

A Special Meeting of the Board of Education, Seaford Union Free School District, was held on Friday, November 22, 2024, in the Board of Education Conference Room, located in the Manor Elementary School, 1590 Washington Avenue in Seaford, New York.

PRESENT:

Ms. Lisa Herbert – President  
Ms. Trisha Matulewicz - Vice President  
Mr. Jimmy Chwe – Trustee  
Ms. Heather Umhafer - Trustee  
Ms. Melissa Whidden – Trustee (left at 10:48 a.m.)

ALSO PRESENT:

Dr. Adele V. Pecora  
Dr. Sheena Jacob  
Dr. Alison Offerman-Celentano  
Mr. Steven Goodstadt – Attorney (present via phone)

At 9:35 a.m., the President of the Board of Education opened the Special Meeting. Ms. Herbert then advised that she needed a motion to adjourn the public portion of the meeting and convene an executive session for the purpose of discussing possible legal matters and the employment history of particular employees.

OPEN MEETING

A motion was made by Ms. Matulewicz, second by Ms. Umhafer, to adopt the following resolution:

MOTION FOR  
EXECUTIVE SESSION

**RESOLVED**, that the Board of Education of the Seaford Union Free School District enter into executive session for the purpose of discussing possible legal matters and the employment history of particular employees and upon completion of discussion respecting the foregoing to return to open session.

No Discussion.  
All Ayes  
Motion Carried.

Executive Session concluded at 10:42 a.m.

ADJOURN EXECUTIVE  
SESSION

At 10:44 a.m., the President of the Board of Education re-opened the Public Session. As the first order of business, Board President Lisa Herbert led the audience in the Pledge of Allegiance.

RE-OPEN PUBLIC  
SESSION

None

RESIDENTS' COMMENTS

All correspondence has received responses

CORRESPONDENCE

Board President Lisa Herbert explained that prior to public session today, the Board met in Executive Session to discuss its legal options concerning the New York State Education Department's Emergency Regionalization Rule. The details of this Rule and the Board's opposition to it had previously been set forth in letters to NYSED and the community dated October 31<sup>st</sup>, and the topic of regionalization was discussed at our most recent Board meeting last week.

BOARD PRESIDENT'S  
REMARKS ON  
REGIONALIZATION

As a very brief recap, the State Education Department has passed a rule on an emergency basis requiring that school districts share with one another services and resources and gives unprecedented input, oversight and authority over this process to the BOCES Superintendent, all of which we deem to be a misuse of emergency powers and an overstep into local control and what has traditionally been the domain of boards of education. For this reason, the Board will be voting to approve the filing of an Article 78 legal proceeding against NYSED along with other school districts.

As a reminder to the community at home, the public comment period for this proposed permanent Rule ends on Sunday, November 24<sup>th</sup>. Information about how you can send a letter in opposition is on our website and is also set forth in the letter from October 31<sup>st</sup> on Parent Square.

Motion by Ms. Matulewicz, second by Ms. Umhafer, to adopt the following resolution:

RESOLUTION AUTHORIZING  
THE COMMENCEMENT  
OF A CPLR ARTICLE 78  
PROCEEDING REGARDING  
REGIONALIZATION

**WHEREAS**, the New York State Department of Education has published emergency/proposed rules titled *Development and Implementation of Regionalization* in the New York State Register (and any amendments, modifications, related or readopted rules associated therewith); and

**WHEREAS**, the Board of Education has determined that litigation against the New York State Education Department, the Commissioner of the New York State Education Department, the Board of Regents, the Chancellor of the Board of Regents and/or any other parties as identified by counsel is necessary to seek to annul, modify, and/or amend the Rules.

ARTICLE 78 RESOLUTION (cont'd)

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Education hereby authorizes the law firm Rigano LLC to commence legal action against the New York State Education Department, the Commissioner of the New York State Education Department, the Board of Regents, the Chancellor of the Board of Regents and/or any other parties as identified by counsel pertaining to the published emergency/proposed rules titled *Development and Implementation of Regionalization* in the New York State Register (and any amendments, modifications, related or readopted rules associated therewith); and

**BE IT FURTHER RESOLVED** that the Board President is authorized to sign a retainer agreement with the law firm Rigano LLC, which retainer agreement has been reviewed by the Board of Education and authorizes Rigano LLC to take all steps necessary to effectuate the litigation.

Lisa Herbert -  
Trisha Matulewicz -  
Jimmy Chwe -  
Heather Umhafer -  
Melissa Whidden -

No Discussion  
Aye  
Aye  
Aye  
Aye  
Aye  
Motion Carried.

None

DISCUSSION ITEMS

High School drama production of Peter and the Star Catcher will be this evening and tomorrow

CLOSING REMARKS

At 10:48 a.m., a motion was made by Ms. Matulewicz, second by Ms. Umhafer, to adjourn the Special Meeting and return to Executive Session.

ADJOURN SPECIAL MEETING

No Discussion.  
All Ayes  
Motion Carried.

There being no further business, a motion was made by Ms. Matulewicz, second by Ms. Umhafer, to adjourn Executive Session at 11:47 a.m.

ADJOURN EXECUTIVE SESSION

No Discussion.  
All Ayes  
Motion Carried.

Respectfully submitted,

Carmen T. Ouellette  
District Clerk

Heather Umhafer  
Vice District Clerk