BOARDS OF EDUCATION
SPECIAL MEETING MINUTES
June 1, 2010 & June 7, 2010

A Special Meeting of the Board of Education of the Westbury Union Free School District, Towns of North Hempstead and Hempstead. Westbury, New York was held at the Administration Building in the Conference Room located at 2 Hitchcock Lane, Old Westbury, New York on June 1, 2010.

Present: Ms. Karin B. Campbell, President
Board of Education: Mr. Stanton L. Brown; Dr. Pless M. Dickerson;
Mr. Floyd I. Ewing, III; Mr. Rocco N. Lanzilotta;
Mr. Larry D. Worum; Mr. Lawrence F. Zaino

Absent:

Others: Dr. Constance R. Clark-Snead, Superintendent of Schools
Dr. Marjorie Toran, Asst. Superintendent – Special Education & Spec. Svcs.

Determination of Quorum and Call to Order

At 6:18 pm, Ms. Karin B. Campbell, President called the meeting to order.

However, the public present had questions which warranted legal opinion. Mr. Larry Tenenbaum, counsel for the school district, was telephoned and the meeting was temporarily recessed until Mr. Tenenbaum could arrive.

Mr. Tenenbaum arrived at 6:55 pm. The meeting resumed.

Executive Session/Quasi-Judicial Discussion

At 7:52 pm, Ms. Campbell called for a motion to move into Executive Session/Quasi-Judicial Review for purposes of discussion of a particular matter concerning the Board. A motion was made by Mr. Worum, seconded by Mr. Brown. The vote was recorded as follows:

Ms. Campbell: YES
Mr. Brown: YES
Mr. Lanzilotta: YES
Mr. Worum: YES

Motion Carries

At 10:53 pm, a motion was made by Mr. Worum, seconded by Mr. Brown to resume in public session.
Recess

At 10:55pm, a motion was made by Mr. Wornum, seconded by Mr. Brown, and carried unanimously to recess the Special Meeting of the Board of Education until Monday, June 7, 2010 at 7:30pm.

Reconvening of Special Meeting

A Special Meeting of the Board of Education of the Westbury Union Free School District, Towns of North Hempstead and Hempstead, Westbury, New York was reconvened at the Administration Building in the Conference Room located at 2 Hitchcock Lane, Old Westbury, New York on June 7, 2010.

Present: Ms. Karin B. Campbell, President
Board of Education: Mr. Stanton L. Brown; Dr. Pless M. Dickerson;
Education: Mr. Floyd T. Ewing, III; Mr. Rocco N. Lanzilotta;
Mr. Larry D. Wornum; Mr. Lawrence F. Zaino

Absent:

Others: Dr. Constance R. Clark-Snead, Superintendent of Schools
Mr. Robert Brisbane, Asst. Superintendent – Curriculum, Instruction & Personnel
Dr. Marjorie Toran, Asst. Superintendent – Special Education & Spec. Svcs.

At 7:31pm, Ms. Karin B. Campbell, President called the meeting to order.

Quasi-Judicial Discussion

At 7:33pm, a motion was made by Mr. Wornum, seconded by Mr. Brown to move into a Quasi-Judicial Discussion. The vote was as follows:

Ms. Campbell: YES
Mr. Brown: YES
Mr. Lanzilotta: YES
Mr. Wornum: YES

Motion Carries

Dr. Pless M. Dickerson was excused from the quasi-judicial discussion at 7:58pm and re-entered the meeting at 8:19pm.
Mr. Floyd T. Ewing was excused from the quasi-judicial discussion at 8:20pm and re-entered the meeting at 8:58pm.
Mr. Lawrence F. Zaino was excused from the quasi-judicial discussion at 8:40pm and re-entered the meeting at 9:21pm.
At 9:29pm a motion was made by Mr. Wornum, seconded by Mr. Brown to resume in public session. The vote was as follows:

Ms. Campbell: YES
Mr. Brown: YES
Mr. Lanzilotta: YES
Mr. Wornum: YES

Motion Carries

Items for Action

Resolution 9.1 – Dr. Pless M. Dickerson

A motion was made by Mr. Brown, seconded by Mr. Wornum to approve Resolution 9.1. The vote was as follows:

Ms. Campbell: YES Dr. Dickerson: NO
Mr. Brown: YES Mr. Ewing: NO
Mr. Lanzilotta: YES Mr. Zaino: NO
Mr. Wornum: YES

Motion Carries

WHEREAS, Dr. Pless M. Dickerson has refused and neglected to attend three (3) successive meetings of the Board of Education; and

WHEREAS, Dr. Pless M. Dickerson was duly notified of such meetings; and

WHEREAS, the Board of Education has given Dr. Pless M. Dickerson an opportunity to provide an explanation for such absences; and

WHEREAS, the Board of Education has considered such proffered explanations.

NOW, THEREFORE, BE IT RESOLVED that, the Board of Education hereby finds that such explanations are not good and valid and are inadequate to excuse the absences; and

BE IT FURTHER RESOLVED that, the seat on the Board of Education currently held by Dr. Pless M. Dickerson is hereby recognized vacant pursuant to Education Law §2109.
Resolution 9.2 – Mr. Floyd T. Ewing, III

A motion was made by Mr. Wornum, seconded by Mr. Brown to approve Resolution 9.1. The vote was as follows:

Ms. Campbell: YES  Mr. Ewing: NO
Mr. Brown: YES  Mr. Zaino: NO
Mr. Lanzilotta: YES
Mr. Wornum: YES

Motion Carries

9.2 WHEREAS, Mr. Floyd T. Ewing, III has refused and neglected to attend three (3) successive meetings of the Board of Education; and

WHEREAS, Mr. Floyd T. Ewing, III was duly notified of such meetings; and

WHEREAS, the Board of Education has given Mr. Floyd T. Ewing, III an opportunity to provide an explanation for such absences; and

WHEREAS, the Board of Education has considered such proffered explanations.

NOW, THEREFORE, BE IT RESOLVED that, the Board of Education hereby finds that such explanations are not good and valid and are inadequate to excuse the absences; and

BE IT FURTHER RESOLVED that, the seat on the Board of Education currently held by Mr. Floyd T. Ewing, III is hereby recognized vacant pursuant to Education Law §2109.

Resolution 9.3 – Mr. Lawrence F. Zaino, Sr.

A motion was made by Mr. Wornum, seconded by Mr. Brown, to approve Resolution 9.3. The vote was as follows:

Ms. Campbell: YES  Mr. Zaino: NO
Mr. Brown: YES
Mr. Wornum: YES
Mr. Lanzilotta: YES

Motion Carries
WHEREAS, Mr. Lawrence F. Zaino, Sr. has refused and neglected to attend three (3) successive meetings of the Board of Education; and

WHEREAS, Mr. Lawrence F. Zaino, Sr. was duly notified of such meetings; and

WHEREAS, the Board of Education has given Mr. Lawrence F. Zaino, Sr. an opportunity to provide an explanation for such absences; and

WHEREAS, the Board of Education has considered such proffered explanations

NOW, THEREFORE, BE IT RESOLVED that, the Board of Education hereby finds that such explanations are not good and valid and are inadequate to excuse the absences; and

BE IT FURTHER RESOLVED that, the seat on the Board of Education currently held by Mr. Lawrence F. Zaino, Sr. is hereby recognized vacant pursuant to Education Law §2109.

Executive Session

At 10:19pm, a motion was made by Mr. Brown, seconded by Mr. Lanzilotta to move into Executive Session for purposes of discussion of personnel.

At 11:04pm, a motion was made by Mr. Lanzilotta, seconded by Mr. Brown to move into public session.

Items for Action

Resolution 9.4 – Appointment of Special Counsel – Frazer & Feldman

A motion was made by Mr. Lanzilotta, seconded by Mr. Wornum to approve Resolution 9.4. The vote was as follows:

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<tr>
<th>Name</th>
<th>Vote</th>
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<tr>
<td>Ms. Campbell:</td>
<td>YES</td>
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<tr>
<td>Mr. Brown:</td>
<td>YES</td>
</tr>
<tr>
<td>Mr. Lanzilotta:</td>
<td>YES</td>
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<tr>
<td>Mr. Wornum:</td>
<td>YES</td>
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</tbody>
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Motion Carries

BE IT RESOLVED, that the Board of Education approves the appointment of special counsel of Frazer & Feldman, LLC subject to approval of the retainer agreement.
Resolution 9.5 – Appointment of Special Counsel – W. Charles Robinson

A motion was made by Mr. Lanzilotta, seconded by Mr. Brown, to approve Resolution 9.5. The vote was as follows:

Ms. Campbell: YES
Mr. Brown: YES
Mr. Lanzilotta: YES
Mr. Wornum: YES

Motion Carries

9.5

BE IT RESOLVED, that the Board of Education approves the appointment of special counsel of W. Charles Robinson and Associates, LLC subject to approval of the retainer agreement.

Adjournment

At 11:22pm, a motion was made by Mr. Brown, seconded by Mr. Lanzilotta to adjourn the Special Meeting of the Board of Education. The vote was as follows:

Ms. Campbell: YES
Mr. Brown: YES
Mr. Lanzilotta: YES
Mr. Wornum: YES

Motion Carries

Respectfully submitted,

Rocco N. Lanzilotta, District Clerk