

TOWN OF STAMFORD
SELECTBOARD MEETING
July 22, 2020
(UNAPPROVED)

Present: Selectboard: Nancy L. Bushika, Chair, Carol A. Fachini, and Michael G. Denault.
Christopher Warren and Daniel J. Potvin were not present.
Visitors: Barbara Malinowski, Helen Fields, and Kelly Holland, School Directors,
Richard Cristofolini, Janice Farinon, Cynthia Lamore, William Levine, Betsy Parrington,
Pat Sullivan and Pamela Tworig.
Lori Shepard, Selectboard Secretary.

Nancy Bushika called the meeting to order at 7:00 p.m. Nancy Bushika led with the Pledge of Allegiance and welcomed everyone.

HEARING of VISITORS

Pat Sullivan stated that there will not be a HarveStamford Super like last year, but a sharing event is being planned.

Barbara Malinowski referred to the 1958 warrant when the town voted to build the new school building. It stated that the land was owned by the school district and she felt this was compelling evidence that the school owns the building and grounds.

Because of COVID-19, once the teachers come back and school starts, no one will be allowed to be in the school building beyond the red door. Mike Denault agreed that this year is different because of the virus, but feels the purpose of this meeting is to make these areas clear. It was agreed that the library is a gray area because it is shared by both the town and the school.

Mike Denault was concerned with comments at the last meeting that School Board members do not want parents and grandparents or any family members on the school grounds. He does not feel that is a realistic approach. He asked if the school is planning to stop all extracurricular activities, sports, concerts, or the science fair, in the name of safety. He does not feel that is what parents want. Barbara Malinowski said she would like to see relatives come also.

Mike Denault was disappointed that the many townspeople who contacted him with their views were not here tonight.

Barbara Malinowski would like to see everything beyond the red considered school. When school is in session, the principal should coordinate all events and keep the calendar. Perhaps from mid-August through mid-June and probably from at least 7:30 a.m. to 4 p.m. or whenever teachers and children are in the building.

Mike Denault asked for clarification on the statement from the last meeting that the school district believes school is in session 24/7, 365 days/year. Pam Tworig said this school is intertwined with the town; it's not a separate entity on its own. That statement only makes sense in a school district that is just a school building. Cindy Lamore said it's state law. Nancy Bushika agreed it is state law. Mike Denault said we need to look into the law and find out just what it says.

Kelly Holland said we should put into policy that the town has access to the building anytime that the children are not in the classroom or participating in an afterschool event. She noted that the town has always been approved and not denied for their events. That's what we're already doing. Mike Denault said he would like to see it worded that the board cannot deny access as long as it's available. Pat Sullivan agreed that it should be in writing, just because past principals have not said no, it doesn't mean they won't say no. Mike Denault said, going out on a limb, that the Seed Savers and the community gardens will someday be eliminated down the road, the way the statements are going. He said the terms "allow" and "be available" are two different things. Although the Schoolboard has not said no, if we don't get a plan in writing now, down the road the pavilion might not happen. He feels that would be disappointing after the town has already told the group it's ok, and after all the work that has been put into the. Pat Sullivan agreed that the language is incredibly important.

Pam Tworig suggested the town attorney review the agreement to make sure the town's interest is protected. Pam Tworig said she keeps hearing statements that the School District owns the land, has authority, and allows events. She said the Stamford citizens own the land and will allow you to use it as we see fit. We need to define what the School District actually owns and what it controls. She drew a map on the whiteboard in an effort to visualize the land and building. Bill Levine stated there is a difference between owning and controlling. Both attorneys agree that the town owns the land regardless of the warrants over the years, but as long as it functions as a school, the School District has control. Cindy Lamore said there is a huge process to close a school and the state may want all of their funding back. She said in Wilmington when they closed the high school, the state put a lien on the building that it cannot be used as an education facility anymore.

Barbara Malinowski said the school should be leasing to the town. Mike Denault felt the deeds clearly vest the ownership with the town so the town should lease to the school. We have a unique situation in our building and he doesn't believe the school is the entire building. He said the original building plan called for separate offices. Barbara Malinowski noted that it planned for offices, but that could be for the principal's office; not the town office. Cindy Lamore said we can't really separate portions of the building. When improvements are made, they paint the whole building, not just the school portion. They put on a roof over the whole building. They pay for heat and electricity for the whole building. Mike Denault asked if we could separate it fractionally in theory. The town could pay for its apportioned section of the whole building. Cindy Lamore said that was an interesting thought because the town's dollars are cheaper on the tax rate than the school's dollars. Mike Denault would just like to ensure that the town office and foyer are protected.

Bill Levine suggested the town give the operational governance to the school for their use and running of the school and reserve the town office and foyer to the town. The boards need to create a proposed lease and get the draft to the town to agree. Mike Denault disagreed, that it is not a town vote. Chris Warren's motion confirmed that the board would not make any decision during the virus until public meetings could be held and the townspeople could be heard.

Pam Tworig feels that the taxpayer's interests need to be protected. The state and the supervisory union may not have the best interests of the town at heart. That was clear when the state forced many school districts to merge and didn't care for their best interests. The Schoolboard agreed that the supervisory union assists administratively but they have no control over our school or building. Pam Tworig asked if the board had full local control or if they follow the mandate of the state and the supervisory union. Cindy Lamore said the whole community came together to create new security measures for the school building after that terrible school shooting.

Bill Levine suggested the Schoolboard create a list of things that the school needs to have happen from an educational standpoint to be able to make all the decisions they need to run the school effectively. They should list all areas and times of the year. That would give us a better definition to help both sides understand what the School District wants to control and why. The town can challenge what they feel is outside of that. If there is nothing going on after 6 p.m. that night, the building should be available after that time. Nancy Bushika cautioned being too detailed and felt everything is working fine the way it is and everything should stay the same. Mike Denault just wants to protect the town office. The town can't afford to buy land and build another office.

Mike Denault is concerned with the statement that the Schoolboard members are not comfortable with someone sitting on one of the newly installed benches during school hours. Barbara Malinowski said they should be considered public areas since they are outside of the fence. It was noted that someone waiting for a ride near the Main Road last year was asked to leave because they were making the children upset. Barbara Malinowski said the benches shouldn't be used when kids are getting on or off the busses. Mike Denault said if the town office is open, town office patrons cannot be told to wait in their cars or told they can't be there. The school is trying to limit the town's ability to use the land and the town clerk can't control when people come to the office. Mike Denault said the statistics indicate that kids are safer now than they ever have been before. It is not realistic to think the building and children are completely protected from any type of violence.

Pam Tworig does not agree with the policy that children cannot have contact with anyone other than teachers, staff and the principal all day. Kids are restricted and yet you see them walking to Bilmonts. Barbara Malinowski said that is different; when kids are on school property it is their job to protect them at all costs. Nancy Bushika felt people do need to have access to the building. Pam Tworig asked if the decision to restrict kids from being around other people besides staff was a Schoolboard decision or if it came down from the state. Barbara Malinowski responded that they have guidance from the state and supervisory union to accept these policies. Mike Denault said when children are sick, they sit on the bench in the foyer waiting for their parents. They are not protected beyond the red door. Kelly Holland said someone coming to the town office should not be asked to leave, but someone shouldn't be just hanging around by the road. She said under our policy we must keep the children safe and people must follow our policies. She said any interaction with a student will not be ok. She felt that in front of the school shouldn't be a problem but beyond the fence in back would be different.

Mike Denault acknowledged that the schoolboard is doing their best to protect the children. There has to be a compromise because this building is not just a school and it is not just the town. Because of COVID-19 temporary rules are in place with extra protection. But for the November election, the public will have to come in. There will be a policeman on duty. The town clerk stated that they cannot require all voters to wear a mask. No voter can be turned away or refused the right to vote if they are not wearing a mask. This law differs from the guidance they are receiving from the Agency of Education. The Schoolboard will get back to the town after their next meeting. They may close the school that day. Mike Denault noted the tough job the school has because of COVID. Rich Cristofolini will be disinfecting all the highly touched surfaces several times a day.

Nancy Bushika said the principal should keep the calendar since she knows what functions are going on inside and outside the building. Mike Denault suggested that the calendar be in the hallway where everyone can see it. Kelly Holland suggested defining school from 8:15 a.m. to 3:45 p.m. unless there are sports or other functions. Janice Farinon said the gate should be locked at night and no animals should be allowed on the grounds. Mike Denault noted that an exception needs to be made for the Seed Savers. They have the run of the place in the summer to maintain their community gardens. Kelly Holland said the principal's calendar could be more for the inside functions. The outside is a different parameter that could go to the Selectboard. Mike Denault said at some point we will have to talk about the library.

Nancy Bushika reviewed the new School Use form and said less is better. Planning should be at the discretion of the principal. Mike Denault agreed that we can't make decisions until after COVID and there is not always enough room in the town office for meetings. Kelly Holland said they have been advised to say no to the public using the gym at this time. Bill Levine offered the firehouse for meetings. Pam Tworig suggested not having a meeting for a while because people can't hear well and participate. Kelly Holland said the Clarksburg merger is postponed and COVID has changed life as we know it, so it seems ok to hold off on meetings for a while. Kelly Holland felt if the board continues to hold meetings where people can't hear, they will probably get open meeting law complaints. The School Directors hold their meetings remotely. There is no physical location. Everyone stays at home and calls in by phone or joins remotely through zoom with a computer or laptop and everyone can hear clearly and participate. The open meeting laws under COVID state that remote meetings are allowed as long as it is reasonably accessible to all parties.

MOTION by Mike Denault to adjourn. SECONDED by Carol Fachini. All in favor. Motion APPROVED. The meeting adjourned at 8:51 p.m.

Carol A. Fachini
Clerk

CAF/las