

March 26, 2019

A special meeting of the Port Jefferson School District Board of Education was held on March 26, 2019 at the District Office. Present at the 5:49 p.m. call to order by President Kathleen Brennan were Vice-President Tracy Zamek, Ryan Biedenkapp, Ellen Boehm, David Keegan, Rene Tidwell and Ryan Walker, Superintendent of Schools Paul Casciano, Deputy Superintendent Sean Leister, and Assistant Superintendent for Curriculum and Instruction Jessica Schmettan.

Motion was made by Mrs. Zamek, seconded by Mrs. Tidwell, and carried 7-0 that the Board enter executive session to discuss personnel matters. Also in attendance were administrators Michael Caravello, Robert Neidig, Christine Austen, Thomas Meehan, Kevin Bernier, Jodi Cahill, and Claudia Smith. The administrators left the meeting at 6:53 p.m.

At 7:28 p.m. the Board reentered general session. James Finke, founder and instructor of Port Jefferson Rowing Club, introduced himself and provided information about the establishment of the Club.

BOARD BUSINESS

Motion was made by Mrs. Boehm, seconded by Mr. Keegan and carried 7-0 that the Board approve the following resolution rescinding an appeal:

WHEREAS, on September 24, 2018, the Board of Education approved the following resolution authorizing its general counsel, Ingerman Smith, LLP, to pursue and file an appeal of the State Supreme Court Short Form Order regarding Index Number 15194/2011 and to take such further action on behalf of the School District, including but not limited to, making any motion and/or application deemed necessary regarding the Short Form Order on behalf of the Board of Education;

WHEREAS, the Board of Education of the Port Jefferson Union Free School District (“School District”) is a Plaintiff in a legal action commenced against Defendants, LIPA, National Grid and others (“Defendants”) in a matter captioned Board of Education of the Northport-East Northport Union Free School District and Board of Education of the Port Jefferson Union Free School District v. Long Island Power Authority, et al., venued in New York State Supreme Court – Commercial Division, Suffolk County and bearing Index Number 15194/2011, and

WHEREAS, on August 15, 2018, the Honorable Elizabeth H. Emerson issued a Short Form Order granting Defendants’ motion for summary judgment, denying the School District’s cross-motion for summary judgment, issuing declaratory relief in favor of the Defendants on the first and third causes of action and dismissing all of the School District’s pending causes of action (“Short Form Order”), and

WHEREAS, the Board of Education believed that the decision rendered by Justice Emerson was in error and had determined that it was in its best interest to appeal and/or challenge the Short Form Order;

NOW, FURTHER, on December 14, 2018, The Town of Brookhaven entered into a Stipulation and Order of Settlement with the Long Island Power Authority (LIPA) to settle and discontinue pending proceedings between LIPA and the Town of Brookhaven Board of Assessment Review and Town of Brookhaven Assessor for the years of 2018/19 through 2026/27, which indirectly impacts the Port Jefferson School District effective immediately;

THEREFORE, BE IT RESOLVED that the Board of Education hereby authorizes its general counsel, Ingerman Smith, LLP, to rescind the appeal of the State Supreme Court Short Form Order regarding Index Number 15194/2011 and to take no further action on behalf of the School District, including but not limited to, making any motion and/or application regarding the Short Form Order on behalf of the Board of Education.

OLD BUSINESS

Motion was made by Mr. Walker, seconded by Mr. Biedenkapp, and carried 7-0 that the Board approve the proposed 2019-2020 school year calendar.

Mrs. Brennan asked that rescission of the appeal and approval of the school calendar be placed on the website.

NEW BUSINESS

Mrs. Zamek expressed concern and initiated discussion on field testing. As a result of the discussion, Mrs. Schmettan will provide the Board with the number of days used for testing, the number of questions on the tests, what surrounding districts are doing, and get feedback from administrators.

At 8:13 p.m., motion was made by Mrs. Zamek, seconded by Mr. Keegan and carried 7-0 that the Board enter executive session to discuss personnel and legal matters. Mr. Leister and Mrs. Schmettan left the meeting. The District Clerk left the meeting and Mrs. Brennan acted as Clerk pro tem.

Joining the Board in executive session from 8:13 p.m. to 9:22 p.m. was school district attorney Neil Block.

ADJOURNMENT

At 9:25 p.m., the Board reentered general session. Motion was made by Mrs. Boehm, seconded by Mrs. Tidwell and carried 7-0 to adjourn.
