

# School reimbursement tussle heads to court

**DISPUTE**, from page 1

"If we can settle this outside of court, before then, that's what the selectmen would like to do.

They have been very reluctant to go down this road."

At issue, Miyares said, is the way in which the regional school

district has used \$23,882,576 in reimbursements from the Massachusetts School Building Assistance Bureau to finance the pro-

ject, which finished up in 2004. Miyares said that the district's handling of those funds could end up adding as much as \$1.1 million to Sherborn's bill for the project over the next 20 years.

Town Administrator Daniel Keyes confirmed this week that the Sherborn Board of Selectmen has recently reviewed a rough draft of the lawsuit, but has yet to move forward on it. Miyares said an attempt to resolve this issue out of court two years ago failed when it was rejected by Dover, but selectmen remain hopeful.

From the onset, the SBAB agreed to pay for 57.49 percent of the project's total reimbursable costs, or \$23,882,576. Under guidelines set up by the state, those funds were to be spread between the two towns according to a formula that takes into account the number of students each town has enrolled in the district.

In specific terms, Sherborn was to have 60 percent of its expenditures reimbursed while Dover was eligible for a 55 percent reimbursement. (The two percentages average out to 57.49.)

Miyares said each town was to be reimbursed during the fiscal years when the state funds were actually released to the district, principally in 2006, 2007 and 2009.

Differences arose, Miyares said, when the district decided to use the \$23 million to spend down the entire cost of the project, leaving Dover and Sherborn with a \$16 million bill to split over the next 20 years. Sherborn officials contend that this arrangement shortchanged their town by not giving Sherborn the 60 percent credit that is set down in the reimbursement statute. Over time, Miyares said, that could amount to a \$1.1 million overcharge.

## Dover vs. Sherborn in court

By Kathleen Moore  
CORRESPONDENT

**SHERBORN** — A long-simmering dispute between Dover and Sherborn over state reimbursements for a \$39.9 million renovation project at the regional high school is heading for Middlesex Superior Court, but a timeline for resolution is anyone's guess.

"It could take two or three months to schedule a court date," said Ray Miyares, the municipal lawyer who has been advising Sherborn lawmakers.

**DISPUTE**, page 6