:

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

**SIX YES; MOTION PASSED**

Motion to go into Executive Session **7:43pm**

Motion by Elysa Sanchez Second by Sharnell Morgan

Executive Session Motion by Elysa Sanchez and Seconded by Sharnell Morgan at **7:43** 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, SUPERINTENDENT SEARCH, 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	√			

**EIGHT YES; MOTION PASSED**

Motion to come out of Executive Session **9:35pm**

Motion by: Ethel Seymore Second by: Bernice Couch Yea: √ Nay:

**Roll Call:**

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

**SEVEN YES; MOTION PASSED**

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

BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE CITY OF PLEASANTVILLE, IN THE COUNTY OF ATLANTIC, NEW JERSEY, AS FOLLOWS:

WHEREAS, Ms. Vandora Edwards is currently employed by the District as a part-time bus driver;

WHEREAS, good cause having been found, Ms. Edwards shall be transferred to the position of part-time Bus Aide effectively immediately; terms and condition of her employment including salary remain unchanged;

THEREFORE BE IT *RESOLVED* that the Pleasantville Board of Education, State of New Jersey, authorizes that it approves the transfer indicated above.

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

**Roll Call:**

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

**SIX YES; MOTION PASSED**

**Board Approval of Human Resources Agenda Items**

Motion by: Sharnell Morgan Second by: Silvia Landron Yea: √ Nay: \_\_\_\_

**Roll Call:**

<b>Member</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
James Barclay	√			
Bernice Couch	√			
Lawrence Davenport				√
Silvia Landron	√			
Paul Moore Jr.				√
Sharnell Morgan		√		
Elysa Sanchez	√			
Ethel Seymore			√	
Carla Thomas	√ <b>(Abstain on # 6 only)</b>			

**FIVE YES; MOTION PASSED**

BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE CITY OF PLEASANTVILLE, IN THE COUNTY OF ATLANTIC, NEW JERSEY, AS FOLLOWS:

WHEREAS, said investigation revealed that Ms. Havana Berry's conduct was determined to be unacceptable and unbecoming an employee of the School District of the City of Pleasantville and found to interfere with the quality of the educational and professional environment of the school, the students' education, and created an unsafe working environment for other District employees;

WHEREAS, Ms. Berry is not a tenured employee with the PBOE;

THEREFORE BE IT RESOLVED that the Pleasantville Board of Education, State of New Jersey, authorizes that it will terminate the employment of Ms. Havana Berry with the District, effective immediately, and as such, Ms. Berry is no longer employed by the Pleasantville Board of Education.

MOTION BY: Ms. Silvia Landron SECOND BY: Ms. Bernice Couch Yea:  X  No:

**Roll Call:**

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

**FOUR YES; MOTION PASSED.**

BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE CITY OF PLEASANTVILLE, IN THE COUNTY OF ATLANTIC, NEW JERSEY, AS FOLLOWS:

WHEREAS, proposed Tenure Charges against Ms. Lyles-Barnes, along with Statement of Evidence and a Certification of Determination have been executed by the Interim Superintendent Dr. Leonard Fitts;

WHEREAS, the same has been submitted and reviewed by the PBOE;

WHEREAS, good cause having been found;

THEREFORE BE IT *RESOLVED* that the Pleasantville Board of Education, State of New Jersey, authorizes that it will certify the Tenure Charges against Ms. Lyles-Barnes.

MOTION BY: Ms. Elysa Sanchez SECOND BY: Ms. Bernice Couch 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	√			

**FIVE YES; MOTION PASSED**

**Be it Resolved**, by the Pleasantville Board of Education, Motion to define the New Jersey School Board to a very strict limited role in the Superintendent Search

**WHEREAS**, they collect and forward all resumes to the Board Secretary Elisha Thompkins.

MOTION BY: Ms. Sharnell Morgan SECOND BY: Ms. Ethel Seymore 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	√			

**SEVEN YES; MOTION PASSED.**

**Be it Resolved**, by the Pleasantville Board of Education, Motion to rescind the RFP's for legal on the January 6, 2016 re-organization meeting.

MOTION BY: Ms. 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	√			

**SEVEN YES; MOTION PASSED.**

**Be it Resolved**, by the Pleasantville Board of Education, Motion to have Carroll Law Firm to be both the Labor and Solicitor

MOTION BY: Ms. 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	√			

**SEVEN YES; MOTION PASSED.**

Motion to Adjourn the Meeting **9:53pm**

Motion by: Sharnell Morgan Second by: Elysa Sanchez 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	√			

**SEVEN YES; MOTION PASSED**

February 29, 2016

Pleasantville Board of Education  
801 Mill Road  
Pleasantville, NJ 08232

Dear Pleasantville Board of Education,

In accordance with N.J.S.A. 18A:7A-55(b), the state monitor is given the responsibility to provide direct oversight of a board of education's business operations and personnel matters. The statute grants the state monitor the authority to override a chief school administrator's action and a vote by the board of education on any of the matters set forth in this subsection, except that all actions of the state monitor shall be subject to the education, labor and employment laws and regulations, including the "New Jersey Employer-Employee Relations Act," P.L. 1941, c.100 (C.34:13A-1 et seq.) and collective bargaining agreements entered into by the school district.

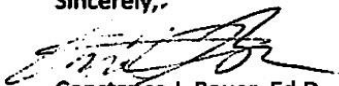
At the February 23, 2016, Board of Education meeting, the walk on resolution that served to "terminate the employment of Ms. Havana Berry" for conduct "determined to unacceptable and unbecoming..." received 4 yes votes and 3 abstentions, with two members absent for the vote. However, PBOE policy 0165-Voting states, in part, that majority of the full membership of the Board is required for removal of non-certificated staff members, per NJSA 18A:25-1, 27-1.

With regard to the vote, as well as to the personnel matter addressed in the resolution, the case and the resultant Board action each have been taken under review. First, Ms. Berry's engagement in the fight on September 14, 2015 has been established through witness accounts and legal investigations conducted by The Carroll Law Firm. Pursuant to 18A: 27-10.3 and PBOE policies 3143, 3150 and 4140, and based upon review of the case, the superintendent's recommendation to terminate the Ms. Berry is upheld.

Second, the Board did not act in accordance with Policy 0165, as there were 4 affirmative votes, not the majority of the full Board. Since November, action on the matter has been pending, most recently postponed due to the cancellation of the February 16 meeting when there was a lack of quorum. Any continuance of the matter is costly, for since the fight of September 14, Ms. Berry has continued on paid leave, at an annual salary of \$63,255. To avoid further delay in resolving this matter, and based upon the facts established through investigations, Ms. Berry is terminated effective February 24, 2015.

In closing, and as part of this determination, the Board is advised to participate in governance training so that members receive information necessary to conduct proper voting and to facilitate an effective meeting. Since many personnel matters are part of each month's agenda, including upcoming hiring, renewal, termination and/or reductions of force, this training is to be held as part of the next BOE meeting on March 16.

Sincerely,



Constance J. Bauer, Ed.D.  
State Monitor

Cc: Glenn Forney, Director Office of State Monitors, Department of Education  
Leonard Fitts, Pleasantville Interim Superintendent of Schools  
Elisha Thompkins, Pleasantville School Business Administrator  
Nestor H. Smith, Solicitor, Pleasantville Board of Education

**RESPECTFULLY SUBMITTED BY:**

A handwritten signature in black ink, appearing to read "Elisha Thompkins, Jr.", written in a cursive style. The signature is contained within a rectangular box.

4/20/16

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