

**TOWN OF MIDDLESEX
SPECIAL TOWN SCHOOL DISTRICT MEETING
MINUTES
JUNE 28, 2019**

CALL TO ORDER: Chris McVeigh, chair of the Rumney (Town of Middlesex) School Board, calls the meeting to order at 5:30 PM, and explains that this is the first Town school meeting in 20 years because it concerns the transfer of real estate. Otherwise, Town voters chose to elect school directors and approve school budgets by Australian ballot.

ELECTING A MODERATOR: Chris invited nominations for moderator. Joanne Breidenstein nominated 2019 Town Meeting Moderator Susan Clark; Dorinda Crowell seconded. The motion passed. Susan accepted the nomination and explained the meeting would follow Roberts Rules of Order.

ARTICLE 1: *Shall the voters of the Middlesex District approve the grant of an Option Agreement from the Middlesex School District to the Town of Middlesex which gives the Town of v the right to purchase the real estate upon which the Rumney Elementary School is currently located from the Middlesex School District or its Successors in Interest for the purchase price of one dollar (\$1.00) in the event the property is no longer used for educational purposes?*

Peter Hood moves to accept the article; Dorinda seconds. Jeff Koonz asks that copies of the Warning be distributed because the wording between the two Articles is inconsistent. Copies are made and distributed.

Chris explains that Article 1 has come about because Rumney is being merged into the Washington Central Unified Union School District on July 1, 2019. All the Rumney (Town School District) property will be transferred to this new district. There is a provision in the default Articles of Agreement that allows the school property to be transferred back to the town if the school is no longer used as a school. The reason the Rumney Board put this Article to a Town vote is because default Articles can be amended. This is a way of insuring that if Rumney is no longer being used as a school, the Town has the first right of purchase. It provides greater protection.

Jeff asks if the recreation field, tennis courts and baseball field are separate from school property; Chris says they are Town property. Nancy Reilly asks how much the school property encompasses; Chris says ten acres. Kyle makes a motion to amend the Article to add the phrase “and buildings” after “real estate”; Katy Chabot seconds. Hugo Liepmann suggests the word “Middlesex” should replace the type “v” in the Warning. Emily Smith suggests a friendly amendment to clarify Kyle’s motion. Jeff says Article 1 and 2 should mirror each other. Peter Hood wonders if playground equipment should be added. Speaking as a Town Lister, Amy Whitehorne says the industry term is “site improvements.” If added, that would include playground equipment. Jeff argues that if the structures are embedded in the ground, then they become part of the real estate. Chris suggests adding “fixtures,” too, so that the amendment would read “buildings, fixtures and site improvements” after real estate. Kyle agrees and makes the motion with the new amendment; Nancy Reilly seconds. The motion passes.

John Puleio suggests clarification of the term “educational purposes” which could be interpreted as a retreat, yoga center, etc. Chris says it means educating students. John asks what if the state wants to install a regional education center? Chris says that could fall within educational purposes. School Director Marylynne Strachan says other town school districts, not ours, have been talking about their schools being closed by the new district. This is a concern. Sarah Merriman suggests adding the term “public education of students.” Chris drafts an amendment changing “educational purposes” to “direct public educational teaching services.” Emily recommends removing the word “direct” as that has certain implications in statewide education. John seconds the motion to amend. Amy questions the process. After the Town votes, then what happens? Chris says the Rumney Board has warned a special meeting to sign all documents per voters’ approval after this meeting.

Michael Levine questions if the proposed amendment should be amended to specify a grade range because right now the school is being used to educate students up to grade six. Michael asks if the school could have students from outside of Middlesex; Chris says that’s possible. Michael moves to add “within the range of pre-K through twelve” to the amendment; John Puleio seconds. Kyle proposes eliminating all words after “one dollar.” That might allow the Town to buy back the school for \$1 on July 2. Amy asks for a point of clarification about buying back the school for a dollar. Chris says only if the school is no longer used for educational teaching services.

Mary Hood wonders if the amendment to the amendment should be amended to specify only students from the Washington Central School District. Kyle suggests amending that even narrower to specify only students who are Middlesex residents. He notes he lives across the street from the school and he wants his kids attending Rumney. Under the new system, the Unified Union School District can make Middlesex kids attend other schools. How will he explain to his six-year-old son that he can’t attend the school across the street? Chris says this is a good point, but that right now we’re here to preserve our legal interest. John suggests all these issues are matters for the future Middlesex community. Right now, we’re just talking about an option.

Susan steps in and says voters need to get back to the process. Peter calls the question on Michael’s amendment to add “within the range of pre-K through grade 12.” Dorinda seconds. Discussion ends and the amendment to the amendment passes.

Susan says now the amendment to the voters is to add “public educational teaching services to students with the range of pre-K through grade 12.” Chris Reilly asks if that means students physically within the building. Peter questions the restrictions of paragraph 5 in the proposed Option Agreement and says even if the Town can buy the building back for \$1, it will still have to assume any residual debt. Kyle says he guesses the language for that is coming from the 16 V.S.A. regarding education. Sarah suggests sticking with Article in the Warning and not going into the weeds with the Option Agreement; John agrees.

Kyle moves to amend the Article with “the majority of which are Middlesex students” after the new amendment that ends “pre-K through grade 12.” Margot Pendergast seconds. Amy speaks in opposition noting that school districts receive valuable tuition payments from out-of-district students. Also, it would look very protectionist of us to include language like that in the Option Agreement. Jeff notes that putting that language in doesn’t mean the new Unified Union School District can’t take Middlesex students out of Middlesex. Sandy says she understands the intent, but this ties the hand too much and may backfire.

The new district could end up closing Rumney and then all Middlesex kids would have to go elsewhere. Kyle said that's why he's making the motion, to tie the hand. A provision like this might give pause to the new Board. Chris cautions there could be negative consequences as well. Patrick Wood says he's not in favor of the amendment as is, but maybe it could be reworded since the core concern is Middlesex students being compelled to go somewhere else.

Susan questions the germaneness of this tangent. Sarah says she's worried that if this amendment passes, the Warning will end up looking nothing like the original Warning. Susan concurs. Amy suggests the Rumney Board write a strong advisory letter to future boards expressing the concerns expressed by the voters today. The letter would summarize concerns of the Middlesex community about their children being shipped to other schools and Rumney being used for other purposes besides educating Middlesex children. John Puleio says that's an issue for the school board to decide. Kyle asks for a vote on his motion. Susan calls the vote and the motion fails.

Peter returns to his concerns about paragraph 5 of the Option Agreement which he says is detrimental to the Town's interests. Susan says that's not within the voters' ability to change at this meeting since it's not part of the Warning. Chris explains that this Agreement was modeled after one passed by Calais voters. Amy, who used to work for the Vermont Department of Education, says there are very strict statutes and regulations around what can happen with school property that's been paid for by school funding.

Susan calls the vote on Article 1 as follows (approved amendments in bold):

*Shall the voters of the Middlesex District approve the grant of an Option Agreement from the Middlesex School District to the Town of Middlesex which gives the Town of **Middlesex** the right to purchase the real estate, **buildings, fixtures and site improvements** upon which the Rumney Elementary School is currently located from the Middlesex School District or its Successors in Interest for the purchase price of one dollar (\$1.00) in the event the property is no longer used for **public educational teaching services to students within the range of pre-K to grade 12**?*

Article 1 passes.

ARTICLE 2: *Shall the voters of the Middlesex School District approve the grant of an Easement from the Middlesex School District to the Town of Middlesex which gives the Town of Middlesex the right in perpetuity to use the real estate and buildings owned by the Middlesex School District or its Successors in Interest for certain public purposes as specified in the Easement Deed?*

Jeff moves; Marylynne seconds. Jeff motions to amend Article 2 to be consistent with Article 1 by adding "buildings, fixtures and site improvements" after real estate. Kyle seconds. The amendment passes.

Chris explains that of the two Articles, this is the most important because there is no language in the default Articles maintaining community access to the school. This Article would grant by right instead of grace access to use Rumney for Town Meeting, as an emergency shelter and for other purposes without having to ask permission. David Lawrence asks who would be the authority in these situations; Chris says the principal's office. Bill Preis questions how this easement will remain after the Town school district is dissolved. Chris says once the Town School Board and the Select Board signs it, the easement will become part of the deed.

Susan calls for the vote reads the Article (the amendment in bold):

*Shall the voters of the Middlesex School District approve the grant of an Easement from the Middlesex School District to the Town of Middlesex which gives the Town of Middlesex the right in perpetuity to use the **real estate, buildings, fixtures and site improvements** owned by the Middlesex School District or its Successors in Interest for certain public purposes as specified in the Easement Deed?*

The motion passes.

Susan adjourns the meeting at 6:55 PM

Approved and signed by the following:

Chris McVeigh, Chair of the Middlesex Town School District, July _____, 2019

Susan Clark, 2019 Middlesex Town School District Moderator, July ____, 2019

I attest that the Minutes for the June 28, 2019 Special Town School District Meeting were signed by the above and recorded in the Middlesex town records on July ____, 2019.

Sarah Merriman, Middlesex Town Clerk