

SPECIAL MEETING OF THE BOARD OF EDUCATION
December 5, 2024 – Beach Street Middle School Media Center

PRESENT: Mr. Tussie, Mrs. Brown, Mr. Bedell, Mrs. Kelly, Mrs. Marks, Mr. McCann

ABSENT: Mr. Antoniello

ADMINISTRATORS: Dr. Romanelli, Mrs. Morrison, Mrs. Pellati, Mr. Cameron

ABSENT: None

ATTORNEY: None

Meeting called to order at 5:00 p.m. followed by the Pledge.

Motion was made by Debbie Brown, seconded by Grace Kelly, and carried when all Board members present voted in favor to adjourn to Executive Session at 5:02 p.m. for the purpose of discussing legal matters.

Meeting reconvened at 5:19 p.m. on motion by Debbie Brown, seconded by Grace Kelly, and carried when all Board members present voted in favor.

Motion was made by Debbie Brown, seconded by Grace Kelly, and carried when all Board members present voted in favor to approve resolution re: Authorizing the Retention of Rigano, LLC.

RESOLUTION:

WHEREAS, Rigano, LLC is a New York based law firm; and

WHEREAS, the Board of Education wishes to retain Rigano LLC as special counsel to provide services on various matters as directed by the Board President and/or Superintendent; now, therefore be it

RESOLVED, that the firm of Rigano, LLC is hereby retained as special counsel to provide legal services to the Board of Education; and, be it further

RESOLVED, said counsel is authorized to take all necessary and appropriate action on behalf of the Board of Education and the District in coordination with the Board President and/or Superintendent; and, be it further

RESOLVED, Rigano LLC shall be paid at an hourly rate of \$350.00/hr. for partners and of Counsel, \$275.00/hr. for Associates and \$75.00/hr. for paralegals and reimbursed expenses, (with a cap for the West Islip Union Free School District of \$10,000) upon invoices properly submitted and in accordance with a retention letter agreement between the parties.

Motion was made by Debbie Brown, seconded by Grace Kelly, and carried when all Board members present voted in favor to approve resolution re: Authorizing the Commencement of Article 78 Regarding Regionalization.

RESOLUTION:

WHEREAS, the New York State Department of Education has published emergency/proposed rules titled Development and Implementation of Regionalization in the New York State Register (and any amendments, modifications, related or readopted rules associated therewith) (collectively the "Rules");

WHEREAS, pursuant to a separate Board of Education resolution, the Board of Education retained the firm Rigano LLC as special counsel; and

WHEREAS, the Board of Education has determined that litigation against the New York State Education Department, the Commissioner of the New York State Education Department, the Board of Regents, the Chancellor of the Board of Regents and/or any other parties as identified by counsel (collectively, the "Targets") is necessary to seek to annul, modify, and/or amend the Rules;

WHEREAS, the commencement of litigation is not an "action" as defined in 6 N.Y.C.R.R. §617.2(b), and, therefore, no further SEQRA review is required.

NOW, THEREFORE,

BE IT RESOLVED that the Board of Education hereby authorizes Rigano LLC to commence litigation by complaint or Article 78 petition filed in a court of appropriate jurisdiction as determined by counsel against all or some of the Targets and other targets identified by counsel to seek to annul the Rules, as well as for costs, attorney's fees, interest, associated declaratory relief, injunctive relief and such other relief, under any and all causes of action deemed appropriate by counsel.

Meeting adjourned at 5:24 p.m. on motion by Debbie Brown, seconded by Grace Kelly, and carried when all Board members present voted in favor.

Respectfully submitted,



Elizabeth Davis
District Clerk

All correspondence, reports or related materials referred to in these minutes are on file in the District Office.