

1. CALL TO ORDER AT 8:20 p.m.

Board Members present: Ms. Cheng, Mr. DiFilippo, Mr. Feldman,
Ms. Frankel, Mr. Gershon, Ms. Levitan, Ms.
Parker and Mr. Ulrich

Staff Members present: Dr. Rogers

Attorneys present: Mr. Block and Ms. Tondo, both from Ingerman Smith, L.L.P.

2. Ms. Levitan moved and Ms. Frankel seconded a motion that the Board of Education enter into a Special Board of Education Meeting.

MOTION CARRIED: (8-0)

3. Ms. Parker moved and Mr. Gershon seconded a motion that the Board of Education shall immediately convene an Executive Session for the purpose of receiving legal advice on a pending matter.

MOTION CARRIED: (5-0)

4. No official action was taken.

5. The Board of Education public meeting resumed at 8:45 p.m. in the South Woods Middle School Auditorium.

Staff members present: Dr. Rogers, Ms. Bovard, Ms. Mannion and Ms. Benjamin

6. Pledge of Allegiance to the Flag and a Moment of Silence for the victims at Tree of Life Synagogue in Pittsburgh. Board President Tracy Frankel stated, "May they rest in peace and may there be an end to acts of hate everywhere."

She then thanked Dr. Cohen for his long service and in particular, leadership through a period of dramatic change.

7. The Oath of Office was administered to Ms. Tracy Frankel, who by operation of law assumed the Presidency following the resignation of Board Trustee and President Dr. Michael Cohen.

8. **Resolution No. 7-1** SUSPEND POLICY ON ELECTION OF VICE PRESIDENT AT ANNUAL MEETING

WHEREAS, on October 22, 2018, the Board President provided written notification to the District Clerk that he was resigning from the Board of Education effective immediately; and

WHEREAS, as a consequence of the resignation of the Board President, pursuant to Education Law Section 1701, the

provided an explanation to the community of the options a Board of Education has when faced with a vacancy on the Board:

- State Law provides for the Board to hold a special election to fill the vacancy. Due to statutory notice requirements, the first viable date for such an election would be after the new year. An elected Trustee would serve out the balance of the vacant term (until June 2020).
- State law also permits the Board to fill the position by appointing a Trustee. An appointed Trustee would serve until the next regular school Board election (May 2019).
- Should the Board choose not to exercise either of these options, the seat would remain vacant until the next regular school board election (May 2019).

13. Audience to the Public

Glenn Vogelman, Woodbury
Jyoti Agrawal, Syosset
Wendy Levitt, Woodbury
Noam Welfer, Syosset
Jason Guo, Syosset

The above community members voiced support for the Board not holding a special election or appointing a Trustee, but rather functioning as an eight-member Board until the next school board election to be held in May 2019. Some reasons cited were the cost of the special election, the past practice of operating with a vacancy when a Trustee has resigned, an unfair advantage to prior candidates as a result of the short timeframe of a special election and low voter turnout of an election to be held in the month of January.

Michelle Schneider, Woodbury asked Mr. Block what would happen in the event of a 4-4 vote while the Board operates with a vacant seat. Mr. Block explained that a vote of the majority of the board membership is required to adopt a resolution. Thus, there is no difference in the number of votes needed to adopt a resolution from a 9 member Board or an 8 member Board. In both scenarios, five votes are required to pass a resolution, no matter how many members of the Board may be present. Therefore, in the case of a 4-4 tie, the vote would not pass, or if a member of the 8 person board were absent, a 4-3 vote would still not result in the adoption of a resolution.

Robert Peskin, Syosset, asked the difference in the length of term between a Trustee being appointed and elected.

Kevin McKenna, Woodbury requested the District investigate improving the audio system in the auditorium for people with hearing disabilities.

14. Discussion Items

The Board discussed each of the options related to filling the vacancy and considered the feedback received from the community. Although several members expressed reasons to seriously consider filling the vacancy in a timely fashion, the Board ultimately did not

choose to pursue either option for filling the position.

Thus, the seat shall remain vacant until the election in May 2019. At that time, four positions will be available; three of which will be for three-year terms and one of which will be for the balance of the unexpired term of the vacant seat. The 4th-highest vote getter (whether or not that person is an incumbent) would assume this term and would have to stand for reelection in 2020 in order to seek to remain on the Board.

15. ADJOURNMENT

The meeting adjourned at 9:33 p.m.

Respectfully submitted,

Francine Benjamin