

**MINUTES OF SPECIAL BOARD OF EDUCATION
VIDEO TELECONFERENCE MEETING OF JANUARY 28, 2022**

A SPECIAL MEETING of the Board of Education of the West Babylon Union Free School District, Town of Babylon, Suffolk County, New York, was held on Friday, January 28, 2022 through Zoom.com-Meeting ID#949 4551 1866.

Board of Education Members present

Trustees: Lucy Campasano, Cathy Gismervik, Matthew Amore, Ray Downey, John Evola, Christopher Paolillo, Peter Scarlatos and Kristen Scieme. Vice President Diane Klein was not present.

Also present

Dr. Yiendhy Farrelly, Superintendent of Schools; William C. Morrell, Esq., School Attorney; and Ms. Barbara A. Burrows, District Clerk. There were 58 people logged into the meeting.

1. OPENING OF MEETING-9:10 AM

Procedural: A. Pledge of Allegiance to the Flag

Procedural: B. Call to Order by Presiding Officer

2. PUBLIC SESSION

Action: A. Motion to waive Policy 2340 Notice of Meetings - 24 Hour Requirement

Motion to waive 24 hour requirement in Policy 2340 Notice of Meetings

Motion by Cathy Gismervik, second by John Evola.

Final Resolution: Motion Carried

Yes: Lucy Campasano, Cathy Gismervik, Matthew Amore, Ray Downey, John Evola, Christopher Paolillo, Peter Scarlatos, Kristen Scieme

Board President Lucy Campasano opened up the discussion and asked Mr. Morrell, School District Attorney, to provide an overview of this Amicus Brief for the Board.

Mr. Morrell shared that, at this time, there are 8 districts listed as joining in support of the Amicus Brief. He indicated that, at the present time, he is unsure as to whether or not the Court will agree to or decline the acceptance of this Brief. The Brief is in support of a request to the Appellate Division, Second Department, to remove the current temporary "Stay" order. Upon approval of the Appellate Division, if the stay is lifted, school districts would not be obligated to require the use of masks in schools while the Appellate Court goes through the hearing process and renders a decision.

Mr. Morrell indicated there are no monetary penalties if the district agrees to participate. He also indicated it is our understanding this will be at no cost to the District. He shared we have not received this in writing.

Board discussion continued. The Board was in agreement to participate. The agreement was unanimous by all trustees in attendance.

At the conclusion of the meeting, Mr. Morrell prepared the following and it was emailed to the attorneys, Nicholas C. Rigano, Esq., and Richard Corrao, Esq., of Rigano LLC, 538 Board Hollow Road, Suite 301, Melville, New York 11747:

"Gentlemen: The Board of the West Babylon UFSD at a duly called meeting of the Board voted affirmatively, with a quorum present, by Zoom, to allow your firm to add the name of the West Babylon Union Free School District in support of the Amicus Brief as presently delivered to the Appellate Division, Second Department and to the OTSC requesting the Courts consent to accept the filing of same. This consent is given with the understanding that you and your firm are providing this service at no cost to the West Babylon Union Free School District. The District at this time does not consent to

any further actions or proceedings in this matter without the express written consent of the District.
William C. Morrell, Esq."

3. RESIDENTS STATEMENTS

Information, Procedural: A. No Statements of Residents

4. ADJOURNMENT

Action: A. Adjourn Meeting (Should take place by 9:30 AM)

Motion to Adjourn the Meeting at 9:34 AM.

Motion by Cathy Gismervik, second by Christopher Paolillo.

Final Resolution: Motion Carried

Yes: Lucy Campasano, Cathy Gismervik, Matthew Amore, Ray Downey, John Evola, Christopher Paolillo,
Peter Scarlatos, Kristen Sciamè

Attest: _____
District Clerk