

MINUTES OF BOARD OF EDUCATION, COMMACK, NEW YORK

Kind of Meeting: Special Meeting

Date of Meeting: January 28, 2022

Place: Virtual

Members Present: Mr. Steve Hartman, Mr. William Hender, Ms. Susan Hermer, Mr. Justin Varughese, Mr. Gus Hueber

Members Absent: None

Administration Present: Mr. Dave Flatley, Ms. Laura Newman, Mr. Jordan Cox, Dr. Michael Informa

Legal Present: Mr. Eugene Barnosky, Ms. Mara Harvey

Mr. Hartman opened the meeting at 9:03 am

A. Board Discussion

B. Resolution:

WHEREAS, Rigano, LLC is a New York based law firm that represents clients on, among other things, litigation matters; and

WHEREAS, the Commack Union Free School District wishes to retain the firm to represent the District as amicus curiae in the action, styled Demetriou et al. v. New York State Department of Health et al., Docket No. 2022-00532 (N.Y. App. Div. 2d Dep't) (the "Litigation") on the terms set forth in the retainer agreement dated January 26, 2022 (the "Retainer Agreement"); now, therefore be it

RESOLVED, that the firm of Rigano, LLC is hereby retained by the Commack Union Free School District as pro bono counsel in connection with the Litigation on the terms set forth in the Retainer Agreement; and, be it further

RESOLVED, the Board President is authorized to execute the Retainer Agreement on behalf of the Commack Union Free School District; and, be it further

RESOLVED, that the firm is authorized to file the amicus brief on behalf of the Commack Union Free School District the firm is authorized to represent the Commack Union Free School District in the Litigation, including filing a joiner and during oral argument therefor.

Motion by: Gus Hueber seconded by William Hender
Approved: Steve Hartman, Gus Hueber, William Hender
Opposed: Sue Hermer, Justin Varughese

Motion passes – 3-2

Motion to Adjourn the Meeting: 9:37

Motion by: Sue Hermer, seconded by William Hender
All in Favor: Motion passes 5-0

Respectfully submitted,

Debbie Virga

Debbie Virga
District Clerk