

The Regional School District 13 Board of Education Utilization Committee met in Regular Session on Thursday, February 20, 2020 at 6:00 PM in the Library at Coginchaug Regional High School, Durham, Connecticut.

Committee members present: Mrs. Booth, Dr. Friedrich, Mr. Hicks, Mr. Moore and Dr. Taylor  
Committee members absent: Mrs. Geraci and Mr. Yamartino  
Community members present: Mr. Giammatteo and Mrs. Johansen  
Administration present: Dr. Serino, Superintendent of Schools and Mrs. Neubig Director of Finance

Dr. Taylor called the meeting to order at 6:00 PM.

### **Pledge of Allegiance**

The Pledge of Allegiance was recited.

### **Public Comment**

None.

### **Approval of Agenda**

*Mr. Hicks made a motion, seconded by Dr. Friedrich, to approve the agenda, as presented.*

*In favor of approving the agenda, as presented: Mrs. Booth, Dr. Friedrich, Mr. Hicks, Mr. Moore and Dr. Taylor. Motion approved unanimously.*

### **Approval of Minutes - January 28, 2020**

*Mr. Hicks made a motion, seconded by Dr. Friedrich, to approve the minutes of the January 28, 2020 meeting, as presented.*

*In favor of approving the minutes of the January 28, 2020, as presented: Mrs. Booth, Dr. Friedrich, Mr. Hicks, Mr. Moore and Dr. Taylor. Motion approved unanimously.*

### **Korn Building**

Dr. Serino had a conversation with Laura Francis this morning and updated the committee that the First Selectman and the Board are looking at ways to make the Korn School project more acceptable by lowering the cost. In doing that, they would have to have code modifications and that would require a code consultant. They now have a proposal from a code consultant and they now need to determine what modifications are necessary and if that would lessen the price of the project. They hope to be able to make a decision by the end of March to say they will move forward or that they will pass on the offer. If they decide to move forward, they will then create a time line.

Dr. Serino felt that the board needed to discuss their next steps if Durham decides to pass. Dr. Taylor explained that they have gone through the options, but the board has never voted on anything. He doesn't see that the board should vote to raze the building before the decision is made, but that they should be

prepared to vote once a decision is reached. Mrs. Neubig added that a decision will also be required on how to fund that.

Dr. Friedrich wondered if they needed new quotes for demolition, but Mrs. Neubig stated that the architect felt that the \$1 million quote is still valid. She explained that if they were to spend half a million one year and half a million the next, that would translate to a 1.5 percent budget increase. Mr. Moore added that it could be bonded, but they would have to look at the impact on the debt service.

Dr. Taylor asked how much pressure they would be under to raze the building immediately and felt that it could be funded over a number of years. Mrs. Neubig added that the current costs for running the building could be put toward the demolition. Dr. Serino stated that, because of everything that is happening now, there is no rush to action. Dr. Friedrich agreed, but thought it was important that the public understands that they are at this point. He felt a plan and a schedule should be laid out for the board. Mr. Giammatteo felt that it should be explained that this is tied to Durham's decision.

Dr. Serino also felt that this is a distraction because it keeps being brought up again and again. She would like to see a decision made, even if it has a time line that's not happening immediately. Dr. Friedrich asked if it would be best for the committee to bring a motion to the board that, in the event the town opts not to take the building, that we will pursue demolishing it along with a request to the Finance and Utilization committees to develop a plan. Dr. Taylor felt it would be best to do that and to place the impetus on the town. It was agreed to work on a motion for the next meeting. Mr. Giammatteo suggested that the operating costs of the building be considered in that motion as well.

### **Next steps with Reconfiguration Plan**

Mr. Moore explained that he has asked the attorney to attend next week's board meeting to talk about some of the questions that have been raised with regard to the action in District 12's Supreme Court case. There have been questions on minority representation, closure of a building vs. financing repairs of a building and many others.

Mr. Moore has started to prepare another plan amendment with language for a process for closure of a building, to include a public hearing and referendum as well as presenting the costs to keep it open. He will have that language ready for the next full board meeting. There have also been other proposals to finance the repairs and keep it open as well as holding a referendum to close the building.

Mr. Moore believes that they should follow the process so that it is clear on the Plan of Regionalization that in order to close a building, certain steps must be followed. He will also add that language to the plan for expansions and renovations even though it already exists due to financing.

Dr. Serino reviewed that they had talked about asking the attorney to write a memo and had a discussion about the public's trust in the board and the administration. They felt that, since the board has questions for the attorney, it would be a better idea to do that in a public forum and not in executive session. They are hopeful that the public will raise comments during Public Comment that can be addressed by the attorney. Dr. Serino reviewed that the district does not need the John Lyman building to follow the board's plan and it would be at a price largely borne by the taxpayers of Durham.

Dr. Serino wanted to be sure that the Utilization Committee has identified how Regions 12 and 13 are similar and how they are different, what the process would need to be to have people vote on the closure

of a school, does there need to be a plan amendment that outlines the process and does that need to happen first. She also noted that amending the plan requires a majority vote in both towns, but closing a school requires an overall majority vote. Dr. Taylor felt that that is not the way it is currently being presented. He felt that, according to the court case, reconfiguration was not in good faith with the original plan and therefore an amendment would be necessary. Dr. Taylor felt that the results of the referendum could be interpreted that the towns want to have the authority, on a town by town basis, to make decisions with regard to reconfiguration or moving schools around. He felt that the question now is do they try to pass an amendment that includes language that divests the towns of their ability to make a town by town vote on a reconfiguration or do they make an amendment to say what the new configuration will be. Dr. Taylor felt it would be somewhat disingenuous to go back to the towns to do that even if he doesn't like that it has become a town by town decision. Basically, he would just like to see a decision made so that the district can move forward.

Dr. Serino felt that this is a whole other issue because the closing of John Lyman School is separate from the grade configuration as the board already made the decision about grade configuration. Dr. Taylor stated that he believed the issue in the court case was strictly about reconfiguration and he would have been very explicit with the language of the amendment based on that. Mrs. Johansen noted that that is now happening in both towns as there will no longer be third or fourth grade in Durham.

Mrs. Booth reviewed that the board had voted for Korn to close, not the towns. Dr. Taylor stated that the argument could be made that closing Korn did not fundamentally change the grade configuration in Durham. Dr. Serino stated that the attorney had said that everything had been done correctly in prior years and the problem came in getting a clean bond opinion because of the Supreme Court case.

Dr. Taylor also felt that minority representation is an issue that could be extremely detrimental to the process of the board being viewed as nonpartisan and that the First Selectman could then appoint replacement board members. He thought that this should be fully examined. Mr. Moore added that they still don't have details on the terms at this point.

Mrs. Booth asked if the lawyer will present and then take questions from the board or if he will also take questions from the audience. Dr. Serino explained that he will present information, particularly about the two districts, and then the board can ask questions. It should not be a dialogue between the attorney and the community.

Mr. Moore mentioned that they have also talked about having a community meeting about how decisions are made and go over the various costs. Dr. Serino also felt that they should form type of community coalition to build a broader network of people who support the message in both communities. Mrs. Johansen felt that a dialogue would be helpful.

### **Update from Playground Committee**

Mrs. Booth reported that, because they don't exactly know what's going on with John Lyman now, they aren't sure what to do next. There is \$50,000 being proposed for playground equipment at Lyman in next year's budget. Mr. Yamartino asked the committee if they felt \$50,000 was enough if the school was to stay open and they felt that it wouldn't be.

The committee has a couple of proposals for items that equal \$50,000. They have also looked to get some low-cost items for this spring. Mrs. Johansen asked if the \$50,000 includes prepping the ground or just equipment. When the playscape was removed, they only removed the cement that easily came out and there are still about 40 more pieces in the ground. There was a question about where the money would come from to remove that.

The low-cost items that could possibly be here for the spring include tetherball, a volleyball net and a checker set. Dr. Serino thought that if the committee can make a recommendation, the district can order items for this Spring. They can look to find items and/or funds. It was also suggested that the high school students build some corn hole.

Mr. Giammatteo also noted that the sixth-grade senators at Memorial are planning some sort of testimonial for being the last sixth grade class and came up with the idea of building a gaga pit for Memorial. They felt that if one was installed at Lyman, it would destroy their whole idea. He also noted that he was surprised to learn that Brewster went without a playground for a couple of years. Mr. Giammatteo also stated that a volleyball net and corn hole is not a playground and that he hoped there could be more. Mrs. Booth stated that if the budget passes, a playscape could be installed over the summer. Mr. Giammatteo stated that a vendor told him that a playscape could be installed relatively quickly.

One of the playground committee members is also reaching out to JLPA to see if they had any funding available.

Dr. Serino suggested they submit a list and they will look to see what exists in the district.

Mrs. Booth reported that the Playground committee will meet again on Monday, March 2<sup>nd</sup>.

Mrs. Johansen reported that Memorial's survey results showed that they like what they have. Both Memorial and Brewster's students were more about field games. A lot of the Memorial kids would like some quiet space and a walking path. They'd like four square and basketball which are both there, but the ground needs to be redone. It was also suggested to clean up the old baseball field that is there.

### **Public Comment**

Kindra Liptak, from Middlefield, thanked the committee for including the public. She was pleased that the board will have the attorney speak to the public as well so that everything is transparent. She feels like the towns voiced what they wanted in the referendum and that it's important to not make the public feel like the board will try to put out a new referendum just to get what they want passed.

Cheryl Pizzo, from Middlefield, agreed with Ms. Liptak and felt that the board is in a danger zone in that if they move quickly with this, the people will feel it is a very disingenuous play. The people voted, especially in Middlefield which was 3:1. She also believes it was the biggest turnout they've had in a very long time for a referendum for the Board of Education. She agrees that the story needs to be told and the part that is missing is how Middlefield is being marginalized. Going to a majority vote instead of each town weighing in just amplifies that. She asked that they make sure it is fair and balanced because the inequity is building. Mrs. Pizzo cannot imagine how the board would be able to get the people in Middlefield to vote yes. It may not be the board's intention to put up barriers, but people felt that the only way to have a voice was to vote no. She asked when the people's voice counts. Mrs. Pizzo also found it interesting that a comment was made about John Lyman School not being needed and felt that Middlefield does feel it is needed because that's what they agreed to in the beginning. The agreement states that Middlefield is supposed to have K-8 as is Durham and so far, that agreement has not been amended. In response to the comment about taxpayers from Durham paying for John Lyman, Mrs. Pizzo felt that her taxes are going mostly to Durham because the facilities are there. She would like to see more

facilities in Middlefield because no one knows what the future will bring. Mrs. Pizzo summarized by saying that if the board forges forward and cuts people out of the process, she doesn't believe they will ever trust the board again. She ended by thanking everyone for volunteering their time.

Alice Malcolm, from Middlefield, felt that the push has been all economics. Middlefield taxpayers feel that it is worth the money to have more of a base in town and more of a presence on the Board of Education. They feel like they would be losing money on real estate values and losing people who would come into town looking for elementary schools. She does not feel that it would be a favorable position for Middlefield.

Mrs. Pizzo added that people can't always make meetings, but she knows a lot of people read the minutes of the various meetings.

Another member of the public added that a lot of people can't make meetings at 6:00 and also asked if every other meeting could be held in Middlefield.

### **Adjournment**

*Mr. Hicks made a motion, seconded by Dr. Friedrich, to adjourn the meeting.*

*In favor of adjourning the meeting: Mrs. Booth, Dr. Friedrich, Mr. Hicks, Mr. Moore and Dr. Taylor.  
Motion approved unanimously.*

Meeting was adjourned at 7:03 PM.

Respectfully submitted,

Debi Waz

Debi Waz  
Alwaz First