



# Chappaqua Central School District

Board of Education  
Jane Kimmel Shepardson, President  
Warren Messner, Vice President  
Hilary Grasso  
Cailee Hwang  
Ryan Kelsey

January 5, 2023

Supervisor Lisa Katz and Members of the Town Board  
Town of New Castle  
200 South Greeley Ave.  
Chappaqua, NY 10514

Dear Supervisor Katz and Members of the Town Board:

The Board of Education very much wants to continue to operate the digital sign on the Robert E. Bell Middle School property for the benefit of the whole community. We are writing to articulate and clarify the CCSD's concerns regarding the Town's use of the digital sign, and to offer suggestions that would enable us to move forward with an agreement allowing for shared use by both the Town and the CCSD.

The Intermunicipal Agreement between the Town and the CCSD, which was entered into on July 21, 2017, contemplated joint use of the digital sign located on Bell property for the purpose of posting community-oriented messages. The CCSD believes that the Town Board's unilateral decision to permit the public to place personal messages on the digital sign violated the terms of the Intermunicipal Agreement as outlined in the following sections below:

**Acceptable Message Content includes:** School sponsored events, Town sponsored events, Not for profit events with the Town or CCSD community, traffic or police advisories. Generally those events currently posted by the CCSD or the TNC on their public triangle signs, banners or flags.

**Prohibited Message Content,** includes, but is not limited to, commercial messages and political messages, events outside of New Castle or the CCSD.

There are no provisions allowing personal messaging on the digital sign, nor did personal messaging occur during the first four years of our agreement. The Town made a unilateral change to what constitutes acceptable message content on school property in 2022, without the consent of the CCSD.

Since this agreement expired on 12/31/22, and no new agreement was entered into prior to that date, the digital sign has been turned off, as there is currently no working agreement between the Town and the CCSD that governs the current use or the messaging to be displayed on the sign on the CCSD's property.

# Chappaqua Central School District

Town Board  
January 5, 2023  
Page 2

It is unfortunate that we find ourselves in this position. Starting last spring the CCSD proactively attempted to address its concerns with the Town Board and to negotiate a new agreement with the Town as outlined below:

- Written correspondence from Superintendent Ackerman to Town Administrator Shapiro on 4/25/22 expressing concerns regarding personal messaging on the digital sign.
- Meeting with Town and District representatives on 5/31/22 to attempt to resolve concerns.
- Joint work session on 8/9/22 to discuss concerns regarding personal messaging on the digital sign.
- Written requests sent by CCSD District Clerk to full Town Board on 8/10/22 to schedule a follow-up meeting as agreed upon in the work session on 8/9/22.
- Additional follow-up request sent by CCSD District Clerk to full Town Board on 8/11/22 to schedule a meeting to address and resolve the sign issue prior to the start of the school year (no response received).
- Additional follow-up request sent by CCSD District Clerk to full Town Board on 9/7/22, again asking to schedule a meeting to resolve issues concerning the sign (no response received).
- Courtesy letter sent by CCSD District Clerk to full Town Board on 10/18 notifying the Town that the BOE would be discussing the sign at the 10/19 BOE meeting (no response received).
- Letter from the CCSD District Clerk to the Town Administrator on 10/22/22 notifying the Town that the BOE voted to terminate the Intermunicipal Agreement.

It was not until approximately three months after these repeated attempts to meet, and a month after the BOE voted to allow the existing Agreement to expire due to the Town's inaction, that the Town Supervisor asked to meet the BOE President and address this matter on 11/28/22. While our attorneys were unable to resolve this matter before the holiday break, we remain committed to working with you to craft a mutually satisfactory agreement regarding the sign, as soon as possible.

In hopes of moving things forward, we are outlining potential alternative options for your consideration below:

- We are open to discussing an agreement that limits personal messages to birthdays only, to be displayed only on weekends, with clear parameters regarding said messaging to be outlined in the new agreement.
- We would allow the Town to remove the digital sign entirely from CCSD's property so they can post messages as they see fit on Town property.



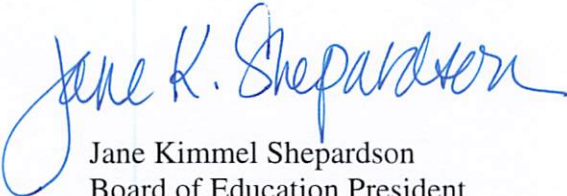
# Chappaqua Central School District


Town Board  
January 5, 2023  
Page 3

- We would review a proposal from the Town Board that outlines cost considerations associated with CCSD's complete acquisition of the sign.
- We will post Town of New Castle messages to the digital sign submitted to CCSD provided notices meet CCSD posting criteria.
- We will consider presenting an agreement for BOE consideration that allows for additional time for negotiations provided this agreement prohibits personal messaging on the sign while new terms are negotiated.
- We would agree to have a mutually appointed, legally trained, independent party mediate this matter in the interest of a resolution.

We are open to hearing from you suggested pathways forward, which we may be amenable to, given the current situation. We look forward to a response at your earliest convenience. Please send your response to the full Board of Education and Superintendent in the hopes that we can reach an agreement as quickly as possible.

Sincerely,

  
Jane Kimmel Shepardson  
Board of Education President

  
Christine Ackerman  
Superintendent of Schools

