

PLEASANTVILLE BOARD OF EDUCATION
Pleasantville High School/701 Mill Road/Cafeteria
MINUTES SPECIAL BOARD MEETING
DONALDSON HEARING
Wednesday, June 28, 2017
5:00 P.M.
AGENDA

1. Call to Order- 5:06 pm
2. Reading of the Open Public Meeting Act Notice

Statement –Board President

“This is to advise those present at this June 28, 2017 Special Board Meeting of the Board of Education of the City of Pleasantville, in the County of Atlantic, that Notice was given on June 21, 2017 of the 2017 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:

Member	Yes	No	Abstain	Absent
James Barclay	√			
Bernice Couch	√			
Lawrence Davenport				√
Anny E. Melo	√			
Sharnell Morgan				√
Elysa Sanchez	√			
Ethel Seymore	√			
Carla Thomas	√			

4. Flag Salute and Moment of Silence- Carla Thomas
5. Public Comments: Please limit comments to (3) minutes and all comments should be courteous and respectful.

NONE

Action taking before Executive Session

Board Attorney

- Dr. Alston had filed a lawsuit against the district and the State Monitor in regards to his employment last year. The board voted to offer Dr. Alston a contract that was veto by the State Monitor. A ruling by Judge Mendez about a week ago stated that Dr. Alston should have been offered the contract at that time.
- I was advised that the matter is being appealed by the State Monitor attorney. At this time there is no stand so Judge Mendez ruling is law at this time.
- The board will need 5 or more affirmative votes for Dr. Alston contract and the board will have to Invoke the Doctrine of Necessity due to some board members being conflicted

- Motion to approve Dr. Clarence Alston contract is contingent upon the County Superintendent approval of the contract and Dr. Alston coming out of retirement.
- Currently Mr. Dennis Anderson is serving as Interim Superintendent and will continue to do so for the next 30 days of his contract and will serve as a consultant to the district during his 30 days exit clause with the district.

Motion by: Elysa Sanchez Second by: Bernice Couch Yea: _____ Nay: √

Roll Call:

Member	Yes	No	Abstain	Absent
James Barclay	√			
Bernice Couch	√			
Lawrence Davenport				√
Anny E. Melo			√ (Recuse due to family member working in the district)	
Sharnell Morgan				√
Elysa Sanchez	√			
Ethel Seymore	√			
Carla Thomas			√ (Recuse due to family member working in the district)	

FOUR YEA; MOTION DID NOT PASS

- **Board Attorney at this time I would like to Invoke the Doctrine of Necessity so that board members that have recused themselves will be allowed to cast their vote to have the 5 affirmative vote required to by district policy to approve Dr. Alston Contract**

RESOLUTION ON INVOKING THE DOCTRINE OF NECESSITY

WHEREAS, the School Ethics Act (N.J.S.A. 18A:12-21 et seq.) was enacted by the New Jersey State Legislature to ensure and preserve public confidence in school board members and school administrators and to provide specific ethical standards to guide their conduct; and

WHEREAS, the School Ethics Commission has provided guidance in Public Advisory Opinion A03-98, as to when and how the Doctrine would be invoked; and

WHEREAS, the Doctrine of Necessity, allow Board Members who are otherwise prevented from voting due to a conflict of to cast a vote; and

WHEREAS, due to the absence of one of the Board Members and the recent vacancy on the Board, only six (6) members were present at tonight's meeting; and

WHEREAS, two of the remaining Board Members recused themselves from voting due to the fact that they have relatives working as employees in the District; and

WHEREAS, it was necessary to vote on the contract for the Superintendent and approval requires a majority of the full Board, i.e. at least five affirmative votes; and

WHEREAS, the Board Members that were conflicted by have stated on the record the specific reason for their recusal from the vote; and
NOW THEREFORE BE IT RESOLVED that the Doctrine of Necessity be invoked; and
BE IT FURTHER RESOLVED that a copy of the resolution be posted where it posts public notices for 30 days and a copy of the resolution be provided the School Ethics Commission.

Member	Yes	No	Abstain	Absent
James Barclay	√			
Bernice Couch	√			
Lawrence Davenport				√
Anny E. Melo	√			
Sharnell Morgan				√
Elysa Sanchez	√			
Ethel Seymore	√			
Carla Thomas	√			

- **Board Attorney at this time I would like to ask the first Board Member that recuse themselves due to the conflict to please cast their vote Ms. Melo to please cast her at this time. Ms. Melo stated yes to offering Dr. Alston contract. Board Attorney no further votes is needed we have an affirmative 5 votes. The motion passed.**
- **Resolution to seek reimbursement from the State for legal expense for action against Dr. Alston vs. PBOE**

Motion by: Ethel Seymore Second by: Elysa Sanchez Yea: √ Nay:

Roll Call:

Member	Yes	No	Abstain	Absent
James Barclay	√			
Bernice Couch	√			
Lawrence Davenport				√
Anny E. Melo	√			
Sharnell Morgan				√
Elysa Sanchez	√			
Ethel Seymore	√			
Carla Thomas	√			

SIX YEA; MOTION PASSED

Board Approval of Workshop/Action Agenda Items

- 6. Executive Session
- 7. Adjourn

Motion to go into Executive Session – 5:48 pm

Motion by Ethel Seymore Second by Elysa Sanchez

Executive Session Motion by Ethel Seymore and Seconded by Elysa Sanchez at 5:48 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				√
Anny E. Melo	√			
Sharnell Morgan				√
Elysa Sanchez	√			
Ethel Seymore	√			
Carla Thomas	√			

Motion to come out of Executive Session -6:56pm

Motion by Ethel Seymore Second by: Elysa Sanchez Yea: √ Nay:

Roll Call:

Member	Yes	No	Abstain	Absent
James Barclay				√
Bernice Couch	√			
Lawrence Davenport				√
Anny E. Melo	√			
Sharnell Morgan				√
Elysa Sanchez	√			
Ethel Seymore	√			
Carla Thomas	√			

Reconvene Board Meeting-Action taking after Executive Session

- For the record Mr. James Barclay had to leave the meeting early he had a prior engagement

- Board Attorney he have received confirmation for Dr. Stepura County Superintendent that Dr. Alston contract was approved
- At this time all the Donaldson Hearing have been conducted in executive Session and he have one more that is Mrs. Renee Irwin and that will be hear in Public forum.

Motion to Adjourn the Meeting- 7:37pm

Motion by: Ethel Seymore Second by: Elysa Sanchez Yea: √ Nay:

Roll Call:

Member	Yes	No	Abstain	Absent
James Barclay				√
Bernice Couch	√			
Lawrence Davenport				√
Anny E. Melo	√			
Sharnell Morgan				√
Elysa Sanchez	√			
Ethel Seymore	√			
Carla Thomas	√			

FIVE YEA; MOTION PASSED

RESPECTFULLY SUBMITTED BY:



Date: August 15, 2017

Elisha Thompkins Jr
Business Administrator/Board Secretary