

**Commack Union Free School District  
Board of Education Meeting Minutes  
Thursday, August 17, 2023  
Generated by Debbie Virga**

Board Members Present: Justin Varughese, Sue Herman, Steve Hartman, William Hender, Gus Hueber

Board Members Absent: None

Administration Present: Dr. Jordan Cox, Laura Newman, Tim Russo, Scott Oshrin

Counsel Present: Eugene Barnosky

**A. OPENING OF MEETING**

Meeting called to order by Mr. Varughese at 6:00 p.m.

**EXECUTIVE SESSION**

- a) Pending litigation in the matter(s) of DB v. Commack UFSD
- b) Negotiations conducted pursuant to the Taylor Law involving CTA
- c) The financial history of particular persons
- d) Matters leading to the potential discipline of a particular individuals\*
- e) In order to obtain legal advice

Motion to approve executive session made by Sue Hermer, seconded by Gus Hueber and carried unanimously (5-0)

Motion to exit Executive Session and return to Public Meeting at 7:00 p.m.

Motion made by Steve Hartman, seconded by William Hender and carried unanimously (5-0).

**A. OPENING OF MEETING - PUBLIC MEETING**

Meeting called to order by Mr. Varughese at 7:08 p.m.

1. Pledge of Allegiance

**B. OPENING CEREMONIES**

1. Roll Call

**C. ADMINISTRATIVE REPORT**

1. Board Goals
2. Facilities Update

## **D. COMMITTEE REPORTS**

1. Multi-Cultural Committee

## **E. BOARD OF EDUCATION MEETING STATEMENT**

## **F. PUBLIC PARTICIPATION – AGENDA ITEMS ONLY**

- None

## **G. CORRESPONDENCE**

- None

## **H. DONATIONS**

1. The Board of Education accepted the donation from NYS Municipal Workers' Compensation Alliance - First Aid Cabinet for Hubbs Administration Building - valued at \$175.05
2. The Board of Education accepted the donation from Commack Soccer League for Light Towers for Soccer Under the Stars – valued between \$6,000 - \$8,000

Motion made by William Hender, seconded by Steve Hartman

Aye: William Hender, Justin Varughese, Steve Hartman, Susan J. Hermer, Gus Hueber

Final Resolution: Motion Carried (5-0)

## **I. MINUTES**

Approved the Minutes from the July 13, 2023 Board of Education meeting and the July 25, 2023 Board of Education Meeting.

Motion made by Susan Hermer, seconded by William Hender

Aye: William Hender, Justin Varughese, Steve Hartman, Susan J. Hermer, Gus Hueber

Final Resolution: Motion Carried (5-0)

## **J. PERSONNEL**

Upon the recommendation of the Superintendent of Schools, the Board of Education approved the Personnel Matters.

Motion by Steve Hartman seconded by Gus Hueber

Aye: William Hender, Justin Varughese, Steve Hartman, Susan J. Hermer, Gus Hueber

Final Resolution: Motion Carried (5-0)

## **K. CONSENT AGENDA-NEW BUSINESS**

1. Approved Consent Agenda items 2-25

2. Approved the contract with Huntington Arts Council
3. Upon the recommendation of the Superintendent of Schools, the Board of Education approved the Educator Evaluation (APPR) Implementation Certification Form for the 2022-2023 school year and authorizes the Board President to sign same.
4. Upon the recommendation of the Superintendent of Schools, the Board of Education authorizes Alise Pulliam to sign the Data Privacy Agreements on behalf of the District.
5. Upon the recommendation of the Superintendent of Schools, the Board of Education approved the Education Law 2-d Opt Ins between the District and the Clever, Inc. Boom Learning, Canva, Classcraft, Code.org, Desmos-Math Tools, Digital Teaching Tools - Whiteboard.fi, EverFi, Nearpod, Suntext, International - First in Math, Tools for Schools, Wakelt, Kahn Academy, World Wide Scholast Esports Foundations NASEF, ClassDoJo, Flip Rider, which use the Erie 1 BOCES form contract, and authorize Alise Pullman to sign same;  
BE IT FURTHER RESOLVED, upon the recommendation of the Superintendent of Schools, the Board of Education hereby approves the form Education Law 2-d Opt Ins between the District and Erie 1 BOCES, and authorizes Alise Pulliam to sign same.
6. Upon the recommendation of the Superintendent of Schools, the attached Resolution Agreement with student number 102010616 is hereby approved, and the Superintendent of Schools is authorized to sign same.
7. Upon the recommendation of the Superintendent of Schools, the Board of Education approved the Memorandum of Agreement between the Commack Union Free School District and the Commack Teachers Association regarding a stipend for nurses preparing final forms and have the Board President sign same.
8. Approved the contract [and rider as necessary] with the listed vendors from July 1, 2023 to June 30, 2024, and authorize the President of the Board to sign same.
  - a. St. Joseph's University - Dual Enrollment Program
  - b. SCOPE - Before and After School Program
  - c. Mazz Marketing - NCAA Night at Commack High School
  - d. YMCA - Pool Use for Girls (Fall) and Boys (Winter) Swim Teams
  - e. Grammarly - Grammar Software
  - f. UCP of Suffolk - Special Education Program
  - g. Kiddie Care Learning Center - UPK Program
  - h. Mill Neck School for the Deaf - Student Attending
  - i. Helping Hands Licensed Behavior Analyst Services, PLLC - Positive Behavior Support
  - j. Long Island Home d/b/a South Oaks Hospital - Assessments and Evaluations
  - k. Suffolk YJCC - UPK Provider
  - l. Metro Therapy

9. Approved the NYSED Local Transportation Agreement for Students in Foster Care for the 2023-2025 school years and authorize the President of the Board to sign same.

10. Approved the amended Memorandum of Agreement for the Stop Arm Demonstration Program for receipt of grant money from the Suffolk County School Bus Safety Education Fund, and authorize the President of the Board to sign same.

11. Approved the **obsolescence and disposal** of the listed items:

Miscellaneous items at Commack Middle School - items are old, unsafe and in disrepair

- filing cabinets
- activity chair
- printers
- DVD players
- TVs
- overhead projectors
- overhead projector carts
- video players
- HP monitors

b. Miscellaneous items at Cedar Road School - items have been marked as broken and unable to be used within the Commack UFSD schools or offices

- filing cabinets
- activity chair
- printers
- DVD players
- TVs
- overhead projectors
- overhead projector carts
- video players
- HP monitors

c. Athletic Equipment at Commack High School - items are broken and parts are obsolete so they cannot be fixed

- Treadmill - Tag #770056
- Cybex Elliptical - Tag # N/A (worn off by students)
- Cybex Exercise Bike - Tag # N/A (worn off by

Approve the **obsolescence** of the listed items:

- a. Computer Equipment at Hubbs Administration Building - items are unrepairable but can be resold through Purchasing (detailed list attached)

<b>Model</b>	<b>SN#</b>	<b>Tag 1</b>	<b>Tag 2</b>	<b>Reason</b>	<b>Building</b>
HP X360 LAPTOP	5CG845545Q	029907	NO TAG	Unrepairable/Obsolete	Hubbs Administration
HP X360 LAPTOP	5CG8454LZN	029802	NO TAG	Unrepairable/Obsolete	Hubbs Administration
HP X360 LAPTOP	5cg84557sx	029638	NO TAG	Unrepairable/Obsolete	Hubbs Administration
HP X360 LAPTOP	5CG80951MB	771920	218428	Unrepairable/Obsolete	Hubbs Administration
HP X360 LAPTOP	5CG80951J8	771925	218423	Unrepairable/Obsolete	Hubbs Administration
HP X360 LAPTOP	5CG8095141	771910	218442	Unrepairable/Obsolete	Hubbs Administration
HP X360 LAPTOP	5CG80951GR	771914	218446	Unrepairable/Obsolete	Hubbs Administration
HP X360 LAPTOP	5CG80951H1	771911	218443	Unrepairable/Obsolete	Hubbs Administration
HP X360 LAPTOP	5CG8095135	771922	218426	Unrepairable/Obsolete	Hubbs Administration
HP X360 LAPTOP	5CG80951CN	771924	218424	Unrepairable/Obsolete	Hubbs Administration
HP X360 LAPTOP	5CG80951LM	771931	218439	Unrepairable/Obsolete	Hubbs Administration
HP X360 LAPTOP	5CG80951B1	771923	218425	Unrepairable/Obsolete	Hubbs Administration
HP X360 LAPTOP	5CG80951JX	771909	218441	Unrepairable/Obsolete	Hubbs Administration
HP X360 LAPTOP	5CG809514B	771913	218445	Unrepairable/Obsolete	Hubbs Administration
HP X360 LAPTOP	5CG80951ML	771905	218436	Unrepairable/Obsolete	Hubbs Administration
HP X360 LAPTOP	5CG809517D	771906	218437	Unrepairable/Obsolete	Hubbs Administration
HP X360 LAPTOP	5CG80951D4	771903	218435	Unrepairable/Obsolete	Hubbs Administration
HP X360 LAPTOP	5CG80951MH	771915	218433	Unrepairable/Obsolete	Hubbs Administration
HP X360 LAPTOP	5CG80951K2	771912	218444	Unrepairable/Obsolete	Hubbs Administration
HP X360 LAPTOP	5cg721490z	NO TAG	211268	Unrepairable/Obsolete	Hubbs Administration
HP X360 LAPTOP	5CG80951HX	771917	218431	Unrepairable/Obsolete	Hubbs Administration

HP X360 LAPTOP	5cg72146bx	NO TAG	211463	Unrepairable/Obsolete	Hubbs Administration
HP X360 LAPTOP	5cg72147b5	NO TAG	211434	Unrepairable/Obsolete	Hubbs Administration
HP X360 LAPTOP	5CG72148DW	NO TAG	211275	Unrepairable/Obsolete	Hubbs Administration
HP X360 LAPTOP	5CG72145NS	NO TAG	211411	Unrepairable/Obsolete	Hubbs Administration
HP X360 LAPTOP	5CG72148J3	NO TAG	211302	Unrepairable/Obsolete	Hubbs Administration
HP X360 LAPTOP	5CG72147NZ	NO TAG	211378	Unrepairable/Obsolete	Hubbs Administration
HP X360 LAPTOP	5CG72145Z9	NO TAG	211379	Unrepairable/Obsolete	Hubbs Administration
HP X360 LAPTOP	5CG72148BX	NO TAG	211277	Unrepairable/Obsolete	Hubbs Administration
HP X360 LAPTOP	5CG72148KQ	NO TAG	211362	Unrepairable/Obsolete	Hubbs Administration
HP X360 LAPTOP	5cg721483y	NO TAG	211276	Unrepairable/Obsolete	Hubbs Administration
HP X360 LAPTOP	5cg7214863	NO TAG	211412	Unrepairable/Obsolete	Hubbs Administration
HP X360 LAPTOP	5cg72146bk	NO TAG	211366	Unrepairable/Obsolete	Hubbs Administration
HP X360 LAPTOP	5CG721476D	NO TAG	211364	Unrepairable/Obsolete	Hubbs Administration
HP X360 LAPTOP	5CG721480Y	NO TAG	211365	Unrepairable/Obsolete	Hubbs Administration
HP X360 LAPTOP	5CG721492G	NO TAG	211350	Unrepairable/Obsolete	Hubbs Administration
HP X360 LAPTOP	5CG721481N	NO TAG	211414	Unrepairable/Obsolete	Hubbs Administration
HP X360 LAPTOP	5cg72148bp	NO TAG	211345	Unrepairable/Obsolete	Hubbs Administration
HP X360 LAPTOP	5CG72145HX	NO TAG	211380	Unrepairable/Obsolete	Hubbs Administration
HP X360 LAPTOP	5CG721491H	NO TAG	211352	Unrepairable/Obsolete	Hubbs Administration
HP X360 LAPTOP	5cg72148xy	NO TAG	211351	Unrepairable/Obsolete	Hubbs Administration
HP X360 LAPTOP	5CG72146P9	NO TAG	211361	Unrepairable/Obsolete	Hubbs Administration
HP PROBOOK 11 G1	8cg5220gn5	007173	NO TAG	Unrepairable/Obsolete	Hubbs Administration
HP PROBOOK 11 G1	8CG530F1L	007718	NO TAG	Unrepairable/Obsolete	Hubbs Administration
HP PROBOOK 11 G1	8CG5350F32	007727	NO TAG	Unrepairable/Obsolete	Hubbs Administration

HP PROBOOK 11 G1	8CG5350F26	007721	NO TAG	Unrepairable/Obsolete	Hubbs Administration
HP PROBOOK 11 G1	8CG5350F06	007719	NO TAG	Unrepairable/Obsolete	Hubbs Administration
HP PROBOOK 11 G1	8CG5350F09	007730	NO TAG	Unrepairable/Obsolete	Hubbs Administration
HP PROBOOK 11 G1	8CG5350F4S	007725	NO TAG	Unrepairable/Obsolete	Hubbs Administration
HP PROBOOK 11 G1	8CG5350F35	007724	NO TAG	Unrepairable/Obsolete	Hubbs Administration
HP PROBOOK 11 G1	8CG5350F29	007726	NO TAG	Unrepairable/Obsolete	Hubbs Administration
HP PROBOOK 11 G1	8CG5350F3L	007728	NO TAG	Unrepairable/Obsolete	Hubbs Administration
HP PROBOOK 11 G1	8CG5350F2R	007715	NO TAG	Unrepairable/Obsolete	Hubbs Administration
HP PROBOOK 11 G1	8CG5350F4B	007716	NO TAG	Unrepairable/Obsolete	Hubbs Administration
HP PROBOOK 11 G1	8CG5350F0L	007722	NO TAG	Unrepairable/Obsolete	Hubbs Administration
HP PROBOOK 11 G1	8CG5350F2Z	007738	NO TAG	Unrepairable/Obsolete	Hubbs Administration
HP PROBOOK 11 G1	8CG5350F0C	007720	NO TAG	Unrepairable/Obsolete	Hubbs Administration
HP PROBOOK 11 G1	8CG5350F37	007742	NO TAG	Unrepairable/Obsolete	Hubbs Administration
HP PROBOOK 11 G1	8CG5350F1P	007740	NO TAG	Unrepairable/Obsolete	Hubbs Administration
HP PROBOOK 11 G1	8CG5350F23	007729	NO TAG	Unrepairable/Obsolete	Hubbs Administration
HP PROBOOK 11 G1	8CG5350F24	007744	NO TAG	Unrepairable/Obsolete	Hubbs Administration
HP PROBOOK 11 G1	8CG5350F1W	007731	NO TAG	Unrepairable/Obsolete	Hubbs Administration
HP PROBOOK 11 G1	8CG5350F2B	007733	NO TAG	Unrepairable/Obsolete	Hubbs Administration
HP PROBOOK 11 G1	8CG5350F1V	007737	NO TAG	Unrepairable/Obsolete	Hubbs Administration
HP PROBOOK 11 G1	8CG5350F2P	007739	NO TAG	Unrepairable/Obsolete	Hubbs Administration
HP PROBOOK 11 G1	8CG5350F1D	007743	NO TAG	Unrepairable/Obsolete	Hubbs Administration
HP PROBOOK 11 G1	CND428JKP8	NO TAG	181505	Unrepairable/Obsolete	Hubbs Administration
HP PROBOOK 11 G1	CND428JKQB	NO TAG	181513	Unrepairable/Obsolete	Hubbs Administration
HP PROBOOK 11 G1	CND428JJR8	NO TAG	181489	Unrepairable/Obsolete	Hubbs Administration

HP PROBOOK 11 G1	CDN428JNV9	NO TAG	181467	Unrepairable/Obsolete	Hubbs Administration
HP PROBOOK 11 G1	CND428HRV6	NO TAG	181433	Unrepairable/Obsolete	Hubbs Administration
HP PROBOOK 11 G1	CND428JR39	NO TAG	181457	Unrepairable/Obsolete	Hubbs Administration
HP PROBOOK 11 G1	CND428JJGX	NO TAG	181388	Unrepairable/Obsolete	Hubbs Administration
HP PROBOOK 11 G1	CND428JHKV	NO TAG	181478	Unrepairable/Obsolete	Hubbs Administration
HP PROBOOK 11 G1	CND428JJ24	NO TAG	181515	Unrepairable/Obsolete	Hubbs Administration

**Tag number information:**

- **2 4-drawer filing cabinets**
  - **Globe Tag# 102134**
  - **Wernicke Tag# 102948**
- **Tennsco 3 drawer file cabinet Tag# 103034**
- **Hon 2 drawer file cabinet Tag# 96-05246**
- **8 Steel Master teacher desks**
  - **Tag#'s 102862, 102158, 102425, 102065, 770846, 100570, 102353, 102134, 102354 & 102948**
- **Testing carrel Tag#021046**
- **4 Selfstrom 11-11 goggle cabinets**
  - **Tag#'s 96-02970, 101982, 96-03136 & 010035**
- **Hild side by side floor machine Tag# 103102**
- **3 Food warmers**
  - **Hatco Tag# 010001**
  - **Metro HM 2000 (2) Tag#'s 101241 & 102207**
- **2 National Public Seating Midwest Cafeteria tables**
  - **Tag#'s 770763, 023391**
- **Universal exercise machine Tag# 102283**



- **Cybex Pee Deck exercise machine tag# 015228**
- **2 Universal Leg exercise machines**
  - o **Tag#'s 96-q2915 & 96-02914**
- **Nautilus exercise machine Tag# 770042**
- **2 Bevis Conference Room Tables**
  - o **Model# 45888222106**
  - o **Tag#'s 101925 & 101926**

12. Approved the Deduct Change Order No. 1 from Hi Tech Air Conditioning in the amount of \$30,000.00 for the 2019 Bond Project 027-025 at Commack Middle School and authorize the President of the Board to sign same.

13. The Board approved the following bids as recommended:

BID #	Name of Bid	Award Recommendation	Reason
23-11	Driver Education In-Car Instruction	Rescind Award to Twin County and Re-award at Revised Amount	clerical error
23-13	Purchase of Combi Oven	Bar Boy Products	low bidder

14. Approved the Final WSBOCES A-7 for the 2022-2023 school year and authorize the President of the Board to sign same.

15. Approved a budget modification be made to increase Code A1680-200-00-000 for equipment for the Information Technology department in the amount of \$26,068.82 and authorize the President of the Board to sign same.

16. Approved the District-Wide and Building Emergency Response plans for the 2023-2024 school year.

17. Approved contract with the listed provider for 2023-2024 IDEA Flow Through Funds and authorize the President of the Board to sign same.

a. Mid-Island Therapy d/b/a All About Kids

18. Upon the recommendation of the Superintendent of Schools, the Board of Education approved the attached Non-Resident Tuition Agreement between the District and Mr. & Mrs. AM, and authorizes the President to sign same.

19. Upon the recommendation of the Superintendent of Schools the Board of Education approved the agreement between the Commack Union Free School District and the Commack Administrative and Supervisory Association ("CASSA") regarding a mentoring program for new administrators and authorize the Board President to sign same.

20. WHEREAS, the Commack Union Free School District has been served a Complaint in the matter of Jennifer Pax v. Commack Union Free School District, et.al.; and WHEREAS, the Complaint has employees #12735, #13628, #00340, #10880 as a named party in the lawsuit in their official and individual capacities; and WHEREAS, EMPLOYEES #12735, #13628, #00340, #10880 have timely served the District with a request for defense and indemnification as required by applicable law, Board policy and/or employment agreements. NOW, THEREFOR, BE IT RESOLVED that the Commack Union Free School District Board of Education hereby confers the defense and indemnification benefits of all applicable laws including, but not limited to, Education Law Section 18, and Board policy upon employees #12735, #13628, #00340, #10880 and assigns Miranda Slone Sklarin Verveniotis, LLP to represent their interests, between their regular District hourly retainer rates and the rates, if any paid by the District's insurer, plus all reimbursable and customary expenses.

21. Upon the recommendation of the Superintendent of Schools, the Board of Education approved the agreement between the State University of New York, at Stony Brook and the Commack Union Free School District, WHEREAS, the University desires to have certain students receive clinical field work experience at the District, and WHEREAS, the District is willing to accept said students from the University for such purposes and upon the terms and conditions hereinafter set forth.

22. Approved the Hold Harmless Agreement between the Commack Union Free School District and the Town of Smithtown, Hoyt Farm Park and authorize the Board President to sign same.

23. Upon the recommendation of the Superintendent of Schools, the Board of Education approved the first reading of Policy #6121- Sexual Harassment in the Workplace, BE IT FURTHER RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education waive the 2nd reading and move to adopt the policy tonight.

24. Upon the recommendation of the Superintendent of Schools, the Board of Education approved the agreement between the Commack Union Free School District and the Commack Teachers Association regarding payment for supervisors of SAT and ACT testing and have the Board President sign same.

25. Upon the recommendation of the Superintendent of Schools, the Board of Education, approved the collective bargaining agreement with the Commack Union Free School District and the Commack Teachers' Association for the creation of a full-time position at the Commack High School for Senior Support Provider and have the Board President sign same.

Motion made by William Hender, seconded by Steve Hartman

Aye: William Hender, Justin Varughese, Steve Hartman, Susan J. Hermer, Gus Hueber

Final Resolution: Motion Carried (5-0)

#### **L. CONSENT AGENDA – LEGAL**

1. Approved the following lease agreements for Old Farms Elementary School and authorize the President of the Board to sign same.

a. R.E.A.C.H. Community & Youth Agency, Inc. - 8/1/23 - 7/31/27 (4 years)

b. Child Care Council of Suffolk, Inc. - 8/1/23 - 7/31/27 (4 years)

Motion made by Steve Hartman, seconded by Susan Hermer

Aye: William Hender, Justin Varughese, Steve Hartman, Susan J. Hermer, Gus Hueber

Final Resolution: Motion Carried (5-0)

#### **M. ITEMS REMOVED FROM CONSENT AGENDA**

Upon the recommendation of the Superintendent of Schools, in accordance with Suffolk County Civil Service rules and regulations, Frank Palopoli is to be appointed to the civil service title of Director of Facilities III, effective September 18, 2023.

#### **N. NEW BUSINESS**

None

#### **O. BOARD BUSINESS**

1. Statement of Professional Services rendered by Lamb & Barnosky, LLP on non-retainer matters for the month ending June 30, 2023 for \$23,696.91

2. Acknowledge receipt of Committee on Special Education: 7/18/23; 7/20/23; 7/26/23; 7/28/23; 8/2/23; 8/3/23; 8/7/23; 8/10/23; 8/14/23; 8/17/23.

Acknowledge receipt of Committee on Preschool Special Education: 7/18/23; 7/19/23; 8/2/23; 8/10/23.

3. Acknowledge receipt of the Internal Claims Auditor's Monthly Update, 5/1/23 – 7/28/23

4. Acknowledge receipt of the Financial Reports listed below:

- CD Rates Report:

5. Announcement of Upcoming Board of Education Meeting:

- The Board of Education of the Commack Union Free School District shall hold its Regular Meeting on Thursday, September 7, 2023 at 6:00 p.m. at Hubbs Administration Building, 480 Clay Pitts Road, East Northport, New York. It is anticipated that the Board will make a motion for the purpose of adjourning into Executive Session at this time and

at 8:00 p.m. the Board will reconvene in Public Session for the purpose of holding its Regular Business Meeting.

**P. PUBLIC PARTICIPATION**

None

**Q. ADJOURNMENT**

Motion to adjourn meeting at 8:38 p.m. and adjourn into Executive Session for the purposes of:

- Negotiations pursuant to Taylor Law involving CTA
- To obtain legal advice

Motion by Gus Hueber, seconded by Steve Hartman

Aye: William Hender, Justin Varughese, Steve Hartman, Susan Hermer, Gus Hueber

Final Resolution: Motion Carried (5-0)

Motion to adjourn Executive Session and return to public meeting at 9:09 p.m.

Motion by Steve Hartman, seconded by Gus Hueber

Aye: William Hender, Justin Varughese, Steve Hartman, Susan Hermer, Gus Hueber

Final Resolution: Motion Carried (5-0)

Motion to adjourn public session at 9:10 pm

Motion by William Hender seconded by Susan Hermer

Final Resolution: Motion Carried (5-0)