

GOVERNANCE & LEGAL
SUBCOMMITTEE OF REGIONALIZATION
STUDY COMMITTEE

Regular Meeting – December 12, 2013

There will be a regular meeting of the Governance & Legal Subcommittee of the Regionalization Study Committee on Thursday, December 12, 2013 at 6:30 p.m. at the Botelle School, Norfolk, Connecticut.

AGENDA

1. Meeting Call to Order
2. Appoint Secretary of the Subcommittee
3. Discuss Statutes of State of Connecticut
4. Determine Plan of Action
5. Calendar for Subcommittee
6. Adjournment

RECEIVED
1.6.14

DRAFT

NORFOLK-COLEBROOK CONSOLIDATION COMMITTEE
GOVERNANCE AND LEGAL SUBCOMMITTEE

Minutes of Meeting December 12, 2013

Attending: S. Carr, J. Jones, L. Hanafin, M. Sconyers, J. Scharnberg, E. Lestinsky, A. DeCerbo, M. Venhorst

The meeting was called to order at 6:40 p.m. by J. Jones. J. Scharnberg was elected Chair for future meetings on a motion by S. Carr, seconded by A. DeCerbo.

M. Sconyers volunteered to act as Secretary for this meeting.

M. Venhorst handed out an outline of the regionalization process to use as a guide for this Subcommittee. He also led a discussion of the statutory basis for this process.

There was a general discussion about the financial aspects of a consolidation of the two elementary schools as well as discussion of how to structure a consolidated board of education.

The next two meetings were scheduled for January 9, 2014 and January 23, 2014 at 7:00 p.m. at Botelle School.

Respectfully submitted

J. Michael Sconyers
Acting Secretary

REGIONALIZATION STUDY COMMITTEE
GOVERNANCE & LEGAL SUBCOMMITTEE

Regular Meeting – January 9, 2014

There will be a regular meeting of the Governance & Legal Subcommittee of the Regionalization Study Committee on Thursday, January 9, 2014 at 7:00 p.m. at Botelle School, Norfolk, CT.

AGENDA

1. Call to Order
2. Appoint Meeting Secretary
3. Minutes of Previous Meeting
4. Meeting Focus: Board Composition
5. Calendar for Subcommittee
6. Adjournment

DRAFTNorfolk-Colebrook Consolidation Committee
Governance and Legal Subcommittee

Minutes of Meeting January 9, 2014

Attending: S. Carr, J. Jones, L. Hannafin, M. Sconyers, J. Scharnberg, E. Lestinsky
A. DeCerbo, M. Venhorst, T. Briggs and J. Costa

The meeting was called to order at 7:00PM by Chair J. Scharnberg. S. Carr volunteered to act as secretary for this meeting.

A motion was made by M. Sconyers to approve the minutes of the December 12, 2014 meeting. T. Briggs seconded the motion and the minutes were unanimously approved.

The structure of a consolidated board of education was discussed. It was decided that the makeup would consist of 4 members from each town with a weighted vote. The weighted vote would be determined by the Federal census occurring every 10 years. It was further decided that a quorum of 6 members would be required to conduct any school business.

A discussion ensued with regard to a Code of Ethics
. A motion was made by J. Scharnberg to include in a Code of Ethics policy items from Region 10, Policy #9271, items #1, #4 and #12. This motion was seconded by L. Hannafin. The motion passed.

The topic for the next meeting will concentrate on collective bargaining.

The next meeting is scheduled for January 27, 2014 at 7PM at Botelle School.

The meeting adjourned at 8:15PM.

Respectfully Submitted,

Sally Carr
Acting Secretary

REGIONALIZATION STUDY COMMITTEE
GOVERNANCE & LEGAL SUBCOMMITTEE

Regular Meeting – January 27, 2014

There will be a regular meeting of the Governance & Legal Subcommittee of the Regionalization Study Committee on Thursday, January 27, 2014 at 7:00 p.m. at Botelle School, Norfolk, CT.

AGENDA

1. Call to Order
2. Appoint Meeting Secretary
3. Minutes of Previous Meeting
4. Meeting Focus: Existing and New Collective Bargaining Agreements
Appraisal
5. Calendar
6. Adjournment

D R A F TNorfolk-Colebrook Consolidation Committee
Governance and Legal Subcommittee

Minutes of Meeting, January 27, 2014

Present: E. Briggs, S. Carr, A. DeCerbo, L. Hannafin, J. Jones, E. Lestinsky, J. Scharnberg (Chair), and M. Venhorst. (Absent: J. Costa, M. Sconyers.)

The Chair called the meeting to order at 7:00 p.m. E. Briggs was appointed secretary for this meeting.

J. Jones questioned the use of word "decision" in the draft minutes of the January 9 meeting -- that the board of education of a consolidated school would consist of "4 members from each town with a weighted vote." She felt this was not something the subcommittee could *decide* on. After extensive discussion, there was general agreement that since any "decisions" by the subcommittee are subject to review by the Consolidation Committee, they are therefore really "decisions to recommend." E. Briggs moved that the minutes be amended accordingly. J. Jones seconded the motion. The motion was rejected, 2-4. S. Carr said she would adjust the minutes to reflect the views of the subcommittee.

The Chair referred to the fact that teachers in both towns work under two-year contracts. This should pose no problem assuming a consolidation of the two schools took place within the same time period. The Botelle custodians, however, work under a four-year contract, a renewal of which is currently being negotiated. If consolidation occurred before the end of their contract -- i.e., the board with which the contract had been made ceased to exist -- would that void the contract; and if so, might there have to be a pay-out? M. Venhorst (representing the Connecticut Department of Education) thought it would simply cancel the contract, without penalty. But he said the law was unclear, and this was only his opinion.


It was agreed that the Chair will consult with Botelle Superintendent Counter. It was suggested he might include a provision in the new contract to the effect that should consolidation occur during the four year term of the contract, it would be voided without penalty. M. Venhorst said that to his knowledge this had never been done, and he did not know if it could be handled this way.

The Chair reviewed with the subcommittee documents she had prepared showing comparisons between the conditions of work, compensation, benefits, etc. of the teaching staffs at both schools. The subcommittee expressed its satisfaction with her research. It was agreed that the documents be passed on to the Consolidation Committee for use in a later phase of the consolidation process (e.g., by a consolidated board of education in preparing teacher contracts).

The Chair reported that under CSG 10-43(a)(7) she had solicited quotes for an appraisal of Botelle School, so that there might be a recommendation of the capital contribution of each participating town, rather than seeking a negotiated valuation of the existing land and facilities. She had gotten three bids for an appraisal of the Botelle School's building, facilities and grounds. She recommended accepting the lowest bid: \$4,000 by Hunter of Farmington. J. Jones questioned the need for an appraisal. In her view, it was unnecessary to determine the current market value of the Botelle property, assuming an accurate value could be obtained, since it was not going to be sold and since the value would not be germane to determining the capital contribution of Colebrook. On motion by L. Hannafin, seconded by A. DeCerbo, the subcommittee voted 5-2 to recommend to the Consolidation Committee that it engage the services of Hunter for an appraisal of Botelle School.

The meeting adjourned at 8:35 p.m. **Next meetings: February 10 and 25, 7 p.m., Botelle School.**

Respectfully submitted,
Everett Briggs, Acting Secretary



REGIONALIZATION STUDY COMMITTEE
GOVERNANCE & LEGAL SUBCOMMITTEE

Regular Meeting – February 10, 2014

There will be a regular meeting of the Governance & Legal Subcommittee of the Regionalization Study Committee on Monday, February 10, 2014 at 7:00 p.m. at Botelle School, Norfolk, CT.

AGENDA

1. Call to Order
2. Appoint Meeting Secretary
3. Minutes of Previous Meeting
4. Meeting Focus: Capital Contribution
5. Calendar
6. Adjournment

Norfolk-Colebrook Regionalization Committee
Governance and Legal Subcommittee

Minutes of Meeting February 10, 2014

Present: E. Briggs, S. Carr, A. DeCerbo, L. Hannafin, J. Jones, E. Lestinsky, J. Scharnberg (Chair), J. Michael Sconyers

Absent: M. Venhorst

Others present: J. Hall, V. Lawrence, W. Wood.

The Chair called the meeting to order at 7:00 p.m. J. Jones agreed to serve as secretary for the meeting.

A motion to approve the minutes as amended for the January 27, 2014 meeting was made by E. Briggs and seconded by L. Hannafin. The committee approved the motion.

The Chair told the subcommittee that with Jonathan Costa's recommendation she identified a collective bargaining and labor relations lawyer to recommend to the full committee: Fred Dorsey. She also explained to members of the subcommittee that the recommendation to hire Mr. Hunter to appraise the Botelle school real estate, which had been recommended by the subcommittee at their January 9th meeting, had been put on hold by the main committee.

The idea of a capital contribution by Colebrook to make up for the fact that Norfolk owns the Botelle school real estate was discussed. J. Scharnberg distributed and discussed the graphs she had prepared. A general discussion followed that addressed the pros and cons of this research, and also two other scenarios were broached.

It was agreed that there are 3 possible ways to approach the use by the new district of the Botelle facility:

1. A capital contribution from Colebrook based on the statutory factors for equalizing of assets and liabilities
2. A triple net lease to the new district with each town contributing its share based on number of children attending
3. Purchase by the new district of both buildings to use as appropriate to the new region.

Members pinpointed 5 questions to seek answers to for the next meeting of the subcommittee:

- a. What is the value of the Colebrook school building?
- b. What will the effect of the new district have on current ECS funding?
- c. What does Region 12 lease agreement look like?
- d. Who owns the Botelle building?
- e. What is the status of the rulings on state incentives for regionalization, and what are those incentives (dollar amounts)?

The next subcommittee meeting is set for February 25th at 7:00 p.m. at Botelle School, and the next full committee meeting is February 26th at 6:30 at Botelle.

A motion to adjourn the meeting was made by J. M. Sconyers and seconded by L. Hannafin. Motion carried. The meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Jeanne R. Jones
Acting secretary
Approved 2/25/14

REGIONALIZATION STUDY COMMITTEE
GOVERNANCE & LEGAL SUBCOMMITTEE

Regular Meeting – February 25, 2014

There will be a regular meeting of the Governance & Legal Subcommittee of the Regionalization Study Committee on Tuesday, February 25, 2014 at 7:00 p.m. at Botelle School, Norfolk, CT.

AGENDA

1. Call to Order
2. Appoint Meeting Secretary
3. Minutes of Previous Meeting
4. Meeting Focus: Capital Contribution
5. Calendar
6. Adjournment

DRAFTNorfolk-Colebrook Consolidation Committee
Governance and Legal Subcommittee

Minutes of Meeting February 25, 2014

Attending: T. Briggs, S. Carr, J. Jones, L. Hannafin, J. Scharnberg, M. Sconyers, and M. Venhorst.

Others Present: V. Lawrence

The meeting was called to order at 7:00PM by Chair J. Scharnberg. She asked that L Hannafin act as secretary for this meeting. He agreed.

A motion was made by T. Briggs to approve the minutes of the February 10, 2014 meeting with the following amendment to item 1. To read "A capital contribution from Colebrook based upon present statutory factors for equalization of assets and liabilities." S. Carr seconded the motion and the minutes were unanimously approved.

The Chair asked M. Venhorst what effect the consolidation of the two schools would have on ECS funding. His answer was that there would be no effect on State funding.

The Chair outlined the three possible ways to approach the merger of the two schools. These included:

1. A capital contribution from Colebrook based upon present statutory factors for equalization of assets and liabilities.
2. A triple net lease to the new district with each town contributing its share based on the number of children attending.
3. Purchase by the new district of both buildings to use as appropriate to the new district.

Inasmuch as scenario #3 was suggested by T. Briggs and he would be gone the month of March, the Chair asked that the Committee discuss this option first.

M. Sconyers suggested both towns retain title to their respective properties because it would be a lengthy process in selling town property. M. Sconyers suggested the property be treated similar to a "Life Estate"; that is, the school building would have to be retained in the same or better condition as when it was leased to the district.

The remaining part of the meeting was devoted to discussions concerning scenario #2, a triple net lease concept. The Chair provided the Committee members with a copy of the lease agreement for regional school district #12 between Washington, Roxbury and Bridgewater as well as a model "**FOR DISCUSSION ONLY**" of what contributions and budgets would be for each town. The number of pupils did not include Colebrook's estimate of the pre-school children. J. Jones agreed to obtain this number. M. Sconyers suggested the bond indebtedness be removed from the model stating this was solely the Town of Norfolk's responsibility. In scenario #2, at this time, there is no capital contribution from Colebrook.

Discussions concerning expenditures and what would constitute capital vs. ordinary expenses need to be addressed. The chair asked if L. Hannafin and M. Sconyers would review the Regional #12 lease for detailed discussion at the next sub-committee meeting.

The topic for the next meeting will concentrate on suggested changes (if any) if the Regional #12 lease is used as a model.

The next meeting is scheduled for March 19, 2014 at 7PM at Botelle School and again on March 25, 2014 at 7PM.

The meeting adjourned at 8:05PM.

Respectfully Submitted,

Larry Hannafin
Acting Secretary

DRAFTNorfolk-Colebrook Consolidation Committee
Governance and Legal Subcommittee

Minutes of Meeting February 25, 2014

Attending: T. Briggs, S. Carr, J. Jones, L. Hannafin, J. Scharnberg, M. Sconyers, and M. Venhorst.

Others Present: V. Lawrence

The meeting was called to order at 7:00PM by Chair J. Scharnberg. She asked that L Hannafin act as secretary for this meeting. He agreed.

A motion was made by T. Briggs to approve the minutes of the February 10, 2014 meeting with the following amendment to item 1. To read “A capital contribution from Colebrook based upon present statutory factors for equalization of assets and liabilities.” S. Carr seconded the motion and the minutes were unanimously approved.

The Chair asked M. Venhorst what effect the consolidation of the two schools would have on ECS funding. His answer was that there would be no effect on State funding.

The Chair outlined the three possible ways to approach the merger of the two schools. These included:

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The remaining part of the meeting was devoted to discussions concerning scenario #2, a triple net lease concept. The Chair provided the Committee members with a copy of the lease agreement for regional school district #12 between Washington, Roxbury and Bridgewater as well as a model "**FOR DISCUSSION ONLY**" of what contributions and budgets would be for each town. The number of pupils did not include Colebrook's estimate of the pre-school children. J. Jones agreed to obtain this number. M. Sconyers suggested the bond indebtedness be removed from the model stating this was solely the Town of Norfolk's responsibility. In scenario #2, at this time, there is no capital contribution from Colebrook.

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The topic for the next meeting will concentrate on suggested changes (if any) if the Regional #12 lease is used as a model.

The next meeting is scheduled for March 19, 2014 at 7PM at Botelle School and again on March 25, 2014 at 7PM.

The meeting adjourned at 8:05PM.

Respectfully Submitted,

Larry Hannafin
Acting Secretary

RECEIVED
3/24/14

REGIONALIZATION STUDY COMMITTEE
GOVERNANCE & LEGAL SUBCOMMITTEE

Regular Meeting – March 25, 2014

There will be a regular meeting of the Governance & Legal Subcommittee of the Regionalization Study Committee on Tuesday, March 25, 2014 at 7:00 p.m. at Botelle School, Norfolk, CT.

AGENDA

1. Call to Order
2. Appoint Meeting Secretary
3. Minutes of Previous Meeting
4. Meeting Focus: Capital Contribution
5. Calendar
6. Adjournment

RECEIVED
3/24/14

REGIONALIZATION STUDY COMMITTEE
GOVERNANCE & LEGAL SUBCOMMITTEE

Cancellation of Regular Meeting – March 25, 2014

The regular meeting of the Governance & Legal Subcommittee of the Regionalization Study Committee on Tuesday, March 25, 2014 at 7:00 p.m. at Botelle School, Norfolk, CT has been

CANCELLED.

RECEIVED
4/11/14

REGIONALIZATION STUDY COMMITTEE
GOVERNANCE & LEGAL SUBCOMMITTEE

Regular Meeting – April 14, 2014

There will be a regular meeting of the Governance & Legal Subcommittee of the Regionalization Study Committee on Tuesday, April 14, 2014 at 7:00 p.m. at Botelle School, Norfolk, CT.

AGENDA

1. Call to Order
2. Appoint Meeting Secretary
3. Minutes of Previous Meeting
4. Meeting Focus: Capital Contribution
5. Calendar
6. Adjournment

DRAFTNorfolk-Colebrook Consolidation Committee
Governance and Legal Subcommittee

Minutes of Meeting April 14, 2014

ATTENDING: T. Briggs, S. Carr, A. DeCerbo, J. Jones, L. Hannafin, E. Lestinsky, J. Scharnberg, M. Sconyers, and M. Venhorst.

The meeting was called to order at 7:03 pm by Chair J. Scharnberg.

A. DeCerbo was appointed acting secretary.

MOTION by J. Jones: To approve the minutes of the March 25, 2014 meeting.

SECONDED by S. Carr

PASSED by 7/0 vote

There was discussion concerning options for lease agreements. L. Hannifin and M. Sconyers recounted highlights from their conversation with the Region 12 business manager Robert Giesen.

MOTION by M. Sconyers: This committee recommends that we adopt a plan that leases this building to a regional school board on a triple net basis without an equalization of assets and liabilities.

SECONDED by J. Scharnberg

PASSED by 4/3 vote

MOTION by J. Scharnberg: The triple net lease agreement shall provide that Colebrook will pay conversion costs, not to exceed \$50,000, to make Botelle School ready for their students.

SECONDED by T. Briggs

PASSED by 5/2 vote

The next meeting is scheduled for April 29, 2014 at 7:00 pm at Botelle School.

MOTION by M. Sconyers: To adjourn at 8:05 pm.

SECONDED by S. Carr

PASSED by 7/0 vote

Respectfully Submitted,

Ann DeCerbo
Acting Secretary

REGIONALIZATION STUDY COMMITTEE
GOVERNANCE & LEGAL SUBCOMMITTEE

Regular Meeting – April 29, 2014

There will be a regular meeting of the Governance & Legal Subcommittee of the Regionalization Study Committee on Tuesday, April 29, 2014 at 7:00 p.m. at Botelle School, Norfolk, CT.

AGENDA

1. Call to Order
2. Appoint Meeting Secretary
3. Minutes of Previous Meeting
4. Meeting Focus: Report of Recommendations to Main Study Committee
5. Calendar
6. Adjournment