

Ad Hoc Committee for Inter-district Education Cost Sharing  
Governance Sub-Committee  
Regular Meeting

February 23, 2022

3:30PM

**Call to Order:** Gary Greenberg called the Meeting to order at 3:38PM.

**Roll Call:** Gary Greenberg, Kathy Donahue, Rose Bisson, Tom McAvoy, Allan Cahill (3:52PM)  
Others Present: Scotland Selectman Wendy Sears, Recording Secretary Dayna Arriola.

**Approval of Minutes**

**Motion:** Kathy Donahue, seconded by Rose Bisson, to approve the Minutes of the January 11, 2021 Meeting. Motion carried unanimously.

**Discussion of Public Presentation of Draft Agreement**

Gary Greenberg announced that he and Allan Cahill met in executive session with the Scotland Board of Education to present the potential cooperative agreement. Rose Bisson reported that an attorney at CAFE provided the legal opinion that the presentation could not be held in executive session, stating that the Agenda for the March 2 meeting with the Hampton Elementary School board has been posted, but the presentation will take place in public session. Mr. Greenberg stated, while cognizant of the perception that executive sessions lack transparency, in the interest of consistency, he suggested that the Inter-district Education Cost Sharing Committee meet at the scheduled time, March 2 at 7PM, and invite members of the Hampton Board of Education to their executive session for the presentation of the potential cooperative agreement. He also suggested that conducting the presentation in two different ways would drive a wedge between the two towns at a time when cooperation between them is what is being considered. Tom McAvoy suggested that the committee's attorney and the Hampton Elementary School Board of Education attorney discuss the matter. He also took exception with the characterization of "secrecy" with respect to the committee's meetings, stating that the meetings were all publicly noticed. Ms. Bisson stated that she would rather use the CAFE attorney than the elementary school's attorney to avoid incurring a cost. Mr. Greenberg noted that the committee has not made any decisions, so if a complaint was lodged with the Freedom of Information Commission, there would be no decision to rescind. It was decided that Mr. Greenberg will obtain the opinion of Tom Hennick, the F. O. I. C. attorney, possibly in writing, and convey that to the committee members. Ms. Bisson said that if Mr. Hennick provides the legal opinion that the presentation can occur in executive session, she will still confer with the elementary school board's attorney and will abide by that opinion. Mr. Greenberg stated that if Hampton officials deem it illegal to meet in executive session, the meeting with the Hampton Board of Education will occur at a later date than planned. Ms. Bisson reported that she has sent the draft version of the cooperative agreement to the Hampton Elementary School board members and informed them that it wasn't public yet.

Mr. Greenberg stated that he would like to contact the representative(s) for the Connecticut Education Association. Ms. Bisson reported that the CAFE attorney also advised against this, and Kathy Donahue suggested that it was premature at this point to involve the union. To Allan Cahill's question on the Hampton Elementary School Teachers' Contract, Ms. Bisson reported that it was in its first year.

**Audience for Citizens:** none.

**Executive Session**

**Motion:** Allan Cahill, seconded by Tom McAvoy, to enter Executive Session for the purpose of discussing material subject to attorney-client privilege. Motion carried unanimously.

Executive Session convened at 4:02PM. Those present: Gary Greenberg, Allan Cahill, Kathy Donahue, Rose Bisson, Tom McAvoy.

Public session reconvened at 4:22PM.

Next steps include: to obtain a determination from F.O.I.C., if possible, on the advisability of meeting in Executive Session to present the potential cooperative agreement to the Hampton Elementary School Board of Education; to meet with the full committee when the programming subcommittee is ready; and to establish a schedule for public information sessions, followed by an advisory vote by the towns.

**Adjournment:**

**Motion:** Kathy Donahue, seconded by Allan Cahill, to adjourn the meeting at 4:27PM. Motion carried unanimously.

Respectfully submitted,

Dayna McDermott Arriola  
Recording Secretary