

MINUTES OF THE BELLMORE-MERRICK CENTRAL HIGH SCHOOL DISTRICT  
BOARD OF EDUCATION MEETING AUGUST 2, 2021

Page 1

A special meeting of the Bellmore-Merrick Central High School District Board of Education was held on Monday morning, August 2, 2021, in the Boardroom of the Administrative Offices at the Brookside Educational Center at 1260 Meadowbrook Road, North Merrick, New York.

The following members of the Board of Education were present:

Edward Corona, President  
Nina Lanci, Vice President  
Melissa Cmar-Grote  
Dr. Nancy Kaplan  
Gina Piskin

The following members of the Board of Education were not present:

Janet Goller  
Marion Blane  
Tracey Miller

Also present:

Michael Harrington, Superintendent of Schools  
Dr. Mara Bollettieri, Deputy Superintendent of Personnel  
Mikaela Coni, Assistant Superintendent for Business  
Scott Bersin, Assistant Superintendent of Curriculum, Instruction and Assessment  
Christopher Powers, School Attorney  
Pattianne Guccione, District Clerk

I. CALL TO ORDER

The meeting was called to order by Mr. Corona at 7:10 a.m.

On a **MOTION** by Ms. Cmar-Grote, seconded by Ms. Lanci and carried 5-0, the Board of Education moved into Executive Session.

On a **MOTION** by Ms. Piskin, seconded by Ms. Lanci and carried 5-0, the Board of Education returned to Public Session at 7:30 a.m.

II. PLEDGE OF ALLEGIANCE

Mr. Corona led those present in the Pledge of Allegiance.

On a **MOTION** by Ms. Lanci, seconded by Dr. Kaplan and carried 5-0, the Board of Education approved by consent agenda items III.A and III.B.

III. BUSINESS

A. Approval for Legal Defense and Indemnification for John DeTommaso

WHEREAS, in accordance with Education Law §3811 and/or Public Officer's Law §18, John DeTommaso has submitted a timely written request for legal defense and indemnification in an action dated July 19, 2021, and received by the District on July 22, 2021, under index no: 900140/2021; and

WHEREAS, there are allegations in the legal action arising from the performance of the above referenced employee's duties and responsibilities within the scope of his employment;

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NOW THEREFORE, BE IT RESOLVED that, the Board of Education of the Bellmore-Merrick Central High School District hereby agrees to defend and indemnify John DeTommaso and appoints Brian Davey, Esq. of Mulholland Minion Davey McNiff & Beyrer to represent him in addition to the Board of Education and the District in the above-referenced legal action.

B. Denial of Request for Legal Defense and Indemnification

WHEREAS, in accordance with Education Law §3811 and/or Public Officer's Law §18, an individual staff member, other than John DeTommaso, whose identity is known to the Board of Education, has submitted a timely written request for legal defense and indemnification in an action dated July 19, 2021, and received by the District on July 22, 2021, under index no: 900140/2021; and

WHEREAS, the aforementioned legal action contains allegations, inter alia, that such individual staff member, known to the Board of Education, engaged in criminal activity, and engaged in acts which constitutes acts outside of her scope of her duties and responsibilities as a teacher; and

WHEREAS, according to Section 3811 of the Education Law and Public Officer's Law Section 18, under circumstances as stated above, such individual staff member known to the Board of Education, is not entitled to defense and indemnification in the above-referenced legal action.

NOW, THEREFORE, BE IT RESOLVED that the Board of Education of the Bellmore-Merrick Central High School District DENIES and REJECTS such individual staff member's request for defense and indemnification in the above-referenced legal action.

IV. ADJOURNMENT

On a **MOTION** by Ms. Lanci, seconded by Ms. Cmar-Grote and carried 5-0, the Board of Education meeting adjourned at 7:31 a.m.

Respectfully submitted,

Pattianne Guccione  
District Clerk