

TOWN OF STAMFORD
SPECIAL MEETING OF THE
SELECTBOARD AND SCHOOL DIRECTORS
February 27, 2020
(UNAPPROVED)

Present: Selectboard: Nancy L. Bushika, Chair, Michael G. Denault, Daniel J. Potvin, Carol A. Fachini, and Christopher Warren.
School Directors: Cynthia Lamore, Chair, Kelly Holland, Barbara Malinowski, Erika Bailey, and Jessica Tatro
Visitors: Richard Cristofolini, Helen Fields, Barbara Goldstein, William Levine, Luke McKay, Sheila Pecor, Tyna Senecal, Jim Stimpson, Pat Sullivan, and David R. Tatro.
Lori Shepard, Selectboard Secretary.

Nancy Bushika called the meeting to order at 6:00 p.m. and opened with the pledge of allegiance. She welcomed everyone and stated the purpose of the special meeting was to review the letter received from the town's attorney concerning the ownership of the school/town building and land with the School Directors and discuss who has authority to make decisions.

Dan Potvin is very concerned that if the school merges into a new district, that the new district becomes the owner. Cindy Lamore confirmed that as part of the merger, the new district would own the school building and grounds. If something happened and the merger ended, all entities would take back their original properties as before. Cindy Lamore explained that they expect to have the final report concerning Phase 2 at the end of May and they hope to schedule another public informational meeting. Each town will have to vote whether to proceed with the merger.

Mike Denault said the deeds for the various properties are either in the town's name or the Inhabitants of the Town of Stamford. The attorney's analysis is that the town owns the land and so when the building was built, it becomes the ownership of the town. The attorney recommends that the two boards ratify the deeds. He recommends that the town issue a 99 year lease of the school building to the school district so the district would have authority to maintain the building. The system we have now is working great and Mike Denault does not want to change things, he would like to work together and get things on paper. Cindy Lamore said the School Board should not be signing any type of lease, not knowing if the school entity is going to change because of the merger. She recommended waiting until Phase 2 is complete and the town votes on whether to merge.

Pat Sullivan found it difficult to get answers she needs to proceed with the community gathering space, such as where the septic system and leach field are. The principal normally approves requests to use the school building. Nancy Bushika suggested appointing someone from the School Board and Selectboard to approve requests during the summer. The principal is not here every day, but the School Board felt he is around enough during the summer to approve requests. Chris Warren felt we should have some governance in place and it should be in writing, especially if the community gathering space happens. He doesn't want to make a separate decision for each request. There should be fair guidelines so the process is the same for everyone. Nancy Bushika considered if someone wanted to use the school for profit, should that be handled differently.

It was suggested that each board come up with some guidelines that can be reviewed at the next meeting. Cindy Lamore said the town attorney provided an opinion based on municipal law, but she thinks the school attorney's opinion will be different. His opinion will be based on the Agency of Education laws and she believes it will say that the school district owns the building and therefore, the land it sits on.

Mike Denault noted the last paragraph of the attorney's letter stating that if the two entities cannot resolve the matter, the town could file a declaratory judgment action in the Superior Court asking the court to declare the legal interests of the town and school. He doesn't want this to happen and would like to see the boards come up with

answers. He understands that this is how things have always been done, but in the event of a school merger, all these things need to be worked out.

Barbara Malinowski stated that the school already has a policy in place for the use of the building and grounds. Perhaps the town could use their policy. The school will provide a copy of their policy to the town for review. Mike Denault agreed their policy should be in effect during school hours, but what about during the summer. Cindy Lamore was very concerned about keys being given out and the security of the building.

Helen Fields ran a summer garden camp for children last summer and although it was mostly outside and in the library, she needed access to the school and kitchen. She may expand the program this summer. Using the school building during the summer can be difficult because that's when a variety of maintenance is scheduled. All the classroom furniture is brought out into the hallways and gym so the classrooms can be cleaned and the floors waxed. The boilers are serviced and building maintenance is done. Helen Fields would like to know when the school will be off limits during the summer and what rooms will be available when.

MOTION by Barbara Malinowski that the School Board present the attorney's letter from the Selectboard to their legal counsel to investigate the ownership of the building. SECONDED by Jessica Tatro. All five in favor. Motion APPROVED.

Helen Fields suggested creating a subcommittee to begin work. Cindy Lamore suggested waiting until after town meeting and the election. Chris Warren suggested when each board compiles their lists, they consider what is currently being done, what they would ideally like to see done, and what situations they see as a challenge to do.

Nancy Bushika thanked everyone for coming and the School Directors for being willing to sit down and discuss the matter with the Selectboard.

MOTION by Mike Denault to adjourn. SECONDED by Chris Warren. All in favor. Motion APPROVED. The meeting adjourned at 8:05 p.m.

Carol A. Fachini
Clerk

CAF/las