

**HEMPSTEAD PUBLIC SCHOOLS
BOARD OF EDUCATION
SPECIAL MEETING
MAY 8, 2017
MINUTES**

The special meeting of the Hempstead Public Schools Board of Education was held in the high school board room, 201 President Street, Hempstead, New York 11550. The meeting was called to order at 3:02 P.M. The purpose of the meeting was for the Board to assign substitute counsel in pending matters.

BOARD MEMBERS PRESENT:

Maribel Touré	President
Gwen Jackson	Vice President
Melissa Figueroa	Trustee

BOARD MEMBERS ABSENT:

David B. Gates	Trustee
LaMont E. Johnson	Trustee

STAFF MEMBERS PRESENT:

Patricia Wright	District Clerk
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Trustee Jackson moved, seconded by Trustee Figueroa to call the meeting to order at 3:02 P.M.

MOTION	YES 3	MOTION CARRIED
Call to order		

Trustee Figueroa moved, seconded by Trustee Touré to approve the appointment of substitute counsel in pending appeal matter as indicated.

- 1. BE IT RESOLVED**, that the Board of Education hereby appoints the law firm of Sokoloff Stern, LLP as Special Counsel to represent the Hempstead UFSD, and named members of the Board of Education, in connection with an appeal pending before the Commissioner of Education identified in Confidential schedule "A", at the fee set by the District's Insurance Carrier, AIG.

MOTION	YES 3	MOTION CARRIED
To appoint substitute counsel pending appeal matter		

In the Matter of the Petition of Dr. David B. Gates, individually and as a Trustee of the Hempstead UFSD, Shelley Brazley, William A. Watson, Patricia Spleen, Leslie

McShine, and Cheryl Wyche v. Melissa Figueroa, Maribel Touré, Gwendolyn Jackson, and Lamont Johnson, and Hempstead UFSD, SED, File No. ____.

Trustee Figueroa moved, seconded by Trustee Jackson to appoint substitute counsel in the matter Index No. 17-001906.

- 2. BE IT RESOLVED**, that the Board of Education hereby appoints the law firm of Sokoloff Stern, LLP as substitute counsel to represent the Hempstead UFSD, and named members of the Board of Education, in connection with pending litigation identified in Confidential schedule "A", at the rate approved by the District's Insurance Carrier, AIG, and authorizes the President of the Board of education to execute a substitution of counsel stipulation naming Sokoloff Stern, LLP as counsel of record.

MOTION	YES 3	MOTION CARRIED
To appoint substitute counsel Index No. 17-001906		

David B. Gates, individually and as a Trustee of the Hempstead UFSD, Shelley Brazley, William A. Watson, Patricia Spleen, Leslie McShine, and Cheryl Wyche v. Maribel Touré, Melissa Figueroa, Gwendolyn Jackson, and Lamont Johnson, as Trustee of the Hempstead UFSD and Hempstead UFSD, Index Number 17-001906.

Trustee Figueroa moved, seconded by Trustee Jackson to appoint substitute counsel in pending appeal.

- 3. BE IT RESOLVED**, that the Board of Education hereby appoints the law firm of Sokoloff Stern, LLP as Special Counsel to represent the Hempstead UFSD, and named members of the Board of Education, in connection with an appeal pending before the Commissioner of Education identified in Confidential schedule "A", at the fee set by the District's Insurance Carrier, AIG.

MOTION	YES 3	MOTION CARRIED
To appoint substitute counsel SED file No. 20646		

In the Matter of the Petition of Dr. David B. Gates, individually and as a Trustee of the Hempstead UFSD, Shelley Brazley, William A. Watson, Patricia Spleen, Leslie McShine, and Cheryl Wyche v. Melissa Figueroa, Maribel Touré, Gwendolyn Jackson, and Lamont Johnson, and Hempstead UFSD, SED, File No. 20646.

Trustee Touré moved, seconded by Trustee Figueroa to approve request for indemnification

4. **RESOLVED**, that the Board of Education hereby request for defense and indemnification submitted by members of the Board of Education, identified in Confidential Schedule "A" , in connection with an appeal filed with the Commissioner of Education SED File No. ____ dated April 25, 2017 and confers upon the members of the Board of Education the benefits and protections of Section 18 of the Public Officers Law, in addition to the benefits and protections of Section 3811 of the Education Law as applicable; and

IT IS FURTHER RESOLVED, that the District shall accordingly indemnify and defend the members of the Board of Education for any costs, attorney's fees, judgments, damages, settlements, fines or penalties, provided that the acts or omissions from which the judgment or claim (etc.) arose or occurred while he/she was acting within the scope of his/her public employment or duties and provided further that in the case of settlement, the duty to indemnify and save harmless shall be conditioned upon the approval or the amount of any such settlement by the Board of Education; and no Certificate of Good Faith or merit shall be required.

MOTION

To approve request
for indemnification

YES 3

MOTION CARRIED

Trustee Jackson moved, seconded by Trustee Touré to approve request for indemnification

5. **RESOLVED**, that the Board of Education hereby request for defense and indemnification submitted by members of the Board of Education, identified in Confidential Schedule "B" , in connection with an appeal filed with the Commissioner of Education SED File No. ____ dated April 25, 2017 and confers upon the members of the Board of Education the benefits and protections of Section 18 of the Public Officers Law, in addition to the benefits and protections of Section 3811 of the Education Law as applicable; and

IT IS FURTHER RESOLVED, that the District shall accordingly indemnify and defend the members of the Board of Education for any costs, attorney's fees, judgments, damages, settlements, fines or penalties, provided that the acts or omissions from which the judgment or claim (etc.) arose or occurred while he/she was acting within the scope of his/her public employment or duties and provided further that in the case of settlement, the duty to indemnify and save harmless shall be conditioned upon the approval or the amount of any such settlement by the Board of Education; and no Certificate of Good Faith or merit shall be required.

MOTION
To approve request
for indemnification

YES 3

MOTION CARRIED

Trustee Figueroa moved, seconded by Trustee Touré to approve request for indemnification

- 6. RESOLVED**, that the Board of Education hereby request for defense and indemnification submitted by members of the Board of Education, identified in Confidential Schedule "C" , in connection with an appeal filed with the Commissioner of Education SED File No. ____ dated April 25, 2017 and confers upon the members of the Board of Education the benefits and protections of Section 18 of the Public Officers Law, in addition to the benefits and protections of Section 3811 of the Education Law as applicable; and

IT IS FURTHER RESOLVED, that the District shall accordingly indemnify and defend the members of the Board of Education for any costs, attorney's fees, judgments, damages, settlements, fines or penalties, provided that the acts or omissions from which the judgment or claim (etc.) arose or occurred while he/she was acting within the scope of his/her public employment or duties and provided further that in the case of settlement, the duty to indemnify and save harmless shall be conditioned upon the approval or the amount of any such settlement by the Board of Education; and no Certificate of Good Faith or merit shall be required.

MOTION
To approve request
for indemnification

YES 3

MOTION CARRIED

Trustee Touré moved, seconded by Trustee Jackson to approve request for indemnification

- 7. RESOLVED**, that the Board of Education hereby request for defense and indemnification submitted by members of the Board of Education, identified in Confidential Schedule "D" , in connection with an appeal filed with the Commissioner of Education SED File No. ____ dated April 25, 2017 and confers upon the members of the Board of Education the benefits and protections of Section 18 of the Public Officers Law, in addition to the benefits and protections of Section 3811 of the Education Law as applicable; and

IT IS FURTHER RESOLVED, that the District shall accordingly indemnify and defend the members of the Board of Education for any costs, attorney's fees, judgments, damages, settlements, fines or penalties, provided that the acts or omissions from which the judgment or claim (etc.) arose or occurred while he/she

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was acting within the scope of his/her public employment or duties and provided further that in the case of settlement, the duty to indemnify and save harmless shall be conditioned upon the approval or the amount of any such settlement by the Board of Education; and no Certificate of Good Faith or merit shall be required.

MOTION
To approve request
for indemnification

YES 3

MOTION CARRIED

Trustee Figueroa Moved, seconded by Trustee Jackson to adjourn the meeting at 3:18 P.M.

MOTION
Meeting adjourned

YES 3

MOTION CARRIED

Respectfully submitted:

Patricia Wright
District Clerk