

488

SPECIAL TOWN COUNCIL MEETING

June 16, 1987

7:30 p.m.

A special meeting of the Wallingford Town Council was held in Council Chambers, called to order at 7:37 p.m. by Chairman David A. Gessert. Answering present to the roll called by Susan M. Baron, Council Secretary, were Council Members Adams, Bergamini, Gouveia, Holmes, Killen, Polanski, Rys and Gessert. Council Member Papale arrived after the roll was called. Also present were Mayor William W. Dickinson, Jr. and Second Assistant Town Attorney Gerald E. Farrell.

Discussion and action on Lyman Hall High School Vocational Education Expansion.

Mr. Gessert stated that the Council Members were invited to tour the facility at Lyman Hall High School and took a look at what was needed and what was requested.

Mr. Dale Wilson, Principal of Lyman Hall High School, explained that he believes it is unique to present a proposal for an expansion for a building and facility program that is really not designed to reflect an increase in student enrollment. When the program originally came to Lyman Hall High School over 25 years ago, it was designed to accommodate 80 students in the present facility. The facility included the New Haven County farms, businesses, as well as other resources, for students use. Each facility was a viable learning site and was incorporated into the Vo-Ag program. During the last 5 to 10 years, enrollment has nearly doubled from the original 80 students, but even more significant than that statistic, is the fact that the community resource sites have decreased. The only main learning site is the Vo-Ag facility at the High School. What we experienced, is the increase in enrollment and a shrinking of learning sites. One of the visible effects of using the present facility only as the primary learning site, is that it is becoming more and more evident to us that we are not preparing students satisfactorily with job skills for subsequent employment. The proposed expanded facility is one in which, according to Mr. Roger Lawrence, our state consultant, will better serve the Vo-Ag program and its' related occupations. What is being proposed, is not an increase in the number in size of Vo-Ag classrooms. What we are proposing are laboratories that will replace the community learning sites that we have lost through the years. The laboratories not only replace those community resources we no longer have, but they reflect the significant changes in the contemporary Vo-Ag curriculum. The proposed plant science laboratory will allow students to gain marketing skills for employment in floral areas. The animal science technology laboratories and small animal growing rooms will allow us to do what the community use to do in providing a way of resources in the animal production area. The laboratory will also include areas for small cages, large animal stalls, growing areas, slaughter and meat cutting areas as well as animal grooming. This will allow our students to develop, improve and maintain skills required for employment opportunities in the animal lab science areas. With the addition of Vo-Ag laboratories, comes the need for additional space to accommodate agricultural equipment, supplies, materials, as well as the Vo-Ag bus, and there is also a need for a larger office conference area. Our primary concern, of the proposed expansion of the Vo-Ag facility, is to enhance the vocational agricultural program and to provide our students with an updated contemporary curriculum and appropriate equipment. I want to stress once again, that this proposal is exclusively for the enhancement of the Vo-Ag program. I have given you 2 ED-040 forms (attached). The first one is for the building form, for the proposed expansion which is estimated at \$855,000. The second ED-040 form is for the equipment that we are requesting which totals \$145,000. The third item is the specifications which have to be included with the ED-040 form and this outlines the specific project, the rationale, including the long range plan, which are the objectives of Lyman Hall High School as well as the Wallingford Board of Education, learning activities, capacity data and equipment list. The fourth item is the waiver of the space specifications. Many times, Vo-Ag falls under the

enrollment vs. square footage and most, if not all Vo-Ag proposal grants are given a waiver to this. Usually, it is done later down the line, but it was suggested that it be included with the package so it is there, and there are no questions concerning this later on. This may not be needed, but if it is, it is present with the package for a waiver. The final item is what I am really looking for this evening, and that is a Resolution from the Town Council in a 3 tier resolution type, which establishes a Building Committee and names a Chairperson of this Building Committee. The second part of the Resolution authorizes the preparation of a schematic drawing and the third part authorizes the Wallingford Board of Education to file the applications for the school building project. Reimbursement is for 100% of all eligible costs. After completion, there is a one lump sum that is paid back to the town. Once this form is sent in, and there is a deadline of June 30th, nothing has to be done for 1 year until it is passed, if it is passed. We would get back information from the State of Connecticut sometime the end of next June of 1988 or July, that would inform us of the amount that is appropriated. It would state items that would be ineligible for the project as well as eligible costs and at that time, a decision could be made to go forward and I think you would have a better picture of what we are talking about. We are looking for approval from the Town Council, to send the appropriate forms in within 2 weeks, then sit back and wait for communication by the state next June. 489

Mr. Gouveia commented that this is something that should have been done 2 years ago. He asked why you have to wait until the year 1990, and why you can't try to get it done sooner.

Mr. Wilson explained that there would be no action on the Grant until next year. The chances of approval are excellent but, we still have to wait for that amount of time. You could not go out to bid until you received approval from the state. We will know about this time next year if we have a go. Then we would have to come back, if you approve this, and sit down to see what steps we would take at that time.

Mayor Dickinson commented that he reviewed the facility and thanked Mr. Wilson and Mr. Cleaves for the time that they have spent on it.

Mayor Dickinson continued: When I heard about this, I went to the Yulo Report and wanted to review it. The Yulo Report indicates that enrollment at Lyman Hall, for strategic planning, could be 1100 to 1200 students. Right now, there are about 985 and I think it is projected to be about the same. The starting point from my standpoint, was what the enrollment is and what is the justification for additional classroom space. We should not be funding additional classroom space because it is not justified in the Yulo Report and it would not be a wise expenditure, even though it might be a nice thing, to have new classrooms. The community should not fund it. After reviewing the plans, it appears that we are not adding classroom space. We are dealing with laboratory space, an area for holding small and large animals, the mechanics area for proper garaging of a bus, we are dealing with the expansion of the plant science area to better handle the aspects of caring and arranging plants, all of these things being vocational and allowing someone graduating from high school to actually hold a job and earn a living. As long as we are not dealing with classroom space, we are over a major hurdle from my standpoint. In terms of the enrollment of the program, the Yulo Report is 155 students in the vocational program and there are now 146 and it is projected that it should stay at that level. We are not really dealing with increases in the number in the vocational agricultural program. In reviewing the materials that Mr. Dale Wilson provided, one thing that concerned me were the letters sent March 2, 1987 and March 5, 1987, both signed by William Guzman. The first one dated March 2, 1987, indicates the payment to the district code and the principle interest payment for the bond issue. In the March 5, 1987 letter, is about 180° in the other direction. It says, "please be advised that reimbursement is 100% of eligible cost to be paid in one lump sum". I would like some indication from the Department of Education, which letter is the one that they will hang their hat on a year or a year and a half from now. They are on record two different ways, and it appears that the statutory authority allows for a lump sum, but I think we should be entitled to a clarification of exactly which one they are going to choose, at the point where we have to get involved. Secondly, there should probably be a cap placed with the project costs, regardless of reimbursement, so that when we get down the road, and let's look at the procedure, the building

committee is appointed, they sign the applications, it goes to the General Assembly, they approve a project. Next June, one year from now, let's say they have approved it. That means that the building committee is going to need some money, in order to hire an Architect to design the space and put out specs. It won't be until the specs go out and we get bids back, that we will know what the costs are. So, we will have already spent some money and then we get the costs back and at that point, I think the state should be willing to tell us what they are going to fund, what is eligible and what is not. Not after we start construction, but before construction once we have the design and they look at the design and approve it. How much of that projected cost are they going to cover. One of the ineligible costs is site regrading, resurfacing or reseeding. Does that include the drive, the moving of the driveway into Lyman Hall and rebuilding reconstruction of that drive and all of the resurfacing, the relocation of the utility pole and the light fixture on it? We don't know, and we don't know what the costs are in there. The eligible cost factor is something that we should know before, and get some indication from the state that they are willing to tell us before construction, what they are willing to spend. In addition, I think we need a time table for the project paper work to be completed following project completion. What happens, is the construction is completed, the paper work does not get completed, for one reason or another. There has to be real attention to this factor. In addition, if we have to borrow, to fund this, will there still be the lump sum payment? That is one aspect that is not covered. If we pay in cash, then I could see where we would get all of our money up front. Let's say that we have to borrow, and we will. We borrow the money for construction. Even though we have borrowed and we are not out all of that money, will they give us the lump sum? That is a question that must be answered because that is important. It deals with interest costs. On a \$1 million dollar cost, it is \$50,000 at 5% interest every year. All of these concerns, from my vantage point, are legitimate. They affect our ability to finance it and what level of priority it takes from the town financing scheme. We are not dealing with classrooms, and I am accepting that representation. I think we should look to try to enhance that area, especially with 100% reimbursement. We also have to pin the state down, before we get into construction, on some of these questions because, unless we do, right now they have one or two letters that they can point to and say "we informed you". I am not saying that it is deliberate, but I think it is something that I think the town is entitled to a surer direction. 490

Mr. Gessert asked Mr. Wilson, assuming this is approved, to draft up a letter addressing these points with Mayor Dickinson, so they will have some answers.

Regarding the letters, Mr. Wilson explained that he felt that there was some information that should be in there and as Mayor Dickinson pointed out, and we talked about it today, I saw the error there for the time table reimbursement and I called Mr. Guzman back immediately and he followed through with a subsequent letter on March 5, 1987. Although he corrects it himself, he doesn't state that he is correcting himself. I understand what Mayor Dickinson is saying and I think that can be cleared up very easily. The Act does state a "lump sum" for vocational education agricultural centers. Concerning laboratories vs. classrooms, indeed, these are laboratories that are needed. 50% of our Vo-Ag students go on to work immediately after high school. We have a good percentage, during the 4 years that we prepare, that have gotten jobs during the 4 years relative to what they have learned in the Vo-Ag department. The additional laboratory space will enhance these programs that are needed. As far as the enrollment, we have decreased slightly over the last couple of years. But, looking at the enrollment for next year, our statistics show that we will level off at 145 to 150 per year.

Mr. Gessert asked what the tuition was and Mr. Wilson replied, \$4,065.00, and added that there is reimbursement back for other budget items of specifically for vocational agriculture. We also learned that some of the ineligible costs include painting the present facility, the addition that would be covered as an addition, but one would be painting the present facility and some other items in respect to dressing up the area. That would be part of our budget for Vo-Ag for that year, and this would be money that would be reimbursed back to the town, through the grant process. It is another way of reducing ineligible costs in a Vo-Ag grant.

491
Mr. Frank Soldan commented that he agrees with Mayor Dickinson's concerns and added that we should be aware of what we are going into before commitments are made. We have had problems in the past, with the filling out of paper work and to reassure you, we have set up controls so that will not happen again. The control now lies in the Superintendent's Office. However, in keeping with what the Mayor said, if you were to approve this today and pass the necessary Resolution to get us, at least on the list, what this does is preserve your rights to go into this next year. It does not obligate you, but it does give us a priority, it allows the state to say yes, we are going to budget money for Wallingford, if Wallingford wants to do it. That gives you a year to nail down the answers to the questions that Mayor Dickinson has raised and properly so. I would like to encourage you to pass the Resolution tonight, so we can get our hands in to protect our dollars.

Mr. Holmes commented that he thinks the Vo-Ag program is a very sound program and it is an asset to the town and an asset to the community. He then asked if they had a list of parameters that the state would not reimburse, if they went forward with the project, today and Mr. Wilson explained that they are not listing anything other than painting, as an eligible cost. As far as they can see, right now, everything will be under eligible costs. As we get into the program and sit down with them, I am sure that other things will come out. As long as we are expanding, and we will have to move sidewalks and move the driveway over, this is part of the expansion and is considered eligible. Once they approve the project, you are bound by that and they work very closely with you.

Mr. Rys commented that he has seen the facility and has seen a cramp for space and added that he also reviewed the Yulo Report and it indicates that there is a declined enrollment in the 9-12 level, which can be expected until the year 1990. I know this takes into consideration the both high schools. Looking at experience of 1985-86 season and now the 1986-87 season, the report seems to be pretty close, as to what the enrollment should be. I don't want to sound negative, because you do have an excellent program, or negative to anything that you are proposing here but, is there some chance that perhaps we should look this over a little closer and look towards reorganizing, or possibly redistricting and redistributing space within the actual Lyman Hall structure.

Mr. Annis explained that the Board recently voted and accepted, not so much the Yulo Report but the Soldan report, which was an update on the Yulo Report and it was conducted by the people within this community, which gave rise to the fact that we should not even consider it or doing anything with the high schools for the next 5 years and maintain a status quo to see what happens over that period of time.

Mr. Gessert asked if the Council Members could receive a copy of the updated report.

Mr. Soldan explained that the Yulo Report was one component that led to a final recommendation and decision by the Board. The Yulo Report was presented to the Board with the recommendation in 1985.

After that, the Board of Education charged the administration, myself, to come up with a years intensive study of the ramifications of the Yulo Report, which we did. We had the high school principals involved, the middle school principals, staff members, elementary principals, we did our indepth study. As a result of that study, I then made a final report, which we refer to as the Soldan report, to the Board of Education. A component of the Yulo Report was accepted and adopted and that was the re-opening of Parker Farms School, we recommended it, and the other parts we did not choose to accept. The Board of Education, then took a position, which reads:

I do not recommend that a redistricting of the high schools be undertaken to equalize them as a result of non-resident enrollment. To re-district would create major problems of imbalance in our middle schools.

So long as we continue with vocational agriculture and vocational technical programs at Lyman Hall, we must assume and accept the facts that there is to be a sizeable difference in population between the two high schools. It is in the best interest of the community to retain these programs. For the Vo-Ag program, we submit a budget,

it comes out of our operating budget, that you grant us every year, but then that is reimbursed 100% to the General Fund the following year. In addition to it, we get another bonus, called tuition. This is a money maker and it gives Wallingford students a top priority and a top program within their community. There are tremendous advantages that I hope you will never surrender. I recommend the following, as it pertains to each level, and the Board accepted this: 492

- Elementary Schools - continue with the present grade configuration, reopen Parker Farms and close Yalesville.
- Middle Schools - continue with the present grade configuration, no closing required.
- High Schools - continue with the present grade configuration, no closing at any time during the next 5 years. In depth monitoring and review of enrollment data present and projected. School year 1990-91, a decision to be made to continue with the two high schools or to consolidate into one.

This is basically what the Board is operating under.

Mr. Rys commented that Sheehan High School is operating at 75% capacity. If some students were to be redistricted, this would allow some more room within the Lyman Hall structure and may have an effect on your actual decision 5 years from now on whether the High School should remain open.

Mr. Soldan explained that the monitoring covers that. Every December, we have our in depth review of our October report, when there is a presentation to the Board, and in particular with the high schools. Although Sheehan High School is operating at 75% of its capacity, please remember, that that high school serves this community in many other ways. Don't just have your mind think of the student enrollment. We have our pupil personnel department located there in administrative offices. We need that space, because we do not have it elsewhere. We have our adult education operation there, our audio visual services there, our cafeteria department headquarters there, and a state program for severe mentally retarded children. We are utilizing it and will continue to utilize it as space is generated there, we will use it for other needs within the system. To take all of those programs out, we wouldn't be able to house them anywhere. We would need Yalesville again, to house them all in there. If the elementary population continues to grow on this side of town, the Board of Ed offices could move out of Stevens School, and that space can be turned over to Stevens School for elementary children and we could go over to spaces generated over at Sheehan. You have that flexibility with that kind of space. Without it, you do not. You take away one high school, and shut one down, you are in deep trouble. You are going to have to build something somewhere else.

Mr. Killen asked to have the unisex lav explained and Mr. Cleaves explained that they have to have a handicapped lav in their area.

Mr. Adams asked Mr. Soldan if the money generated from tuition goes into the General Fund and Mr. Soldan explained that tuition goes directly to the General Fund. Mr. Adams then asked how many students enrolled in the Vo-Ag are from out of town and Mr. Soldan replied, about 100.

Mr. Wilson added that for 1986-87, tuition was \$4100.56, and \$399,882.16 is reimbursed from tuition back to the town, \$2700.00 from Special Ed, and approximately \$60,000.00 additional state grant for the items such as materials, supplies, electricity, etc. so you are talking about \$500,000.00 (close to).

Mrs. Papale commented that she has worked very closely with this for a few years, many years ago. Both of her boys went through this Vo-Ag program. To me, this program was very important to my family. What they learned working 8 hours a day is one thing, but what they learned at Vo-Ag, were things that we never would have taught them at home. So, I really think that this is a very important program, not only learning how to plant flowers and grow flowers but, everything that they are taught there. That department does need help. Mrs. Papale then asked if they could have an idea of what it is going to cost the taxpayers of Wallingford, she would like to know.

Mr. Soldan explained that Southington has just about completed theirs and he'll talk to the Southington people to find out exactly

what was approved and what was not approved. They also moved their facility from one side to another, so they have done more than we have and it was 100% reimbursable.

493

Mrs. Bergamini stated that she is concerned with the eligible and ineligible costs and Mr. Wilson explained that they assured them that they will walk them through this and at any time that they need to come down because of questions on the site or concerns, they assured us that there are not going to be any surprises. I think that with good communication, we can stay on top of it.

Mr. Gessert suggested that if they had some people doing some preliminary work, that by the time next year rolls around, they will have a basic outline on what they want to do.

Mr. Wilson added that they do meet with them during the year, so there is a lot of communication and they will give us a lot of lead time to get some of these questions that we are all concerned about, and again, there is no cost up to next year.

Mrs. Bergamini asked Mayor Dickinson, if the town has to pay the interest if they bond and Mayor Dickinson explained that the interest is reimbursable, but the question is, are we going to get a lump sum which is what we want to get. Will they pay us the lump sum, our total cost, even though we have borrowed. At that point, if we do borrow, and then they pay us a lump sum, you can lose one year's interest. The state could say "since you borrowed, now all we will do is pay your principle on interest every year" and that means it strings it out and we don't get the money back right away. That other financing.

Mr. Polanski commented that while looking at the plans handed out, it looks like there will be some expansion of classroom space and Mr. Wilson explained that the classroom space that is there, will stay and then the expanding area, are the laboratories. Mr. Polanski added that he feels that this project should not cost the Town of Wallingford any money. The money that comes from the state for this project, should be the only money spent. This is the project, we will go with what the state says they will give us for money. If it is not going to go that way, I will not vote for this project.

Mr. Gessert asked the Council Members if they agreed or disagreed with Mr. Polanski's comments.

Mr. Holmes disagreed with Mr. Polanski. Mr. Rys, Mrs. Bergamini and Mr. Gessert agreed with Mr. Polanski. Mr. Gouveia asked if we are willing to jeopardize such a good project because of a possible \$25,000 and in addition, we get \$4,000 in tuition? Mr. Adams commented that he did not agree with Mr. Polanski because they have non-compliance issues in there that have to be addressed. Mr. Gessert explained that they are talking about parts of the project that need to be done to complete it and carry on with the expansion. If we have to put in a fire door in a particular hallway, because it is required and needed for handicapped access, I don't think we will can the whole project because of a fire door because the town is going to have to come up with the money for the fire door.

Mayor Dickinson suggested that a motion be made stating that the approval of the Vo-Ag facility expansion at Lyman Hall, is contingent upon: 1. No money to be spent for additional classroom space. 2. Reimbursement to be a lump sum grant issued at a reasonable time after the project completion and 3. The lump sum payment by the state be authorized, even if the town borrows the construction costs, 4. The state will inform the town of the amount of money which will be reimbursed prior to commencement of construction, 5. Maximum expenditure of \$900,000, even if 100% is reimbursed by the state of Connecticut and no more than \$30,000 or \$50,000 to be expended from town funds.

Mrs. Palsco asked if this is the appropriate time that this has to be done because the Vo-Ag people are just asking for approval to get on the list for the state. There is plenty of time, if we find out that we get the approval. We are not talking about construction starting until March of 1989, which is almost 2 years from now and construction costs will be going up. For now, to try to pin down a finite number is too early for that.

Mr. Gessert commented that it does not have to be addressed tonight,

but he would have no objections seeing the Council pass a Resolution to this effect at an upcoming meeting, just so they would have the parameters laid out and the state knows where they are coming from and we know where they are coming from, and certain things that we are going to be looking for. 494

Mr. Soldan added that the town does have time to do what they are proposing now, but added that he would urge them, before coming up with any resolutions dealing with that concept, give us a chance to get more of the information for you and then you will have a better opportunity to make this decision. By passing a blanket resolution now, you may be killing the whole program, without realizing it. I urge you to pass the resolutions, just to protect our interest, at this point, let us come back with more of the information that you require, and nothing will happen before you authorize it, at that point anyway.

Mr. Killen commented that his dad used to say to him, "time and tide wait for no man" and we keep throwing that word time around here like it doesn't exist. Time is what hit us on the Parker Farms School. Time catches up with the Choral Room at Lyman Hall, yet from the state's form that you have in front of you, exact figures and the estimated date to begin construction is 3/1/89. The state is insisting that we put exact figures now for something that is going to begin 2 years down the road. Who is playing with time? We can play with all of the time that we want, why doesn't the state take this into consideration. The state always has a way of backing us into a corner. Right now, they are so drunk with money up there, they don't know what to do with it. We don't know what is going to happen 2 years down the road from now.

Mr. Polanski pointed out that they want to show an intent that they want to go along with this as long as the funds coming from the state are going to pay for it. I think that the intent should be listed if that is what we want.

A motion was made by Mr. Holmes to appoint a Building Committee headed by Mr. Edward Polanski, with Mrs. Iris Papale as Vice Chairwoman with additional members to be named at a later time, seconded by Mrs. Bergamini.

VOTE: Gouveia, Killen and Rys voted no
Adams, Bergamini, Holmes, Papale, Polanski and Gessert voted yes;
motion duly carried.

"On a motion made by Mr. Holmes, seconded by Mr. Polanski, the following three resolutions were adopted by the Council:

RESOLVED: That the Wallingford Town Council established a Building Committee, consisting of Mr. Edward Polanski as chairperson of Building Committee, with regard to the Lyman Hall High School Vo-Ag facility expansion,

VOTE: Gouveia, Killen and Rys voted no
Adams, Bergamini, Holmes, Papale, Polanski and Gessert voted yes;
motion duly carried.

RESOLVED: That the Wallingford Town Council hereby authorizes the preparation of schematic drawings and outline specifications for the Lyman Hall High School Vo-Ag facility expansion, moved by Mrs. Bergamini and seconded by Mr. Killen.

VOTE: Rys voted no
Adams, Bergamini, Gouveia, Holmes, Killen, Papale, Polanski and Gessert voted yes; motion duly carried.

RESOLVED: That the Wallingford Town Council hereby authorizes the Wallingford Board of Education to file applications for school building projects with regard to the Lyman Hall High School Vo-Ag facility expansion, moved by Mrs. Bergamini and seconded by Mr. Holmes.

VOTE: Rys voted no
Adams, Bergamini, Gouveia, Holmes, Killen, Papale, Polanski and Gessert voted yes; motion duly carried.

Dated at Wallingford, Connecticut this 16th day of June, 1987.

Mr. Gessert explained that at the last Council meeting, the PUC Commissioners did not have a lot of notice previous to the meeting and could not make it. We asked them to join us at this special meeting, and everyone is here. This regards West View Hills sewer fees and as far as I am concerned, the questions will be addressed to that subject. We will ask Mr. Richard Nunn, Chairman of the PUC, to bring us up to date, a little bit on where we have been, where we are now and where we are heading and then if Mr. Killen or any other Council Member has a question, we will try to get them addressed. The one thing that we should keep in mind is that the entire subject could be up for litigation and is probably in the discussion stages right now with the attorneys. I think we have to remember that there is a possibility that this might end up in Court and if there is a question that cannot be answered, I think we have to respect that because it might be the subject of a Court Hearing down the road. I will not entertain a major debate with people back and forth, we are not going to get into that. We will go through the questions in a civilized manner one at a time and if it becomes something other than that, I intend to adjourn the meeting.

Mr. Nunn commented that what I would attempt to do is just to give you the latest developments. I think that we are all aware of the agreements that date back to the early 1950's, between the Court of Burgesses and the residents of the town in the area of West View Hills. There are certainly different interpretations of that agreement. There are written documents, they've been noted and I think everyone is aware of those. We are at a stand-off in that the Commission has discussed various and many aspects of this situation. The latest development is that through the Town Attorney and an outside Attorney, we have retained an appraiser to determine what the value of the agreements on the properties are worth, so that if the procedure would be to settle with the residents, we have some guidelines to the value of the subject agreement. We were told at tonight's meeting, that the Rights-In-Deed people, have concluded their investigation with their appraiser and they have an answer from their appraiser. They did not share that answer with us, perhaps it can come out tonight. I would refer the status of the appraiser that was retained by the Town Attorney's Office, to the Town Attorney for an update on that. Further, I made a list of things that I read in newspapers, that appear to be of concern to Mr. Killen, concerns that were at your last meeting that referred to a future meeting with the PUC, we are here and prepared to discuss those.

Mr. Killen asked Mr. Nunn if he received the letter he sent to him requesting him to bring a copy of the minutes of the meeting which authorized the hiring of Attorney Church and Mr. Nunn replied yes and read the letter out loud. Mr. Nunn explained that he has had discussions with Attorney Farrell and he has asked him to respond to this because the advice or action itself, was taken by the Town Attorney's Office.

Attorney Farrell explained that approximately 2 years ago, I realized that we were getting into a situation that required research on whether the town should honor the agreements with the people of West View Hills and other subdivisions. I recognize that the Town Attorney's Office, the 3 attorneys in there, all had represented many of the people who bought there and would not be within recognizable ethical grounds for these attorneys to rule on agreements where they represented people buying houses there. I approached Raymond Smith and I told him that, in my opinion, this issue needed research, needed a ruling and also probably, would be headed to Court at some point. I advised him that I thought the town should hire an attorney to research the matter and represent the town on that point and he said that he would talk to Richard Nunn on that matter. He reported back to me that he and Richard Nunn agreed. I then spoke with Vincent McManus, Town Attorney, and requested permission to hire an outside attorney and reported to him that the person that I recommended was Attorney Church of New Haven, Ct. He asked me why, I told him why and he told me to go ahead and hire him, and I did. It was not handled in a PUC Meeting or in executive session. It was handled over the phone between Raymond Smith and myself, and I have checked with Attorney McManus and Mayor Dickinson and I think the Town Charter was totally followed.

Mr. Killen commented that we are now being told that the PUC did not authorize the hiring of Attorney Church. One of the prerogatives of the Council is legal oversight over any actions by the PUC. It has become very apparent, that in this particular case, when this was done, there are no parameters to what they can do that we can't oversee because we don't know that they exist. We have X number of days to take action after reading their minutes. If it doesn't exist in the minutes, you can't take any action. If that isn't a violation of the Charter, then I am getting old and senile. The second aspect of it has to do with the hiring of legal services. The Charter states very clearly that the Town Attorney should represent all Boards and Commissions. We are all aware that they can be overtaxed in that Office or they can be outside the realm of their expertise. If that is so, then just as any department head, when he has a problem, he should come before the Council and say, "I need X number of dollars because we have to do this particular thing which is charged to me, but I cannot handle it for this particular reason", and it was not done in this case. There are reasons to doubt whether the PUC had gone ahead legally and done what they have done, which is come up to this particular point and say to these people "We are challenging you". Is the PUC challenging them or is Attorney Church challenging them? Who does he represent? I know that I will not get an answer to that one. I had written a letter to Mr. Smith requesting when Attorney Church was hired and I got no answer immediately, so I wrote a letter to Mr. Gessert requesting that we find out when Attorney Church was hired so we could find out what transpired. My first letter was to Mr. Smith was 3/31, requesting the dates of the meeting held pertaining to West View Hills. I noticed in the minutes of 3/19/85 that a series of resolutions regarding the Sewer Treatment Plant were tabled until the next meeting of 4/2/85. A study of the minutes of that meeting and the minutes of the next 2 meetings, failed to turn up any action on such resolutions. On 4/16, I wrote to Mr. Gessert stating that all of the members of the Council should have a list of all of the monies paid to Attorney Church, on behalf of the PUC regarding the West View Hills agreement. I have been unable to receive minutes from them showing the manner and time which they discussed the hiring of Attorney Church. It is of utmost importance that their minutes be complete, so that we may exercise legislative oversight, should we choose to do so. I would appreciate this information as soon as possible. On 4/23, I received a letter from Mr. Smith which stated that there were no PUC Agendas which listed the matter at West View Hills for discussion or action. I did not ask if it was on the Agenda, I asked if and when it was discussed. Shortly after that, I received a bill from Attorney Church, from which he states that he appeared before you. However, the second section of it stated that "In response to your questions on the meeting of 3/19/85, some action was taken at that meeting in conjunction with the grant for the Sewer Treatment Plant. Originally, it was intended the the Chairman of the PUC, to sign all appropriate documents for the grant application. This was later revised and the Mayor, as Chief Executor of the Town, became the draftee, thus negating the need for the PUC to take further action on some of the resolutions". I refer you to the minutes of the Town Council Meeting dated 3/26/85, in which the Council approved the resolution authorizing Mayor Dickinson to file several applications for STP III. I went back to the minutes of 3/19/85. Item 9 stated "Discussion and action on Council Resolutions on Sewer Treatment Plant." "The staff is proposing that we submit a recommendation to the Council that they authorize the Chairman of the PUC, to sign all appropriate documents for the grant applications or for whatever documents come thereafter. This documentation is attached". It is attached, that the Chairman of the PUC be authorized. This item was forwarded to our meeting the following week. Town Council agenda on 3/26/85, Item 13 is "Consider resolution authorizing the Chairman of the Water Pollution Control Authority to file federal application, for a grant for STP III, requested by Mr. Raymond A. Denison. Water Division". My copy of Item 13 states "To Mayor Dickinson, Jr. from R. A. Denison, to please schedule these items on the next regular Town Council meeting, these items were approved by the PUC at its meeting of 3/19/85". The third one is Council Resolution, Item 13. "The Council Resolution is a requirement of the grant for STP III. It requires that a member, in this case the Chairman of the WPCA, be authorized to sign all documents pertaining to the grant. Also, immediate certification in this resolution by the Town Clerk, is requested. Thank you for your cooperation." The next page is a letter from Mr. Farrell, stating that the "documents are the

authority to file a federal application, attached." The next one is the authority to file a federal application and on the one that was given to me here, it says that the Chairman of the Water Pollution Control Authority, is hereby authorized and that is crossed out and the word "Mayor" is written in. When I tried to find out why the word "Mayor" was written in back in the minutes, we run into a Watergate affair here. The minutes that I was looking for, only have the motions. I attempted to get a hold of our secretaries to find out and I even looked through the tapes of our meetings, and the tapes were not there. I am giving you the whole scenario here, but it does not change the fact that the meeting of 3/19/85, the PUC voted that the Chairman would sign all papers and it was put before us and we voted another way. Somewhere along the line, we haven't followed what was necessary. We did not follow the format that we were supposed to follow. I am willing to listen, if someone can tell me how that was changed legally. 497

Mr. Smith explained that sometime between the meeting of the 19th and 26th (March), we had some discussions with the Mayor and at that point, he felt, as Chief Executor of the Town, that he wanted to take the authority to sign all of the documents associated with this grant. He felt that it was going to be cleaner. I know that there was a lengthy discussion that night and why you can't find minutes or motions, I couldn't tell you. The intent of the Commission, when we came up, was to go and have the Chairman sign these. For some reason, that night, a decision was made to have the Mayor sign them and since then, all of the documents have been executed this way.

Mr. Beaumont added that what he believes happened was that a contact had been made with DEP and Mr. Hogan agreed that the Mayor would be a proper individual to sign it, and that is my understanding.

Mr. Killen added that they seem to have the intent of the PUC given to them across the table verbally. I don't understand, how we can adopt resolutions and then change them on the spur of the moment. If this was the only case, I would say fine but, it goes back to the hiring of Attorney Church which is also not a matter of record.

Mr. Beaumont explained that this was never discussed at any meeting that he is aware of and the first time that he saw Attorney Church was in January of 1987. I was aware of the fact that we had retained him. That was handled outside of the PUC. Mr. Kovacs agreed with Mr. Beaumont's comments.

Mr. Nunn added that he was prepared to act on behalf of the Water Control Authority. I had some reservations with some of the wording in regard to prior Chairman of the PUC. I asked for some change in the way the matter was written. At that time, Mr. Smith and the Mayor had contact with Mr. Hogan, of the DEP, and at that time, the decision came down that the proper signing authority, on behalf of the Town of Wallingford, would best be represented by the Mayor. At that time, it was decided then that the Mayor would represent the town in this signing. That was cleared with Mr. Hogan, who represented the state and the federal government, through the DEP for approval and acceptance of the funds to be made available to the Town of Wallingford.

Mr. Killen stated that they have two different things. We have where you people authorize your Chairman to sign things and the Council and you send it on to us to do it that way. In actuality, the Mayor signed it here.

Mr. Smith pointed out that the Mayor only signed it after the Council authorized it.

Mr. Killen asked who was the legal signature, and Mr. Smith explained that this is an agreement made by the town through the Ordinance process. I think that there was an attempt from the Mayor and the Comptroller, to keep closer tabs on this entire project. In the past, I think that there was some criticism that the PUC may have run off and done some projects and the bookkeeping was off. I think in the spirit of cooperation, we had no problems with that part. The Mayor is representing the town.

Mr. Gessert asked what this had to do with the problem of West View Hills and Mr. Killen stated that if we feel like we are wasting our time, let's pay the people in West View Hills. We are trying to see if this was done in a proper way.

498

Mayor Dickinson pointed out that the PUC does not authorize the Council. The Council could have gone ahead and applied for the grant without the PUC. The PUC really acts as a first step. The Council can second guess anything that the PUC does. If they recommend that Richard Nunn sign something and you decide that someone else does it, as long as they meet the state approval, the grant application is proper and business moves along.

Mr. Killen read from the Town Council minutes which stated "Mr. Killen further explained that there are minutes in which Attorney Church appeared before the PUC and the PUC should have been able to make them available to Mr. Killen." One of the things that I would like to get to is, in viewing the minutes, I find out that Attorney Church seems to have told the PUC, that the others were wrong, in establishing your rates in December of 1985, that you had now established the rates and they were bound by them.

Mr. Beaumont explained that this is when they decided to take the action and go ahead and institute the new rates to be effective this year. Mr. Attorney Church, had never appeared before the PUC until 1/29/87. That is the first time that I ever saw the man.

Mr. Killen asked if Attorney Church gave the PUC a legal opinion and Mr. Nunn explained that his decision was to act on those agreements and find them null and void. Mr. Beaumont added that this is what he said at the 1/29/87 meeting. He stated to go ahead and put a motion on the floor to go ahead to take action to declare them null and void. This action was not taken until February of this year.

Mr. Nunn added that this action, by the PUC, was taken on recommendation by the Attorney, that was hired through the Town Attorney's Office, which we were told was a proper procedure for hiring Attorneys. We were told that hiring could not be done by the PUC, it would have to be done by the Town Attorney's Office. Attorney Farrell agreed with Mr. Nunn's comment.

Mr. Killen asked if an appraiser was suggested, after they found out that these were null and void and Mr. Beaumont replied that they were not told at that particular meeting. Mr. Killen added that it is his understanding that the PUC has hired an appraiser and Mr. Kovacs stated yes.

Mr. Farrell explained that Attorney Church has been of the opinion that the agreements are null and void but, if you are going to negotiate, you need some position from which to negotiate. The motion to hire the appraiser had to do with, having the appraiser start with the position that the agreements were valid and to place a value on the agreements, as if they were valid, to provide the PUC and the town with a figure that it could base its negotiations on to settle the matter out of Court. Obviously, if one party takes the position that your agreements are worth nothing, we will discuss it no further and there are no negotiations. If you are going to negotiate, you need a figure from which the negotiations start. Therefore, because the PUC and Mayor Dickinson had expressed an opinion that we should at least enter into reasonable negotiations with the people from West View Hills. I told Attorney Church that, and he said that the only way to start, is to hire an appraiser and give him the green light to go ahead and except for purposes of the appraisal, that the agreements were valid. That does not change his opinion at all.

Mr. Killen commented that somewhere down the line, the Council is going to be told that they have to make a decision and that decision as it appears to me now is that they have no right what-so-ever, that we should take other taxpayers money and make them an offer anyhow. You are asking us to take a position, and the Council will have to put the final stamp of approval on this, we are the ones that are going to be the bad guys. Until we get some information here, I don't know what you expect us to work with here.

Mr. Wayne Braithwaite pointed out that Attorney Church's findings were put in writing and were given to the Mayor and they were not turned over to the Town Council. There is a written opinion by Attorney Church. There is no written agreement between Attorney Church and this town.

Mr. Gouveia asked the PUC why they were not advised of this problem when it first surfaced and Mr. Beaumont stated that this was on the agenda for February for the meeting in which action was taken.

Mayor Dickinson explained that the Charter gives the PUC primary jurisdiction on utility matters. They act in an advisory capacity because the Council has oversight. The Council does not have to take action where the PUC has acted first. They have primary jurisdiction on utility matters. However, there is an oversight factor. To the extent that the Council wants to take action, or must, pursuant to a grant application where the state requires the Council to enact a funding ordinance, then they are advising you but, on most utility matters, they act with primary jurisdiction pursuant to the Charter. 499

Mr. Gouveia asked what the real reason was that the people were not informed as soon as this problem surfaced? Is it possible that you did not want to negotiate with them because you were negotiating with Masonic Home? Mr. Beaumont explained that this is based on what we picked up since January of 1987. I think we instituted the rates because we had to have uniform rates (personal opinion), and I did not want to see an injunction brought against the town as a whole.

Mr. Gessert asked if they knew why the first Town Council did not address this problem and Mr. Nunn explained that he did not know but added that 2 years ago, he did not know what course of action they would take with the West View Hills people. He did not know of the action to null and void until the Attorney retained by the Town Attorney's Office made that recommendation. There was no action taken because, at that time, not only wasn't there a joint decision by the Commission, there wasn't an individual direction as to what was the right and proper approach. That is why we have done the research since that time. There is some thought that the agreement was acted into between what was then the town and the borough. The borough owned the sewer, etc. The petition was made by someone outside of the town (borough). At that time, the borough paid no sewer assessment, its part of the taxes. Then, they decided that they would allow the West View Hills homes and a couple of other areas adjoining areas to hook in. They were going to charge \$10 and it could be escalated to \$15, and to make it an easy pay-out, they would allow 99 years, to make those payments. Again, the borough paid nothing, the people outside pay surcharge. As years went by, 1956, the borough had its first charge for sewer usage, \$7.50. Why, in 1956 did the borough not say, we are raising it \$7.50, your fee now should be \$15.00 plus \$7.50, \$22.50, I don't know why. It wasn't done that way. The borough paid \$7.50. The consolidation took place, wherein the town became a recipient of an asset known as the Electric Division, which had value of a number of millions of dollars. When this took place, the people in the town, were the recipients of an asset that they did not own. They paid nothing extra to enjoy that asset. At that time, another opportunity could have taken place in which these agreements could have been settled, either by voiding or by some monetary agreement, and that was not done. Between 1960 and the present the sewer rates have gone from -0- to \$7.50, to an average of approx. \$120.00. During that course of time, the West View Hills people, who enjoyed the privilege of hooking up into another municipality's sewer system, continued to pay that \$15.00. It was a very gray area because no-one knew how these had come about. If the uniform billing was not a requirement, I think perhaps that they would still be paying that rate. The Town Attorney, at that time, requested, of the DEP, a reading as to whether the earlier agreements could be grandfathered in. The word came back that it had to be uniformed billing. In an effort to qualify for the \$15 million dollars (grant) and then to continue to keep the \$15 million dollar grant, of which we received approximately 1/3 of it to date, we complied with the DEP request, to have uniform billing. We then asked the Town Attorney, can we do this, and he said that he felt that because of his contact and his fellow Town Attorneys as you have heard, they felt that they did not want to make that decision because a number of these people were clients of theirs, so they went to the outside Attorney. There is one thing that I agree with Mr. Killen on, that ultimately, this will come before the Council. It is my recommendation that we not wait until 1988, or 1989, I would like to do it on June 18th. You are the financial body of the town. If there is a settlement to be made, we will give you the benefit of our research, whether you feel it valid or not, you can use the Town Attorney, you can use outside attorneys of your own. The ultimate decision, as to whether a settlement is to be made, has to be made by that body that governs the finances of the town, and that body is the Town Council. When you should do this, that is up to you, and whether you should do it, is also up to you. How much you should pay them is also up to you. We cannot recommend to you, or dictate to you, what that fee should be. Where are you going to get the money to pay for it?

Whether it comes from bonding, from taxation, from sewer rates, that is also your decision. I would trust that this meeting, perhaps 500 will precipitate the point where we will now hand this decision over to you. You are critical of the manner that we are handling it. This Commission has been the brunt of a very unpopular issue. It is not a pleasant issue to remove rights from people who feel that they have those rights. That is not what we want to do. What we want to do, is to protect the \$15 million dollars so that there is \$15 million dollars that are paid for by the state and the federal government. Whether we have gone about it in the right manner, you can be the judge of that, and any man on the street can be the judge of that, and I have had many, many opinions to the point where settled is the safest way to go, to now go to Court and let a Judge make the final decision and to let the chips fall where they may and then everyone has to be bound by that.

Mr. Gessert commented that he did not enjoy hearing what Mr. Nunn had to say, but the bottom line is, the buck stops here.

Mr. Killen stated that the PUC has been sitting on information and now they expect the Council to handle it. (APPLAUSE)

Mr. Beaumont explained that back in 1979, there was a letter that Attorney Regan, who was the Attorney for the PUC at that time, had requested in a letter to the EPA, that a waiver could be granted to the borough of Wallingford, and it is also stated in a letter from the EPA in a letter of August of 1979, which states " by statute, EPA can make no grant unless the grantee develops a system of charges, which insures that each recipient of waste treatment, pays its share of the cost for waste treatment services provided by the grantee as per section 204B, subsection I, subsection A, of the Clean Water Act." As far as the first time that I was aware of any of this, was probably in February of this year.

Mayor Dickinson pointed out that in 1984, the town had no written application before DEP. I and several others, attended at least 3 hearings on priorities. There was another town that wanted that money. We were told by DEP, Bill Hogan, "you are number one", and keep asking if Wallingford was ready to go. They had priority hearings and there were other towns that wanted that money. As you know, we were the last town in this state to get a grant. After Wallingford got its grant, everything else went to a loan program. There is no grant program now, to my knowledge. The Governor instituted a loan program, which means that you pay it back. If we had had major problems in the paper or anywhere else, regarding the process of application, we would not have that grant today. I felt then, and I feel now, that it was encumbent upon the town to apply for and qualify for and get that grant. That \$15 million dollars is of significant impact to the total community. It was necessary to apply.

Mr. Killen added that when the Council passes an Ordinance, under the lines it says that we put the full faith and credit of the Town of Wallingford, and if this is the kind of faith that we have with our people, I wouldn't want to put our credit rating on the line. (APPLAUSE)

Mr. Nunn explained that he did not sign the agreement because, there was reference made to a former PUC member, I would not sign in as much as I was not privy to all of the facts on it and I had not read the background information on it and I said that I did not want to sign a document that could be libelous to a former Town Councilman, a former member of the PUC, and I said that if that language was clarified or removed, I would be prepared to sign that. I did not want to slander someone if that information in there was incorrect. So, I chose to have that removed. In conversation, shortly thereafter between Mr. Hogan of the DEP, Mr. Smith and the Mayor, it was then decided that a more appropriate signer of this grant, on behalf of the town, would be the Mayor.

Mr. Gessert explained that the bottom line is, how you interpret the Town Charter. Mr. Killen says that the Town Attorney is not responsible for hiring outside legal people however, I think a lot of people know, that the Town Attorney has for years. We have had a lot of tax cases that have gone to outside attorneys and their fee is paid out of the legal cost involved in recovering taxes.

Mrs. Bergamini pointed out that the budget is an Ordinance. So, once we pass the budget, we pass the funds in it for the Town Attorney.

Mr. Killen read from the Charter: "He shall have such clerical and 501 other assistants as the Council may determine by Ordinance, and they shall be appointed by him, subject to such rules and regulations as may be adopted pursuant to the provisions of Chapter 16 of this Charter." "He shall have such Attorney assistants that the Council by Ordinance may determine, and appointed by the Mayor."

Mr. Gessert told Mr. Killen that he does not see where this has any bearing and Mr. Killen stated that the Charter is no good unless it is followed.

Mr. Gessert thanked the PUC Members for their input.

Mr. Reginald Knight commented that the PUC took Attorney Church's word on this and said that this is law and we are acting on it. This is only Attorney Church's opinion. Unless there is a Judge hearing both sides, how can a decision be made? Mr. Gessert agreed.

Mr. Killen suggested that they take them to Court and state that what they did was wrong, if they are not satisfied.

Mr. Gessert added that an Attorney's opinion is good only until a Judge tells him that he is wrong, and Mrs. Bergamini added that when you hire an Attorney, it is your right to follow it or not when he makes an opinion.

Mr. Braithwaite stated that the PUC should not have waited so long to spring this on the residents when they have known about this for years, and it should be the Council's decision.

Mr. Gessert commented that he thinks that from a public relations standpoint, this was probably one of the worst moves he has seen out of the PUC in many years. The PUC was handling it, they sent out the bills and I think the PUC had an obligation to talk to you people and let you know, what the situation was, let you know what the problem was, let you know what the options were and let you know what direction they felt that they had to take. Mr. Gouveia agreed with Mr. Gessert.

Mr. Galbraith commented that the PUC granted a discount to someone who did not have a meter, yet their rates say, approx. \$122.00, if you have no meter for service. They said, they will cut that down to \$50.00 and that is probably a violation of the sewer Ordinance upon which this grant is based. No one is paying any attention to the rules and regulations and the ordinances passed, that were to get this grant.

Mr. Knight added that if it wasn't for the \$15 million dollar grant, the pressure would not have been put on these residents.

Mr. Adams stated that the thing that upsets him, is the inconsistent legal advise that they have been getting over and over again, and the contracts in the past have not been to his satisfaction. How we can come about and make a legal agreement with one part of the town, and pass that and cost us tax dollars, where these people have paid all of their taxes, etc. and they are the ones that are not getting, what I consider to be the same legal advise or opportunities. I find this very hard to understand. (APPLAUSE)

Mr. Braithwaite added that part of the sewer agreements states that the Council will adopt a sewer ordinance. It states that it will be voted on by Town Council and this was not done. Again, it goes back to where the PUC is taking power away from the Town Council. The Council had a right to vote on that and adopt that as a town law.

Mr. Holmes pointed out that the Council needs all of the information, before they can make any decision.

Mr. Killen suggested that a Special Meeting be set up with the residents so the Council could hear their side of the problem. Let's attempt to head this problem off.

Mr. Braithwaite added that they have a lot of information that they are sure the Council is not aware of and they would like to have a chance to present it to the Council.

Mr. Gessert thanked the people from West View Hills and the people from Rights-In-Deed for attending the meeting and their input.

Mr. Gessert set up a special meeting of the Town Council for Thursday, July 9, 1987, for the purpose of hearing the allowing the residents of West View Hills to view their side of the problem. 502

Transfer of \$200 from Telephone, \$94 from Advertising, \$234 from Maintenance of Equipment, \$510 from Maintenance of Equipment for a total of \$1038 to Postage, requested by Donald T. Dunleavy, Purchasing moved by Mrs. Bergamini and seconded by Mr. Rys.

VOTE: Killen voted no
Holmes and Papale were not present for the vote
Adams, Bergamini, Gouveia, Polanski, Rys and Gessert voted yes;
motion duly carried.

A motion to adjourn was duly made, seconded and carried and the meeting adjourned at 10:45 p.m.

Meeting recorded and transcribed by:
Susan M. Baron

Approved David A. Gessert
David A. Gessert, Chairman

Date July 21, 1987

Rosemary A. Gessert
Town Clerk

7-21-87

Department of Education
BUREAU OF GRANTS PROCESSING
SCHOOL FACILITIES UNIT
P.O. BOX 2219, Hartford, CT 06145

APPLICATION FOR PROPOSED
SCHOOL BUILDING PROJECT

ED-040

Rev. ()
Statutory Ref. Section 10-283, C.G.S.

- INSTRUCTIONS:
1. Send one completed original to address at right.
 2. Send information noted below.
 3. For Priority Projects Only: Due no later than June 30th nor prior to May 1st of year to be submitted to Governor and General Assembly.
 4. For Code Projects: May be submitted at any time.

3. FOR STATE USE ONLY

1. TOWN/REGION NAME <u>Wallingford</u>	2. FACILITY NAME AND ADDRESS <u>Lyman Hall High School - Pond Hill Road - Wallingford, CT 06492</u>
-------------------------------------------	--------------------------------------------------------------------------------------------------------

4. PROJECT TYPE (Check appropriate responses):

<input type="checkbox"/> CATASTROPHIC REPLACEMENT	<input type="checkbox"/> ENERGY CONSERVATION EQUIPMENT AND FURNISHING	<input type="checkbox"/> MAJOR ALTERATION	<input checked="" type="checkbox"/> VO-AG
<input type="checkbox"/> CODE VIOLATION	<input type="checkbox"/> EXTENSION	<input type="checkbox"/> NEW SCHOOL PLANT	<input type="checkbox"/> ROOF REPLACEMENT
<input type="checkbox"/> CO-OP SPEC. ED		<input type="checkbox"/> PLANT PURCHASE	<input type="checkbox"/> SITE ACQUISITION
			<input type="checkbox"/> SITE IMPROVEMENT

5. DOES THIS PROJECT INCLUDE ANY OF THE FOLLOWING? (Check appropriate responses):

<input type="checkbox"/> ADMINISTRATION FACILITY	<input type="checkbox"/> GYM SEATING	<input type="checkbox"/> OUTDOOR ATHLETIC FACILITIES
<input type="checkbox"/> AUDITORIUM SEATING AREA	<input type="checkbox"/> NATATORIUM	<input type="checkbox"/> TENNIS COURTS

Project description: See attached Equipment List

5. FOR ROOF REPLACEMENT PROJECT

Project is for a roof replacement answer the following questions:

a) Is this project for the total replacement of a roof at least 25 years old? Yes N/A No _____
If "YES," submit evidence of the age of the roof with this application.

b) Is this project for the total or partial replacement for a roof less than 25 years old? Yes N/A No _____

If you have answered yes to the above your eligibility for a grant application shall be conditioned upon the factors enumerated in section 10-286(a)(7). For the purposes of determining whether a town is prohibited from recovery of damages or has no other recourse at law or in equity, the following shall constitute satisfactory evidence of this requirement:

1. Where suit or arbitration has been brought by a town or district for recovery of damages due to a faulty roof, and a final judgment has been rendered against said town or district, whether or not on the merits; and
2. Where the town or board attorney certifies to the department that all applicable statutes of limitations have expired, and, in the best judgment of said counsel, it would be futile to institute litigation and/or arbitration.

APPLICATION FOR PROPOSED SCHOOL BUILDING PROJECT

ED-040

Rev.

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Department of Education
BUREAU OF GRANTS PROCESSING
SCHOOL FACILITIES UNIT 504
P.O. BOX 2219, Hartford, CT 06145

3. FOR STATE USE ONLY

1. TOWN/REGION NAME: Wallingford 2. FACILITY NAME AND ADDRESS: Lyman Hall High School - Pond Hill Road - Wallingford, CT 06492

4. PROJECT TYPE (Check appropriate responses):

<input type="checkbox"/> CATASTROPHIC REPLACEMENT	<input type="checkbox"/> ENERGY CONSERVATION	<input type="checkbox"/> MAJOR ALTERATION	<input checked="" type="checkbox"/> VO-AG
<input type="checkbox"/> CODE VIOLATION	<input type="checkbox"/> EQUIPMENT AND FURNISHING	<input type="checkbox"/> NEW SCHOOL PLANT	<input type="checkbox"/> ROOF REPLACEMENT
<input type="checkbox"/> CO-OP SPEC. ED	<input type="checkbox"/> EXTENSION	<input type="checkbox"/> PLANT PURCHASE	<input type="checkbox"/> SITE ACQUISITION
			<input type="checkbox"/> SITE IMPROVEMENT

DOES THIS PROJECT INCLUDE ANY OF THE FOLLOWING? (Check appropriate responses):

<input type="checkbox"/> ADMINISTRATION FACILITY	<input type="checkbox"/> GYM SEATING	<input type="checkbox"/> OUTDOOR ATHLETIC FACILITIES
<input type="checkbox"/> AUDITORIUM SEATING AREA	<input type="checkbox"/> NATATORIUM	<input type="checkbox"/> TENNIS COURTS

Project description: Not Applicable

5. FOR ROOF REPLACEMENT PROJECT

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If "YES," submit evidence of the age of the roof with this application.
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1. Where suit or arbitration has been brought by a town or district for recovery of damages due to a faulty roof, and a final judgment has been rendered against said town or district, whether or not on the merits; and
 2. Where the town or board attorney certifies to the department that all applicable statutes of limitations have expired, and, in the best judgment of said counsel, it would be futile to institute litigation and/or arbitration.
- (c) Statement from registered architect or registered engineer.
1. If suit has been brought against the architect, engineer, contractor or any other party on account of improper design and/or construction, a final judgment of a court of competent jurisdiction on said issue shall be binding on the department as to improper design or construction.
 2. Under all other conditions a statement from a registered architect or registered engineer that the roof was improperly designed or improperly constructed must be submitted with this application.
- (d) If there was any fiscal recovery, or damages, a statement certifying to the amount of the recovery must be submitted with this application. Please submit all supportive documents and materials with this application.

7a. ESTIMATED DATE TO BEGIN CONSTRUCTION: (Month) 3 / (Year) 90

b. ESTIMATED DATE TO COMPLETE CONSTRUCTION: (Month) 6 / (Year) 90

8. GROSS FLOOR AREA (If any additions are being made to an existing area this figure should total the combination of both)

(a) Existing floor area 170,000 square feet. (b) Additional floor area 4,051 square feet. (c) Total floor area 174,051 square feet.

9. TOTAL ESTIMATED PROJECT COSTS INCLUDED IN THIS APPLICATION:

a. Eligible costs: \$ <u>855,000</u>	d. Limited eligible costs: \$ <u>N/A</u>
b. Site acquisition: \$ <u>N/A</u>	e. Ineligible project costs: \$ <u>N/A</u>
c. Plant Purchase: \$ <u>N/A</u>	f. Total estimated costs: \$ <u>855,000</u>
	(a + b + c + d + e):

10. ESTIMATED LOCAL FUNDING:

a. General Fund: \$ 0 b. Permanent Financing: \$ 0 c. Other \$ 855,000

d. Total Amount (a + b + c): \$ 855,000 (This figure must be equal to the total estimated cost in 9(f) above.)

11. ABANDONMENT, SALE, LEASE, DEMOLITION, OR REDIRECTION OF A FACILITY:

Is this project for a new building, purchase of facility, or lease of facility? Yes _____ No X If "Yes," answer (b).
For the five year period prior to the submission of your proposal for a school building project (ED-040) was there any abandonment, sale, lease, demolition or redirection of use of any school facility constructed or renovated with state assistance? Yes _____ No X

12. GRADE LEVELS SERVED BY FACILITY: Lowest Grade 9 Highest Grade 12
for any reason the range indicated is not continuous please explain: _____

13. ENROLLMENT: (This facility only)

A. PRIOR ACTUAL FIVE-YEAR ENROLLMENT AS OF OCT. 1 OF EACH SCHOOL YEAR PRIOR TO SUBMISSION OF FORM ED-040 FOR THE FACILITY	DATES		GRADES													TOTAL	
	Pre K	K	1	2	3	4	5	6	7	8	9	10	11	12	SP. ED.		
Oct. 1, 1982												257	274	233	244	10	1023
Oct. 1, 1983												254	239	258	237	14	1002
Oct. 1, 1984												254	248	220	240	10	972
Oct. 1, 1985												311	243	244	202	11	1011
Oct. 1, 1986												251	290	243	219	12	1015
Oct. 1, 1987												241	247	274	235	10	1007

B. PROJECTED EIGHT-YEAR ENROLLMENT AS OF OCTOBER 1 OF EACH SCHOOL YEAR AFTER SUBMISSION OF FORM ED-049 FOR THE FACILITY

Oct. 1, 1988										224	236	240	244	10	954
Oct. 1, 1989										229	219	229	213	10	900
Oct. 1, 1990										223	224	213	204	10	874
Oct. 1, 1991										219	218	219	189	10	855
Oct. 1, 1992										232	213	212	194	10	861
Oct. 1, 1993										248	227	208	188	10	881
Oct. 1, 1994										250	239	222	185	10	906

505

14. MATERIALS TO BE SENT WITH THIS FORM

- a) One copy of the Educational Specifications approved by the local board of education.
- b) One copy of the resolution adopted by the Town's legislative body that:
 - 1. Established a building committee.
 - 2. Authorized the preparation of schematic drawings and outline specifications for the school building grant.
 - 3. Authorized the local board of education to file an application for a school building project.
- c) One copy of ED-053 - Site Analysis Form, for projects that include a Site Acquisition.

15. CERTIFICATION:

We hereby certify that:

- a) The enrollment data on this form are true and correct to the best of our knowledge and belief.
- b) In awarding contracts the building committee and/or local board of education will act consistently with the requirements of section 10-297(b) of the Connecticut General Statutes and any pertaining regulations.
- c) All school buildings in the district are insured against loss in an amount not less than eighty percent of replacement cost.

NAME OF SCHOOL BUILDING COMMITTEE CHAIRPERSON	SIGNATURE	PHONE	DATE
NAME OF SUPERINTENDENT OF SCHOOLS	SIGNATURE	PHONE	DATE
PERSON TO CONTACT REGARDING ANY QUESTIONS CONCERNING THIS FORM:			
NAME: Dale A. Wilson, Principal, Lyman Hall High School TELEPHONE: 265-2831 Ext. 257			

17. FOR STATE DEPARTMENT USE ONLY

(a) Comments _____

(b) Reviewed by: _____
Signature _____ Date _____

(c) Data Entered _____
Date _____ By _____ Initials _____

LYMAN HALL HIGH SCHOOL

POND HILL ROAD
 WALLINGFORD, CONNECTICUT 06492
 TELEPHONE (203) 265-2831

OFFICE OF THE PRINCIPAL

June 11, 1987

Ms. Nancy Harris
 Chief of Bureau of Grants & Processing
 State Department of Education
 Hartford, CT

Dear Ms. Harris:

I am requesting at this time a waiver of the space specifications for the proposed Lyman Hall High School Vocational Agriculture Expansion Project.

Vocational agriculture program facilities serve special and unique needs which by their very nature have space requirements that exceed average program needs. The areas which tend to do this are:

- a.) An agriculture mechanics shop which has a variety of skill development areas such as: welding, plumbing, woodworking, electrical, painting, metal, large and small equipment repair, maintenance and operations.
- b.) A greenhouse facility with at least two environmental control chambers and the duplication of what the horticulture industry is using.
- c.) An animal science laboratory area to accommodate the housing of both large and small animals with space for students to work in a safe manner with these animals while class demonstrations are being carried out.

- 500
- d.) Equipment requirements for a vocational agriculture program will be used seasonally as well as on a day-to-day basis and space is required to store this equipment for protection from weather and for safety and security reasons.
- e.) Section 10-65 of Connecticut General Statutes provides that Vocational Agriculture Centers have educational programs for out-of-school youth and adults. Space requirements for these programs add to the overall facility needs for vocational agriculture.

Sincerely,

Dale A. Wilson
Principal

DAW:am

EDUCATIONAL SPECIFICATIONS
LYMAN HALL HIGH SCHOOL
VOCATIONAL AGRICULTURAL EXPANSION PROJECT

1. Project Rationale:

The proposed project is an expansion of the Vocational Agriculture building facility housed at Lyman Hall High School, Wallingford, CT. The expansion includes:

- A. Increased Plant Science area (20' x 27' 8"). This is needed to train students in Floral Design, Floral Shop Management and Nursery Management.
- B. Animal Science Room (23' x 25'), Animal Science Laboratory (23' x 25'), and Small Animal growing rooms (22' x 25') will allow us to do what the community used to provide in the way of resources in the animal production area.
- C. Agricultural Mechanics area (24' x 42'). This area would house tractors, agricultural equipment, plumbing supplies, welding supplies, Vo-Ag bus, lawn mowers, spreaders, plows, etc.
- D. Pesticide Storage area - small vented area to adequately store pesticides housed in the Vo-Ag center.
- E. Office Conference Area (22' x 35')
This would allow us more space for teacher's offices and computers recently purchased.
- F. Equipment (\$155,000)
This would give us the opportunity to replace worn out equipment and provide for new equipment needed for the expanded areas (Small Animal area, Plant Science).

In addition to the above-proposed changes we have an opportunity to meet regulations that will be mandated by the State of Connecticut in the near future. These include correcting building code violations, improvement of lighting fixtures, re-roofing entire Vo-Ag facility, insulation of facility and making the facility, (including the greenhouse) accessible to the handicapped.

When the Vo-Ag plant was originally built in 1961, it was designed to accommodate approximately 80 students with an emphasis on New Haven county as the community resource classroom. Currently we have over 140 students in the Vo-Ag program and decreasing community resources have determined that we use the Vo-Ag center at Lyman Hall as the primary learning site. Because of this, we find it necessary to expand our present facility and purchase equipment since we used not only the community resources but the equipment supplied by local farms and businesses.

In order to maintain the effectiveness of one of our most successful programs, we are proposing the changes listed above to accommodate the shift in learning sites and to reflect the significant changes in the contemporary Vo-Ag curriculum.

2. Long Range Plan:

507

Long Range Educational Objectives include:

- A. To Provide Levels of Instruction. All students are grouped on the basis of previous achievements, individual abilities and interests, with parent, teacher and counselor recommendations.
- B. To Develop Proficiency in Basic Skills. Special assistance is provided to those students identified as having deficiencies in reading, writing and computation skills.
- C. To Require a Core Curriculum. All students must pass core courses in English, mathematics, science, social studies, physical education and health.
- D. To Promote Responsible Citizenship. All students are encouraged to develop good citizenship through involvement in school and community activities.
- E. To Prepare for Education Beyond High School. Capable students are offered a rigorous program to prepare them for further education.
- F. To Provide Vocational Training. Students are provided the opportunity to acquire the skills needed in today's job market. Community organizations, advisory boards, business and industry are used as resources by the staff.
- G. To Promote Self-Awareness and Creativity. Students are constantly challenged to develop their full potential and encouraged to set life goals and priorities.
- H. To Provide Career Information. Students are informed of career opportunities through academic as well as vocational courses and a variety of Guidance Department programs and resources.
- I. To Improve Study Skills. Students will be encouraged to develop good study skills through a variety of skill building activities.

The organizational pattern for the Wallingford system is as follows:

1. K - 5 - Elementary School
2. 6 - 8 - Middle School
3. 9 - 12 - High School

The Lyman Hall Vo-Ag program is the only program currently operating on a twelve month basis. Teachers are on a twelve month contract, and student activities and projects continue on a twelve month basis.

3. The Project:

Although the proposed Vo-Ag expansion project reflects all the Long Range Objectives (listed under #2 - Long Range Plan), it is geared to specifically the following three objectives:

To Promote Responsible Citizenship. All students are encouraged to develop good citizenship through involvement in school and community activities.

To Provide Vocational Training. Students are provided the opportunity to acquire the skills needed in today's job market. Community organizations, advisory boards, business and industry are used as resources by the staff.

To Provide Career Information. Students are informed of career opportunities through academic as well as vocational courses and a variety of Guidance Department programs and resources.

4. Capacity Data:

The entire operating capacity for the specific proposed project is 4,051 square feet. No further expansion is anticipated.

5. Learning Activities:

Vocational-Agriculture Program is housed in this proposed expansion project. The five basic instructional areas are:

- A) Exploratory Agriculture
- B) Agriculture Mechanics
- C) Animal Science
- D) Plant Science
- E) Natural Resources

The instructional group sizes number between 12 - 15 students. There are five basic instructional groups, five teaching stations, a significant number of individual learning stations which accommodate specialized instruction and extra-curricular activities.

6. Support Facilities:

Non/applicable per Consultant Agriculture Education.

7. Community Uses:

During the course of the year, the following groups use the facility for non-pupil activities:

- A. 4H and Extension Group
- B. Adult Education and Counseling
- C. Regional Center Advisory Board
- D. Vocational Agriculture Teaching Staff
- E. Committees of State Vo-Ag Teaching Staff

8. Systems:

The specialized systems required are as follows:

- A. Fire Alarm System
- B. Alarm Security System
- C. Clock and Bell System
- D. Phone and Intercom System
- E. Modern Phone Line

9. Environment:

The requirements needed for environmental control are as follows:

- A. Lighting (classroom and corridor lighting)
- B. Roof Insulation with re-roofing
- C. Air Conditioning - Conference Office Area
- D. Heating Control System
(Shop Heating System)
- E. Other possible environmental requirements as recommended by plan review (see attached letter).

10. Equipment:

The specialized equipment and furniture needed to carry out the function of each area is as follows:

- 1. Chain Grinder for Chisel Chain and Accessories (1)
- 2. Incubator with Automatic Turning (1)
- 3. Power Sprayer on Wheels (1)
- 4. Stereomicroscope (2)
- 5. Data Mac Field Collector (5)
- 6. Radio Data Tracking Equipment (2)
- 7. Telescopes (2)
- 8. Tripods (2)
- 9. Binoculars & Cases (10)
- 10. Aquatic Test Kits (5)
- 11. Cameras and Accessories (5)
- 12. Relaskop (6)
- 13. Increment Borers (5)
- 14. Aluminum Calipers (2)
- 15. Staff Compasses (5)
- 16. Chain Saws (10)
- 17. Microcomputer Software
 - A. Tree Tally
 - B. Cruise Plus
 - C. Land Records
 - D. Tele
 - E. Superwoodyard
 - F. Wooddap

- 18. Beam Scales (3)
- 19. Brush Cutters (3)
- 20. Polar Planimeter (2)
- 21. Metal Detector (1)
- 22. Johnson Head Tripod (3)
- 23. Drawing Boards (3)
- 24. Tracing Tables (2)
- 25. Drill Press
- 26. Bench Grinders (3)
- 27. Belt Sanders (2)
- 28. Electric Hand Saw
- 29. 1/2 Electric Drill
- 30. 3/8" Electric Drill
- 31. 1/4" Electric Drill
- 32. Air Compressor 7-1/2 HP.
- 33. Tractor
- 34. Brush Chipper
- 35. Folding Chairs (100)
- 36. GEWA Proportioner 4 Gal.
- 37. Solo Jet Pack Sprayer
- 38. Bench Leveling Inserts
- 39. Portable Sandblaster & Accessories
- 40. Centrifuge
- 41. Autoclave
- 42. Walk In Freezer
- 43. Stainless Steel Meats Table
- 44. Portable X-Ray Machine
- 45. Meat Scale
- 46. Digital Animal Weight Floor Scale
- 47. Hot-Cold Large Sink with Drainboard & Faucet
- 48. Inwall Animal Grooming Shower Stall
- 49. 16MM Projector
- 50. Slide Projector
- 51. Tape Recorder
- 52. Computers (3 IBM Compatible)
- 53. Printers (5)
- 54. Rototiller
- 55. Posthole Digger
- 56. VCR-Monitor Table
- 57. IBM Typewriter
- 58. Calculators (4)
- 59. VCR Cart
- 60. Video Camera & Accessories
- 61. VCR Monitor
- 62. VCR Deck
- 63. Surveying Transit Sets (3)
- 64. Cash Register
- 65. 5 Steel Desks and Desk Chairs
- 66. Chalkboard
- 67. Shelving, Conference Table, Chairs
- 68. Cabinets (5J), Plants, Science

11. Size Development:

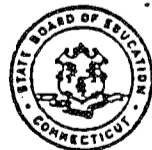
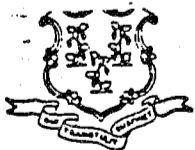
Non-applicable per Consultant Agriculture Education.

12. Priority Category - Category #2:

This proposed Expansion Project is designed to alter the existing facility in order to enhance the instructional program.

STATE OF CONNECTICUT

DEPARTMENT OF EDUCATION



February 3, 1987

Mr. Frank J. Soldan
Superintendent of Schools
Wallingford Board of Education
18 Kondracki Lane
Wallingford, CT 06492

Dear Mr. Soldan:

Subject: Building Inspection at Lyman Hall High School, Vo-Ag Facility

This facility was inspected for apparent violations of the Connecticut State Fire Safety Code, Health Code, Basic Building Code, OSHA, and Federal and State Physically Handicapped Requirements. 510

The attached report is for informational purposes only. Numbering of items is for location purposes only and does not indicate quantity of violations. Other building related information may be included.

It must be noted that if no project is carried out at this facility, it is the responsibility of the local board of education to correct the apparent violations of applicable codes as noted in the attached report.

If there are any questions please do not hesitate to call this office at 566-2678.

Sincerely yours,

A. Mastronunzio

Americo W. Mastronunzio
Plan Reviewer/Code Compliance
School Facilities Unit
Bureau of Grants Processing
Division of Management and Budget

AWM:cg

Attachment

cc: Principal Vernon Cleaves
Roger Lawrence, Department of Education, Vo-Ag Div.

January 22, 1987
Building Inspection
Lyman Hall High School
VO-AG Facility
Wallingford, CT

Page 1 of 2

1. This school is not accessible to or usable by the physically handicapped, however, it will be made so at the proposed addition.
2. Office has wood wall paneling which requires an intumescent finish and it has a drop ceiling of non-combustible material.
3. The walls to the adjacent Work Room do not extend to the bottom of the roof deck. There are voids between the flutes of the roof deck, which voids must be closed off and made smoke tight with fire resistive material.
4. This Work Room has a residential hollow core door which is not "C" Label rated and has no closer. This door must be replaced with a proper rated door.
5. There is a spirit duplicator next to a Thermofax copying machine in the same area, one must be removed as the spirit duplicator has highly volatile fumes.
6. Note - A person must go through this little room to enter the Staff Toilet, this toilet is used for storage as well. Storage must be removed from this Toilet Area.
7. The corridor ceilings are of cane fiber and must be one-hour rated ceilings or finished with intumescent Class "A" paint, and each tile mechanically fastened to the surface above.
8. Room 2J, which is the AG Mechanical Shop, has doors to the corridor which are held opened and these must always be in a closed position as this area is highly hazardous.
9. The classroom door from the shop is open. This door must have a closer on it and always be kept closed.
10. There is a Mezzanine in the AG Mechanical Shop which is composed of exposed wood construction which must be protected with non-combustible material.

11. Typical classroom has project-in vents which cannot serve as emergency egress windows, however one can travel through the shop to the outside. (seek modification)
12. At the Plant Science Head House there is combustible construction and a flammable storage cabinet used for insecticides. (Check to see how this must be vented). The flammable construction must be removed from this area.
13. Proceeding into the Greenhouses, the exit paths from these Greenhouses must always be cleared for emergency purposes. (Recent snow storms)
14. In Shop Room 2J, the fire extinguishers are not accessible, there is furniture, etc. in front of the fire extinguisher.
15. There are exposed fluorescent tubes in this shop which must be protected with a lens or grid.
16. There is gasoline in one small chain saw which is prohibited.
17. This area has woodworking and metal tools and a Welding Area. It requires a dust collection system for the Wood Shop Area.
18. The grinding wheels have more than a 1/8" space between wheel and tool rest on several wheels and one has no tool rest as required.
19. The fire alarm pull station is far from the exit and is difficult to get to because of the machinery in front of it.
20. There is a drop light here with a switch and a plug, which are prohibited on this device for use in I. A. Shops.
21. Question the separation of the VO-AG Section from Lyman Hall High School. Should there be a pair of doors separating these areas?

The proposed plan for expansion was reviewed with Director Vernon Cleaves, Roger Lawrence and myself, and there were a few areas pointed out as code problems.

This school is in dire need of storage space, especially in the Shop Area.

Special Town Council Meeting

June 16, 1987

Tuesday

7:30 p.m.

A Special Town Council Meeting will be held on Tuesday, June 16, 1987 at 7:30 p.m. for the purpose of a discussion and action on Lyman Hall High School Vocational Education Expansion. This meeting will be held in Town Council Chambers.

8:30 p.m. Discussion with Public Utilities Commission requested by Albert Killen.

Distribution:

Board of Education
Town Council Members
Mayor William W. Dickinson, Jr.
Comptroller, Thomas A. Myers
Town Clerk, Rosemary A. Rascati
Town Attorney's Office
Meriden Record-Journal
New Haven Register
Wallingford Post

ADDENDUM

Consider and approve transfers within the Purchasing Department for postage.