

SCRANTON, PENNSYLVANIA 18503

The Board of School Directors held a Special Meeting on Friday, April 5, 2013 at 6:00pm in the Board Room of the Administration Building, 425 N. Washington Ave., Scranton, Pennsylvania 18503. The purpose of this meeting is for consideration of the appointment of a candidate to the vacant seat on the Scranton School Board and to elect new officers of the board.

Director Barrett called the meeting to order at 6:05pm with a Pledge of Allegiance to the Flag.

Roll Call: By the Secretary

Present: Directors Barrett, Lesh, Martinelli, McGuigan, Ruane, Sheridan and Shrive.

Absent: Director Fox.

Director Barrett asked if anyone else needed to sign in to speak.

The following individuals addressed the board regarding why they feel they are the best candidate to fill the vacant seat left by Mr. Sean O'Shea.

Anthony Pamela
Kevin Manley
Mark McAndrew
Cy Douaihy
Thomas Schuster

At this time Director Barrett asked for a motion to accept the resignation of Mr. Sean O'Shea.

Director Kathleen McGuigan asked for the Solicitor's opinion that according to Pennsylvania School Code "no business shall be transacted at any special meeting except that named in the call sent to the members for such special meeting". Mrs. McGuigan provided a copy of the school code to fellow board members adding that according to the school code we are not allowed to vote on Mr. O'Shea's resignation and would like Attorney Minora's opinion on that.

Attorney Minora responded that he did discuss this with Mr. King and prior to the meeting an email was sent to the board members on Wednesday, April 3, 2013 indicating that three board members requested a special meeting for 6pm on Friday, April 5, 2013 in writing noting the date and time along with the purpose of the meeting is to appoint and replace the vacancy left by Mr. O'Shea and to elect new officers and an advertisement was being prepared and was submitted to the newspaper which reflected such and he thinks it's pretty clear that the purpose was to transact that business and thinks that met the requirements of that call.

Director McGuigan said that it's clearly not stated in the public notice that the resignation would be accepted.

During Director McGuigan's explanation, Director Lesh said that our attorney has given his opinion but Mrs. McGuigan argued that she would like to finish her point of order.

Director McGuigan continued that the law is black and white and it is not listed in the public notice, therefore we have no vacancy to fill this evening.

Attorney Minora added that he will give the opinion that he believes is correct and the purpose of the meeting was to fill the vacancy and along the lines of filling that vacancy are requirements to accept the resignation so clearly that is part of the purpose of the meeting.

Director McGuigan added that along the lines of what the law is that nothing may be transacted except for what was sent in the call to the members and there was no mention of accepting the resignation.

Director McGuigan thanked Attorney Minora for his opinion and wanted to state that she disagrees and this would be an illegal motion if made and seconded.

Director Lesh now expressed that we have Attorney Minora as our legal arm; he's done the research and has given his opinion.

Director Lesh added that in his opinion he does not think they are doing anything illegal here tonight and asked that we move on with the motion.

Director Ruane made a motion to accept the resignation of Sean O'Shea. The motion was seconded by Director Sheridan.

The motion passed with five (5) affirmative and two (2) abstentions. Directors McGuigan and Shrive abstained as they believe it was unadvertised and therefore illegal action.

Director Barrett now asked for a motion for a nomination for the vacant board seat.

Director Lesh made a motion to nominate Mr. Cy Douaihy. Director Ruane seconded the motion.

ON THE QUESTION:

Director Shrive indicated he would like to see if we may table this motion tonight and accept more applications due to the public having only two days to respond to the advertisement, he does not feel the public had ample opportunity to express an interest and he doesn't know what the rush is. Director Shrive added that when the board sits to fill a vacancy they sit in place of the electorate and he feels this decision deserves more thought and consideration.

Director Shrive made a motion to table the motion to nominate a candidate for the vacant seat.

Director McGuigan seconded the motion.

The motion to table failed with two (2) affirmative and five (5) negative votes. The negative votes were cast by Directors Lesh, Martinelli, Ruane, Sheridan and Barrett.

Director Lesh again made a motion, seconded by Director Ruane to nominate Mr. Cy Douaihy to the vacant seat.

Director McGuigan thanked everyone for applying and will be voting no for the simple reason that we have thirty (30) days from the point of when the resignation is accepted to fill a vacancy and this is a great change from how we filled vacant seats in the past and she doesn't know what the rush is wished we stuck to the way we previously filled vacancies.

Director Shrive also said he would be voting no but wanted to make it clear that it is in no way a reflection on Mr. Douaihy, it's the process or the lack thereof and he thinks this is definitely rushed and we could have had more time to do this.

Director Sheridan made a motion to close nominations, seconded by Director Martinelli.

The motion to appoint Mr. Cy Douaihy to the vacant seat passed with five (5) affirmative and two (2) negative votes. The negative votes were cast by Directors McGuigan and Shrive.

At this time Mr. Douaihy was sworn in by Judge Munley.

Director Barrett now asked for a motion for temporary chair.

Director Shrive made a motion to nominate Director Martinelli, seconded by Director Ruane and passed unanimously on a roll call vote.

Director Martinelli asked for a motion for the office of President of the Scranton School Board.

Director McGuigan made a motion to nominate Director Shrive, seconded by Director Martinelli.

Director Martinelli asked if there were any more nominations for President.

Director Lesh made a motion to nominate Director Barrett, seconded by Director Douaihy.

Director Martinelli asked for motion to close nominations for President.

Director Lesh made a motion, seconded by Director Ruane, motion to close nominations for President passed unanimously on a roll call vote.

Director Martinelli asked for roll call to elect Director Shrive to President of the Board.

The motion failed with three (3) affirmative and five (5) negative votes. The negative votes were cast by Directors Douaihy, Lesh, Ruane, Sheridan and Barrett.

Director Martinelli now asked for roll call to elect Director Barrett to President of the Board.

The motion passed with six (6) affirmative and two (2) negative notes. The negative votes were cast by Directors McGuigan and Shrive.

Director Barrett asked for a motion for the office of Vice President of the Board.

Director Martinelli made a motion to nominate Director Sheridan, seconded by Director Lesh.

The motion passed with seven (7) affirmative and one (1) negative vote. The negative vote was cast by Director Shrive.

A motion to close nominations for Vice President was made by Director Barrett, seconded by Director Lesh and passed unanimously on a roll call vote.

Judge Munley now swore in Director Nathan Barrett as President of the Scranton School Board and Director Robert Sheridan as Vice President of the Scranton School Board.

Director Barrett now thanked his colleagues for having the confidence in him and electing him President adding they've all been doing a great job together and he is very proud to be the captain of the ship through December and thanked everyone for coming.

Director Sheridan also thanked his colleagues for their trust in him and electing him Vice President and knows that they can all agree to move forward and work together making decisions for the betterment of the education of the children.

Director Douaihy thanked every member of the board for this opportunity, adding they are all in the same positions, pulling in the same directions and it's all about the kids.

Director Douaihy made a motion to adjourn, seconded by Director Ruane and the meeting adjourned at 6:35pm.

By: _____
Secretary