

**TOWN OF CASTLETON  
SPECIAL MEETING (CVS)  
SELECT BOARD MINUTES  
Monday, October 25, 2021, 6:00 p.m.  
Castleton Fire Department Community Room  
273 Route 30N, Bomoseen, VT  
In-Person & Zoom Virtual Public Meeting**

<https://us02web.zoom.us/rec/play/IsI7Y03jiliD1yxNESEE-hRIC3aB8L4AMRYmdiUsKRfe2V415wCXd5TfMsVJAYWdeKWdEPv2SjFDYLz.zM7tnFJygPQqrT3P?autoplay=true&startTime=1635199210000>

**PRESENT:** Jim Leamy, Chair; Joseph Mark, Parliamentarian and Secretary; Michael Holden, Member; Robert Spaulding, Member (arrived late); Michael Jones, Town Manager; Mary Droege; John Burke; Martha Molnar; Ted Molnar; Amy Clapp; Sue Day; Ted Day; via zoom- Boutwell; Julius Riemersma; Kerry Fowler; Katy Culp; Jo Ann Riley; Raegan's cell phone; Jeff Schroeder; Mary McIntyre; Laurie Knauer; three others not identified

**CALL MEETING TO ORDER**

The meeting was called to order by Select Board Chair, Jim Leamy at 6:00 p.m.

**APPROVAL OF AGENDA**

**Mr. Mark made motion to approve the agenda. Mr. Holden seconded the motion. All were in favor. Motion carried 5-0.**

**EXPLANATION BY THE SELECT BOARD ON THE LEGAL PROCESS THE VOTERS OF CASTLETON MUST UNDERTAKE TO VOTE IN MARCH 2022 WHETHER TO KEEP THE CASTLETON VILLAGE SCHOOL OPEN OR TO CLOSE IT, AS WELL AS WHAT ACTIONS THEN ACCOMPANY A "YES" OR "NO" DECISION BY THE VOTERS**

Mr. Mark provided brief explanation.

The background of the situation that the State enacted Act 46 as a way to reduce per student cost and improve education opportunities for kids. It provided an incentive for Districts to consolidate. It resulted in the Article of Agreement. It was prepared by an Act 46 study-committee and approved by the voters of the Slate Valley School District in 2017. The articles of agreement include kind of a divorce clause. What happens if the district decides it no longer wants to operate an education program in the school. That was transferred to us as part of the formation of the Slate Valley Unified Union District included \_\_\_\_\_ of the school board from the Castleton-Hubbardton Union school district to convey its two schools district to Slate Valley.

Mr. Mark reviewed a PowerPoint presentation he created to explain the Article of Agreement. On March 1<sup>st</sup>, Town Meeting Day, the voters of Castleton will get a chance to decide whether to close the school or not.

**Based on Articles of Agreement**

- At the time of the formation of the new union district, Castleton-Hubbardton school districts conveyed Castleton Village School and Castleton Elementary School to SVUUSD.
- Now, SVUUSD, having determined it no longer intends to use the CVS building as a middle school, wants to (a) close the school and (b) return it to the towns of Castleton and Hubbardton.

### Decision-making process, part 1

1. SVUUSD board must decide by at least a 75% majority vote whether to close CVS. (It did so in May 2021.)
2. Voters of Town of Castleton must decide whether or not to close CVS. (TBD on March 1, 2022, Town Meeting Day school ballot.)
3. IF Castleton voters decide not to close CVS,
  - THEN SVUUSD must continue to operate the CVS building and use it for some educational purpose(s).
4. IF Castleton voters decide to close CVS,
  - THEN Castleton AND Hubbardton voters will decide whether to buy the CVS building for \$1.
  - IF both towns choose to buy the building, they “shall reach a mutual agreement” regarding its use, which can include its sale.
  - IF only one town chooses to buy the building, ....
5. (It may be possible to have the vote on whether to buy the building on Castleton’s and Hubbardton’s Town Meeting Day ballots, e.g., “If the voters of the Town of Castleton decide to close the Castleton Village School, should the Town of Castleton/Hubbardton buy the CVS building for a dollar?”)
6. IF after Castleton voters decided to close the school, neither town chooses to buy the building, THEN SVUUSD retains ownership and may sell the building.

### Further details provide by Mr. Mark in his presentation:

- 23,000 square feet
- Two sections, one constructed in 1955, the other in the early 1990s
- Sean Sargeant appraised the building. He considers it worth \$650,000 if it were to be sold and \$170,000 if it were to be leased for a year.
- SVUUSD estimates at least \$250,000 in deferred maintenance.
- SVUUSD reports annual operating expenses (fuel, utilities, staff, etc.) of \$170,200.

### QUESTIONS FROM THE BOARD: NONE AT THIS TIME

### PUBLIC COMMENTS PERIOD:

Responses to questions were made by Mr. Mark unless otherwise stated

- **Ted Molnar-**
  - Q. What if voters decide not to buy and district sells who gets the money...
  - A. District keeps money
- **Mary Lee Harris -**
  - Q. Does the building have to be used for education...
  - A. Legal question that needs to be clarified however an attorney that reviewed it for SVUUSD stated that it does not.
- **Martha Molnar –**
  - Q. If the town buys for \$1 – does the town have to do anything with it? ...
  - A. If the town doesn’t use for educational purposes within five years the town would

have to pay for improvements that were made but they (SVUUSD) have not made any improvements, so no strings attached

- **Ted Molnar –**

Q. We don't know if asbestos is in building, will this be made available to voters in advance.

A. Mr. Leamy - yes, the more accurate information provided to the voters the better. Mr. Mark stated the building has not been checked. Amy Clapp- no danger of asbestos if untouched – referenced Burlington

- **Mary Droege –**

Q1. Can there be separate/simultaneous votes in March...

A. would need to be clarified with attorney

Q2. Maybe the selectboard could decide on the use.

A. Articles of agreement are very clear that the voters decide

- **John Burke –**

Q. The decision to close the school would be part of the school ballot –

A. The decision to buy the school would be part of the town ballot

- **Mary Lee Harris –**

Q. Would like a written copy of the agreement.

- Town Manager commented that all of this information is also posted on the Town of Castleton website

- **Mary Droege –**

Q. Will the town promote a particular vote?

A. Mr. Leamy stated the Board has not discussed this.

- **John Burke–**

Q. How much money will the town be putting into the building if they decide to purchase and has the board considered having an independent contractor to look into what the deferred maintenance is and the likely cost.

A. The Board has asked SVUUSD and has not heard back. Q. even if they say no, does the board think it is a wise decision to spend the money and find out what kind of dollars will be involved. A. Mr. Leamy's personal opinion it (evaluation) should be done so the voters know what they are getting into.

- **Mary McIntyre –**

Q. Is it equal ownership between Castleton and Hubbardton?

A. Unknown, however, it's a possibility that Hubbardton owns 11% but not confirmed

Q. Voters should be made clear of the estimate of the budget how much each town will have to pay...

A. Stated its challenging to know what the dollars would be for each town because they will be voting separately.

- **Martha Molnar-**

Q. Could the deferred maintenance be spread out over time?

A. The district decided to wait so it is feasible to wait.

- **Amy Clapp –**

Has a concern for same day vote, this would be confusing if it was same day

- **Mary McIntyre -**

Q. Can we ask Hubbardton to forgo purchasing and the vote? – would like to get legal advice as it would make it easier.

A. The Articles are clear that it must go to the voters

- **Mary Droege –**

Q. Heard talk about voting before town meeting day?

A. Superintendent not the board had an interest in that, school board president would not press for that.

- Ted Day –

Q. Would Hubbardton allow Castleton to buy out their 11% interest

- Mary Droege –

Q. What if Hubbardton decided just not to vote on it – would it default to Castleton –

A. The articles do not allow this to happen

**SELECT BOARD COMMENTS & CONCERNS: NONE**

**ADJOURN**

**Mr. Holden made a motion to adjourn at 6:36 pm. Mr. Spaulding seconded the motion. All were in favor. Motion carried 5-0. Meeting adjourned.**

DRAFT