

The Regional School District 13 Board of Education held a Special District Meeting on December 1, 2021 at 7:00 PM in the Julian Thayer Auditorium at Coginchaug Regional High School, 135 Pickett Lane, Durham, Connecticut.

Board members present: Mrs. Booth, Mrs. Caramanello, Dr. Friedrich, Mr. Hicks, Mr. Moore, Mrs. Petrella, Mr. Roraback, Dr. Taylor and Mr. Yamartino.

Board members absent: Ms. Geraci

Administration present: Dr. Schuch, Superintendent of Schools and Mrs. Neubig, Director of Finance.

### **Pledge of Allegiance**

The Pledge of Allegiance was recited.

Mr. Hicks read the call to the meeting, warning of special district meeting and return of the call into the record.

### **Item 1**

*Laura Francis made a motion, seconded by Rick Parmelee, to nominate Norm Hicks as moderator of the Special District Meeting.*

*In favor of nominating Norm Hicks as moderator of the Special District meeting: Mrs. Booth, Mrs. Caramanello, Dr. Friedrich, Mr. Hicks, Mr. Moore, Mrs. Petrella, Mr. Roraback, Dr. Taylor and Mr. Yamartino. Motion passed unanimously.*

Mr. Hicks explained that eligible voters must be a US citizen, a Durham elector or property owner with at least \$1,000 assessment on the last Grand List. He then asked anyone not eligible to vote to self-declare by raising their hand. One person, Attorney Peter Maher, was not eligible to vote. Mr. Hicks asked everyone to speak only when given the floor by the moderator and to come up to the microphone to speak, identifying themselves before speaking.

### **Item 2**

Mr. Hicks read the following into the record: "Item 2 is to approve the conveyance to the Town of Durham a portion of the District property measuring approximately 7.24 acres on which is located the building commonly known as the Francis E. Korn Elementary School (the 'Korn School Property'); to approve the Memorandum of Understanding between Regional School District 13 and the Town of Durham for the conveyance of the Korn School Property (the 'Memorandum of Understanding'); and to authorize the Superintendent and the Chairperson of the Board of Education of Regional School District 13 to take all actions necessary or convenient to complete the conveyance of the Korn School Property to the Town of Durham, including the execution of a purchase and sale agreement or similar agreement." He then asked for a motion.

*Mr. Moore made a motion, seconded by Laura Francis, to approve item 2, as described above.*

Mr. Moore explained that this process began in October 2015 and has gone through a number of votes throughout the six years. Subsequent to the referendum authorizing the town to purchase the property, a number of meetings with both the town's and district's attorneys as well as the Board of Selectmen led to the development of this Memorandum of Understanding for the land transfer.

Mr. Moore then reviewed the outline of the property and noted that the Town Engineer will explain the property lines and the easements that are located on it. The MOU is about 10 pages long and is a complex legal document. Mr. Moore explained that the voters tonight need to vote to authorize the Chairman and the Superintendent to sign the MOU and move on to the final agreement for the land transfer sometime in the next few weeks.

Attorney Peter Maher explained that the call here is for the district to authorize the Superintendent and Board Chair to execute the MOU which has been negotiated between the District and the Town of Durham. The next step would be to finalize a purchase and sales agreement. Time periods and easements are included in the MOU, such as use of the property for parking and activities. There will be a 30-day time period to finalize the purchase and sales agreement and then the Town will have a period of time to seek approvals and do inspections.

Brian Curtis from Nathan Jacobson explained that officials from the town and the district met to determine the property boundaries. The northerly property boundary is unchanged and the vertical property line to the west is an existing property line between the school and the town. The changes that are proposed are to follow the outline of the athletic fields that will remain with the district. The Korn School building, driveway, main parking lot and playground become part of the Town of Durham parcel. There will be a boundary created basically following Pickett Lane from south to north, excluding the culvert that is currently being replaced. There will be a number of easements, one of which will be near the culvert area to allow for utilities. There are other utility lines between the high school and Korn School, some of which will remain permanent easements. There are 7.24 acre included with the parcel.

Mr. Hicks then opened the meeting for public discussion and questions.

Carl Stoup, from Durham, felt that the mailer that was sent by the Board of Education was rather deceiving and misleading in the last paragraph where it talks about saving taxpayers of Durham and Middlefield the expenses associated with maintaining and/or demolishing Korn School. There will be a savings to Middlefield and the Board of Education, but it just changes line items for the Town of Durham. The Town of Durham will end up with a significant increase in their budget.

Eileen Buckheit, from Durham, thanked the board for the presentation. She is happy to see this process coming to an end. She reviewed that the transfer was approved with large numbers in the referendum and reminded everyone that they are not here to rehash that vote. They are here today to talk about any problems with the MOU or boundary lines. She noted that the Board of Finance already approved \$1 million to go through the first phase of this project. They are not here tonight to rehash what all of this means for the Town of Durham. Mrs. Buckheit hoped that everyone understands exactly what has already been accomplished and what needs to happen tonight. She implored everyone to look forward, not backwards, and make the correct vote tonight.

Lainey Melvin, representing the Senior Board in Durham, explained that they have been looking for the opportunity to have a community center for the last three decades. They began by hoping for a senior center, but that didn't make sense. They have looked at property and it has been voted down many times. There will never be a better location than this. Mrs. Melvin acknowledged that this will cost money either way and hoped that the townspeople will vote for this as it is a great opportunity for the young people and elderly and the community as a whole.

Clay Howe, from Durham, agreed that the decision that was made should not be hashed over, however if people turn down the vote this evening, it is dead in the water. He does feel that there are serious problems with this. Mr. Howe felt that there may be plenty of people who did not show up tonight due to having prior conditions and with the new variant of COVID-19 emerging. There was no possibility of voting by absentee ballot and people had to put their health at risk, to a certain extent, to attend the meeting. Mr. Howe encouraged everyone to vote yes, but felt that the way this was done had serious problems.

Jen Huddleston, from Middlefield, explained that she is the founder of the Giving Garden located in the lawn area behind the Middlefield Community Center. She explained that they had looked at the lawn area behind Korn School and had deemed it to be a perfect location for a community garden. The Giving Garden encourages volunteers to grow fresh, organic food that is 100 percent distributed to area senior centers and soup kitchens. She felt that the volunteers get more out of working in the garden than the recipients of the food do. They loved the location at Korn School for many reasons and felt that it would bring the community together.

Susan Michael asked if the boundary was the dotted line or the straight line and if it included the woods or not. Mr. Curtis explained that the dashed line is the current boundary line and will go away with the transference of the property. The new southerly property boundary around Korn School is around the athletic fields toward Pickett Lane. The woods line is shown as the curved line to the northwest and that would be part of the Town of Durham parcel. Mrs. Michael felt that the potential is so great for multigenerational opportunities for learning. One of her ideas would be to have a nature center there to serve everyone.

Sherry Hill, from Durham, explained that she is the Durham Recreation Director and that she is looking forward to this great opportunity. She encouraged everyone to get on with the vote and move to the next step.

Rick Parmelee, from Durham, noted that he was never in favor of closing Korn School and does not support the idea of demolishing it. He did not like the way they seemed to be put under the gun to move on this issue. The Board of Education did vote to demolish the school, however they do not have the money to do it and would need to come before the taxpayers to get funding. Mr. Parmelee does not feel this is a good deal for Durham. He doesn't understand why the district needs rights to parking as people would probably park there anyway and it would be town property. He felt that nobody has secured anything from Durham in the deal. He would have thought that the Town of Durham would have secured the right in the deed to use Coginchaug for their annual town meeting. He added that the district has absolved themselves of everything and the town got nothing. Mr. Parmelee recalls approving funding to remove asbestos, but it has never been totally removed. He also added that, as far as he knows, P&Z has never been consulted about the size of the parcel and what can be done with it. He also mentioned that the furnace was included in the MOU, but the Town of Durham didn't ask for the district to pick up the tab for the bridge at the west end. Mr. Parmelee also mentioned the cost of demolition and costs of maintaining the unused building and summarized that there are real savings for the district, while the Town of Durham doesn't gain a lot. He ended by stating that it's a terrible deal and he will not support it.

Min Ludecke stated that she has spoken to a lot of people who don't attend meetings and their feeling is that voting for this venture by less than the majority of the town is way too expensive. She is not against

a community center, but this is not the right time to do it. People at retirement age will be strapped and are already shell-shocked at the incredible increase in property taxes. Mrs. Ludecke wasn't sure how much money this project will add to taxes. She does agree that the taxpayers should have something for the amount of taxes they pay, but wondered if the timing is off here. She didn't understand what the big hurry is. She noted that she works for the State and has seen shocking financial numbers with people being forced to leave their jobs. She reiterated that the timing is not right for this project and fears there will be a lot of foreclosures coming and Durham will not be exempt. She also mentioned the football field and the building that has never been completed. Mrs. Ludecke acknowledged that the project has already been voted on, but felt that a lot of people in town did not understand the mailer that was sent as it did not contain financial reality.

Karen Cheyney reviewed that the Memorandum of Understanding is what is being voted on tonight and felt that it was a very good contract. She noted that if it is voted down, all that will happen is that the MOU will be revised. She then made a motion to call the question and vote.

*Karen Cheyney then made a motion, seconded by many, to call the question.*

Mr. Hicks explained that this requires a two-thirds vote and asked for a show of hands in favor of moving the question. He felt that the vote was pretty clear and moved on to the vote.

Mr. Hicks explained that everyone has a blue or pink slip of paper and asked for a vote of "yes" or "no" on item 2. It is one vote per person and no one can hand in multiple slips. Tellers collected the vote and the meeting was recessed while the votes were tallied.

Mr. Hicks then reviewed that there were 183 votes cast, with one abstention. Of those votes cast, 163 voted yes and 20 voted no. Mr. Hicks declared the motion passed.

There was applause and cheering from the audience.

*Mr. Yamartino made a motion, seconded by many, to adjourn the special district meeting. Everyone was in favor of adjourning the meeting.*

The meeting was adjourned at 7:54 PM.

Respectfully submitted,

Debi Waz

Debi Waz  
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