

## **Greater Waterbury 01/13/2010, Page B03**

### **Hamel wants Region 14 to give up appeal of ruling**

**BY RICK HARRISON**

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WOODBURY — Bethlehem First Selectman Jeffrey Hamel wants the Region 14 Board of Education to abandon its appeal of a court ruling calling for the restoration of elementary schools in Woodbury and Bethlehem to their previous grade level configurations.

“It is my opinion as the first selectman that this recent court ruling should be considered the final court decision and that no further tax dollars should be spent on any attempt to have the judgment reconsidered,” Hamel wrote to Superintendent Robert D. Cronin in a Dec. 21 letter he distributed to board members at Monday’s meeting. Last month, Litchfield Superior Court Judge John W. Pickard called for the restoration of the previous configuration — K-5 at Bethlehem Elementary School and K-4 at Woodbury’s Mitchell Elementary School — and ruled that if the district should seek to reinstate the grades as they now exist — K-2 at Bethlehem and 3-5 at Mitchell — it must first hold a referendum requiring a majority vote in both Woodbury and Bethlehem.

To date, the district has paid \$110,685 in legal expenses related to the reconfiguration. The district’s attorney estimated it would cost another \$10,000 to argue the appeal.

Hamel also criticized the administration and Board Chairwoman Monica Gati for not sharing his letter with the full board prior to its Dec. 22 vote to appeal.

However, Gati and Cronin pointed out that the letter was labeled “cc: Board of Education,” which suggests that the sender has sent copies of the letter to other people.

It is not considered an instruction to the recipient to deliver it to others. Gati said the letter was read to her, but that she assumed others had received copies. Regarding Hamel’s opinion on the appeal, Gati said the board values input from

the boards of selectmen and finance in Woodbury and Bethlehem but decided to exercise its right to seek a higher court's opinion.

"I think the Board of Education considered all of our possible responses, and we chose to appeal," Gati said.

Gati said the six members of the board voting for the appeal believe the differences between its case and a Supreme Court case involving Region 12 that guided Pickard's decision were enough to merit a challenge.

"The Supreme Court justices said it would have to be looked at by a case-by-case basis whether or not it was an incidental change," she said of the reconfiguration.

Susan Scherf, a Bethlehem resident and one of the plaintiffs in the case, urged the board to reconsider the appeal.

"You are wasting taxpayer dollars, and you are destroying two communities," she said.

Woodbury First Selectman Jerry Stomski said he would withhold comment until the full Board of Selectmen had an opportunity to discuss the matter.