

November 19, 2018

SCRANTON, PENNSYLVANIA

The Scranton School Board of Directors held a Special Meeting for General Purposes on Monday, November 19, 2018 in the Board Room of the Administration Building, 425 N. Washington Ave., Scranton, PA immediately following the scheduled 7:00pm committee meetings.

President Dixon called the meeting to order at 10:44pm.

Roll Call: By the Secretary

Present: Directors Casey, Cognetti, Duffy, Gilmartin, Lesh, McAndrew, Popil, Schuster, and President Dixon.

Absent: All present.

President Dixon read the Notice of the Meeting and the transaction for which the meeting was called.

Public Comment:

Jay Walsh, resident, thanked Mr. Popil for coming back on board and offered suggestions how the board may benefit if students chose new teacher hires, forming a student safety committee to report incidents to appropriate authorities, more involvement in community organizations and spoke of solar school buses that can save a lot of money.

Rosemary Boland, SFT President, asked that when there is discussion of the budget if there would be copies of the numbers that the board has so they can follow along.

Mr. Pat Laffey apologized and will provide in the future.

Following public comment the following was presented.

Budget and Finance Committee

The following was submitted by Director Cognetti.

B-1

WHEREAS, the Public School Code of 1949, as amended, requires the formation and approval of the Proposed Version of the Final Budget; and

WHEREAS, the obligation for the approval of the above is placed upon the School Board based upon information and exchanged between the Administration and the School Board; and

WHEREAS, the Board of Directors of the School District of the City of Scranton is hereby in position to carry out its legal obligation; and

NOW THEREFORE BE IT RESOLVED that the Proposed Version of the Final Budget as attached for the year 2019 is hereby introduced for consideration by the Scranton School Board in order that same or any amendments thereto may be approved in accordance with law; and

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BE IT FURTHER RESOLVED that copies of the Proposed Version of the Final Budget as adopted be made available for public inspection through the Office of the Secretary of the School Board and the Board of School Directors said officer shall advertise the action hereby taken in accordance with law, and be subjected to approval of all documentation by the District Solicitor.

The resolution was seconded by Director Casey and passed unanimously on roll call.

ALSO

The following was submitted by Director Cognetti.

B-2

WHEREAS there will be a Capital Working deficit in the beginning of the year 2019; and

WHEREAS it is necessary to borrow funds to meet said deficit in the first part of the year 2019 until revenues are generated and Whereas it is the desire of the Board to borrow said funds through the use of Tax Anticipation Notes; and

WHEREAS, it is the desire of the Board of Directors to seek bids from local lending institutions for the First Tax Anticipation Note for the Year 2019; and

NOW THEREFORE BE IT RATIFIED AND RESOLVED AS FOLLOWS:

THE BUSINESS OFFICE OF THE SCRANTON SCHOOL DISTRICT IS AUTHORIZED TO ADVERTISE FOR BIDS FROM LOCAL LENDING INSTITUTIONS IN THE SCRANTON AREA FOR THE FIRST TAX ANTICIPATION NOTE FOR THE YEAR 2019.

The resolution was seconded by Director Casey and passed unanimously on roll call.

ON THE QUESTION:

Director Lesh asked what the amount is to be borrowed.

Mr. Laffey said that will be determined by the cash flow that they are still working on, they are preparing that for tomorrow and in prior years it was around \$19 million.

#### Personnel Committee

The following was submitted by Director Casey.

J-1

WHEREAS, the Scranton School District advertised for Requests for Qualifications for Negotiations/Labor Contract Legal Counsel; and

WHEREAS, the Scranton School District received competitive proposals; and

THEREFORE BE IT RESOLVED the Scranton School Board hereby appoints Joyce, Carmody and Moran, P.C. as Negotiations/Labor Contract Legal Counsel.

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The resolution was seconded by Director Lesh.

ON THE QUESTION:

Director Casey indicated that he listed them first due to the fact that they were the lowest bid received.

Director Schuster suggested that Sweet Stevens Katz Williams is appointed in order to consolidate services for better communication and not paying double for services.

Director Dixon didn't think they would be paying double on legal services with a consultation.

Director McAndrew said he is in favor of one firm so everyone knows what the other is doing because if there are separate entities, they would have to correspond with our solicitor and he thinks they would be paying double or even triple.

Director Cognetti agreed that having one firm that already knows what is going on with all issues rather than having a solicitor as a middle man. Mrs. Cognetti also questioned how Mr. Casey has the authority to determine which law firm is voted on.

Director Casey responded that the exercise was to save money and according to the RFQ it said the lowest responsible bidder and he is the Personnel Chair and he wasn't given a directive by anyone to suggest anyone else and if anyone feels that this firm should not be the Labor Counsel then just vote no.

Director Cognetti asked if leaving the resolution blank when the board is voting, is something that has been done before.

Director Casey asked if she is referring to something else.

Director Cognetti is asking because she has a resolution with a blank and all of the sudden Mr. Casey decided as Personnel chair.

Director Casey thought the entire exercise was to find the lowest responsible bidder.

Director Cognetti asked why the resolution wouldn't be filled in last week and had it come in the packet so it wasn't a surprise to the rest of the board.

Director Lesh asked if it was common knowledge to this board who was the lowest bidder was; Director Casey replied yes.

Director Cognetti said that if in fact the resolution was and now reads Joyce, Carmody & Moran, P.C. thinks that should be tabled until they have a fully executed affidavit from the law firm saying they are not related in any way to the True Solutions Project who contributed campaign contributions to current members of the school board and the RFP submission from the firm states they have not given any contributions to current school board members and from what she has seen she does not think that is the case so she thinks it should be tabled and get the information from the firm.

Director Schuster seconded the motion to table.

Superintendent Alexis Kirijan said she was unsure but thought Mr. Minora or someone presented a letter from the firm to Mrs. Cognetti dated around October 5<sup>th</sup>.

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Director Cagnetti said that is correct but it was about eCollect and she's not sure about that letter because Mr. Moran himself has addressed the board as eCollect's representation, she has emails from him talking about eCollect and the letter seems to say the firm is not in fact representing eCollect so she is concerned about the True Solutions financial contributions piece and the eCollect piece.

President Dixon indicated that the RFP asked if the attorneys themselves have contributed to campaigns; not if a PAC (Political Action Committee) contributed to a campaign and they answered that.

Director Cagnetti replied that the PAC has trustees and contributors and people who are designated to give out contributions so the PAC isn't just an entity on its own, it has people behind it so she continues with the motion to table until an affidavit is submitted that the firm is not related to that entity.

Superintendent Kirijan asked if that is the only PAC that has contributed to a sitting board member.

Director Cagnetti responded no but the question in the RFP was that applicants must list and disclose any potential conflicts interested in representing the Board of Education including but not limited to potential conflicts arising from representing any contract with the school district or having contributed to the campaign fund of a school board member within the past five years and that would be the law firm or the individual members of that firm. Mrs. Cagnetti continued that True Solutions is certainly not the only PAC who contributed to board members but her understanding is that True Solutions is in fact Joyce, Carmody & Moran, P.C. law firm so when that law firm stated they had not given any contributions to sitting board members she was puzzled and she is not sure that is the case; she thinks they need to know more if they're going to move forward to vote for them and again in terms of that response that there were no contributions, she would like to know for sure if that is the case.

Director Lesh thinks the letter has answered that question already.

Director Cagnetti said she is confused by it and her motion has a second.

Director Cagnetti made a motion to table the resolution, seconded by Director Schuster and the motion passed with eight (8) affirmative and one (1) negative vote. Director Lesh voted in the negative.

Director Casey indicated that he is going to do the same with the Special Education Legal Counsel resolution and asked if that was okay. Mrs. Cagnetti responded no, and that she doesn't understand this process.

Director Lesh left the meeting at 11:04PM.

Mr. Casey continued and submitted the following.

J-2

WHEREAS, the Scranton School District advertised for Requests for Qualifications for Special Education Legal Counsel; and

WHEREAS, the Scranton School District received competitive proposals; and

THEREFORE BE IT RESOLVED the Scranton School Board hereby appoints Marshall Dennehey Warner Coleman Goggin as Special Education Legal Counsel.

The resolution was seconded by Director Duffy.

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ON THE QUESTION:

Director Schuster asked if that is the lowest bidder.

Mr. Casey responded that it was Sweet Stevens and Marshall Dennehey Warner Coleman Goggin.

Director McAndrew said he is still in favor of having one firm for all representation.

Director Cagnetti said that she is not sure they are the lowest bidder indicating that the associates are \$175 versus \$160 in the case of Sweet Stevens who also addressed on then partners are \$185 Sweet Stevens' partners range is \$160-\$195.

Director Casey thought it was \$195 due to the fact that was non solicitor work.

Attorney Audi explained that non adversarial work is \$160 and adversarial work is \$195.

Director Cagnetti asked what that means.

Attorney Audi said hearings are \$195, training would be \$160 and advice would be \$160.

Director Casey made a motion to table the resolution, seconded by Director Cagnetti and the motion to table passed with seven (7) affirmative and one (1) negative vote. Director McAndrew voted in the negative.

At this time Director Casey said he realizes a resolution was passed approving the bleachers project at South Intermediate and he was approached by John Bucci from Backcourt Hoops offering bleachers to sell to Scranton School District at a reasonable price and inquired if it could be looked into.

Superintendent Kiriain said she will get more information.

There being no further business a motion to adjourn was made by Director...., seconded by Director... and the meeting adjourned at 11:08pm.

By: \_\_\_\_\_