

# August 25, 2010

## Special Meeting

*Minutes are subject to the approval of the Board of Selectmen.*

**Present:** First Selectman Mark E. Lyon, Selectman Nicholas N. Solley.  
Town Attorney David Miles, Board of Education Lease Committee Member Valerie Andersen.

### **Call to Order:**

First Selectman Lyon called the meeting to order at 10:02 a.m.

### **DISCUSSION:**

Proposed Washington Primary School Lease:

Valerie Anderson explained that the current “Draft” lease between Region #12 and the Town of Washington is draft #17. In previous drafts, complications arose in sections dealing with listings of prior repairs needed, the ability to bond for them, etc. These sections have been removed. Valerie also explained the Town of Washington’s Board of Finance had questions concerning the budget surplus allocations, the length of the new lease, etc. preferring a ten year lease as opposed to a twenty year. She presented this to the Board of Ed Lease Committee, of which she is a member. A ten-year lease would not require the approval of the Commissioner of the State Board of Education. Attorney Miles and the Board of Selectmen favor the ten-year period. The new lease would allocate \$100,000 per year for capital repairs for the elementary schools in all three towns. That, combined with the new facilities manager, and the “1% surplus fund” will hopefully address upcoming necessary capital repairs. The \$100,000 must be spent within the year, any remaining monies will be deposited into the surplus fund. Attorney David Miles, and the Selectmen discussed several issues in the DRAFT lease that he had questions and or concerns about. These included:

- 1) Why not have one lease for all three towns in the Region. Currently, individual towns can terminate their lease while all others would stay in effect.
- 2) If the student population of one primary school decreases to a level necessitating closing, it cannot consolidate or combine with the other primary schools.
- 3) If a referendum approving bonding should occur, the lease can automatically be extended to cover the period of the bond; if a grant is applied for and approved, the lease can be extended twenty years; and should consolidation be considered, Region #12 can automatically terminate the lease. Suggestion: Leave wording about grants and consolidation out of the lease and state that should either one of those options occur, the lease would need to be re-negotiated.
- 4) The lease could automatically be extended for ten years. Suggestion: do not put in the automatic extension clause.
- 5) Insurance coverage held by the Region that is required on the building is for 80% of its value. Why not 100%?
- 6) If the costs for alterations, repairs, etc. are estimated to be more that \$300,000 for engineering, architectural plans, etc., the project would need the approval of the Board of Selectmen; if less than \$100,000 the Board of Selectmen only need to be notified. What about projects between \$100,000 and \$300,000? Suggestion: make both figures \$300,000.

- 7) If the lessor wants to make improvements to the building, does it need the approval of Region #12?
- 8) A committee responsible for overseeing necessary repairs in all three primary schools is to be formed with representation from the Region and each town. Should only the First Selectman appoint the townsperson? Suggestion: the Board of Selectmen should make the appointment as other appointments are made.
- 9) Lessee, or committee, can accept or reject the list of repairs. Suggestion: should be separate items can be accepted or rejected – not the entire list.
- 10) It needs to be specified that the \$100,000 for capital repairs can only be spent for items on the “list”.

A meeting of the First Selectmen of Bridgewater, Roxbury and Washington and the Region #12 Board of Education, Least Committee will be held tomorrow, Thursday, August 26, 2010 to discuss the draft lease further.

**Adjournment:**

The meeting was adjourned at 11:10 a.m.

Respectfully submitted,  
Mary Anne Greene  
Selectmen's Secretary