



## Legislation Details (With Text)

**File #:** 23-1951      **Version:** 2      **Name:**

**Type:** Resolution      **Status:** Passed

**File created:** 9/11/2023      **In control:** Town Council

**On agenda:** 9/13/2023      **Final action:**

**Title:** MOTION to waive the reading in its entirety the "Resolution Amending The Resolution Entitled "Resolution Appropriating \$6,725,000 For Various School Improvement Projects; And Authorizing The Issue Of Bonds And Notes In The Same Amount To Finance Said Appropriation" To Increase The Appropriation And Borrowing Authorization To \$8,550,000".

**Attachments:** 1. Resolution Amending Resolution - Juliet W Long HVAC-2023-09-11.pdf, 2. Resolutions Calling Town Meeting-2023-09-11.pdf, 3. HVAC School Proejcts-JWL & GHS-Saums email-2023-08-02.pdf, 4. Juliet Long HVAC Grant information-2023-07-31.pdf, 5. Juliet Long\_Estimate\_KEHES\_2022-11-29.pdf, 6. Resolution School Roofs & Projects \$6725,000 & calling town meeting.pdf

Date	Ver.	Action By	Action	Result
9/13/2023	1	Town Council	Approved and so declared	Pass
9/13/2023	2	Finance Committee	Recommended for Approval	Pass
8/23/2023	1	Town Council	Approved and so declared	Pass
8/16/2023	1	Finance Committee	Recommended for Approval	

### FINANCIAL BUSINESS REQUST (FBR) - RESOLUTION

#### Motion/Request:

MOTION to waive the reading in its entirety the *“Resolution Amending The Resolution Entitled “Resolution Appropriating \$6,725,000 For Various School Improvement Projects; And Authorizing The Issue Of Bonds And Notes In The Same Amount To Finance Said Appropriation” To Increase The Appropriation And Borrowing Authorization To \$8,550,000”*.

#### Background:

At the February 22, 2022 Referendum the townspeople approved Bond Authorization Resolutions in the amount of \$6,725,000 for Various School improvement projects, that included the following: the replacement of the roofs at the Central Office, Gales Ferry School, and Juliet W. Long School; the installation of solar equipment at Gales Ferry School and Juliet W. Long School; upgrades to the Building Management Systems (BMS) at Gales Ferry School; and electrical and HVAC upgrades at Juliet W. Long School, which was designed as a split system.

To meet the State’s requirements to receive Grant Funding for the Juliet W. Long School HVAC upgrades the system had to be redesigned as a full air conditioning system with outdoor CO2 monitoring, outdoor intake, and a Building Maintenance System (BMS) which was the same systems that were installed at the Gallup Hill School and Middle School.

Because the new HVAC design for the Juliet W. Long School would cost \$1,825,000 more than the amount of funding that was included in the in original Bond Resolutions that were previously approved in 2022; the Bond Authorization

Resolutions would need to be updated to include the additional (supplemental appropriation) in the amount of \$1,825,000 bringing the total funding authorization up-to \$8,550,000.

This motion is only to waive the reading of the entire *“Resolution Amending The Resolution Entitled “Resolution Appropriating \$6,725,000 For Various School Improvement Projects; And Authorizing The Issue Of Bonds And Notes In The Same Amount To Finance Said Appropriation” To Increase The Appropriation And Borrowing Authorization To \$8,550,000.*

**Department Comment/Recommendation:**

(type text here)

**Finance Director Comment/Recommendation:**

\$6,725,000 for various school improvement projects was authorized by the voters on February 22, 2022. The Council has the authority to determine scope and particulars of the project. Authorization to spend beyond the approved amount of \$6,725,000 would need to go back to the voters for approval.

Regarding the second motion, I would suggest attaching a dollar value to it.

**Mayor Comment/Recommendation:**

(type text here)

**Meeting Action Detail:**

**Finance Committee Meeting 08/16/2023:**

File #: [23-1951](#) Version: 1

Type: Financial Business Request (FBR)

**Title:** MOTION to recommend the Town Council authorize the Ledyard Board of Education to apply to the Commissioner of Administrative Services and to accept or reject a grant for the Juliet W. Long School HVAC project.

In addition, authorize the preparation of at least the schematic drawings and outline specifications for the Juliet W. Long School HVAC project.

Also, assign the Juliet W. Long School HVAC project to the Permanent Municipal Building Committee.

Moved: Ingalls                      Seconded: Ryan

Action: Recommend to Approve

**Minute Note:**

Moved by Councilor Ingalls, seconded by Councilor Ryan

Discussion: Board of Education Director of Facilities and Ground Wayne Donaldson provided some background, explaining at the time of their original Grant request in the amount of \$6,725,000 for the Various School Improvement Projects was submitted, the State was not funding any Heating Ventilation/Air Condition (HVAC) projects. He stated they recently learned that the State has decided to reopen the bids for Grants to include HVAC Systems sometime later this month. He stated they anticipate the Application Period would be open for 30-60 days, but to begin the Grant Application process the State required the Town Council to act on the three resolutions noted in the Motion as presented this evening.

Mr. Donaldson went on to note Ledyard's original Grant Application in the amount of \$6,725,000; approved by the townspeople at a Referendum of February 22, 2022; included the following: replacement of the roofs at the Central Office, Gales Ferry School, and Juliet W. Long School; the installation of solar equipment at Gales Ferry School and Juliet W. Long School; upgrades to the Building Management Systems (BMS) at Gales Ferry School; and the electrical, and *HVAC upgrades at the Juliet W. Long School.*

Mr. Donaldson continued by stating to comply with the State's Grant that they had to redesign *HVAC upgrades at Juliet W. Long School* which added multiple split AC systems to include ventilation, CO2 Controls, etc. to the classrooms. He stated the cost has now come in at \$2.2 million, which was higher than the original proposal that was included in their 2022 Grant Application. Therefore, he stated the Town's Matching Funds would need to be increased from the previously budgeted \$400,000 to \$845,000. He went on to explain that the State also passed Legislation that would allow Federal and Other Grant Funding to qualify as the town's matching funds.

Mr. Donaldson explained the Board of Education applied for the Heating Ventilation/Air Condition (HVAC) Grant for the Juliet W. Long School last year, noting that the open Grant Application period had a limited timeframe to prepare and submit the Grant Application, noting that the Applications were due December, 2022. He stated the Board of Education received notification from the State late on a Friday afternoon that the Ledyard's HVAC Grant Application for the Juliet W. Long School was approved. However, he explained the State questioned whether the Town had approved the \$845,000 local matching funds to support the project. He stated, as he previously noted, the Town only approved \$400,000 for HVAC as part of the original project ( \$6,725,000 for the Various School Improvement Projects). Therefore, they could not accept the Grant because they because they could not be able to obtain the town's approval for the additional \$445,000 to support the local town's match in two-hours. He stated d because the State recognized the timing to obtain the town's approval, that they recommended the Board of Education reapply for the HVAC Grant for the Juliet W. Long School. He stated tonight's request was to begin the Grant Application process, noting that to apply for the Grant that they would have to have the additional \$445,000 (total \$845,000) in-place.

Councilor Ryan noted the additional \$445,000 to support the redesigned HVAC System for the Juliet W. Long School would double the amount that was already approved by the townspeople at the February 22, 2022 Referendum. Mr. Donaldson stated the total cost of the HVAC project/installation at the Juliet W. Long School was \$2.2 million. Councilor Ryan noted the State Grant was providing \$1.38 million toward the project and he questioned the funding source for the town's additional \$445,000 local match.

Councilor Ryan went on to state that he did not have an issue with the Motion being considered this evening which was to authorize the work associated to support the Grant Application, noting it the Motion was not providing authorization to spend the additional \$445,000. However, he stated they did not want to again be in a position where the State was willing to approve the Grant Funding; and the town not having the local matching

funds in-place. He questioned the timeline to submit the HVAC Grant Application in this is most recent round. Mr. Donaldson stated the Grant Application would be opened sometime in August and would most likely be open for 30-60 days.

Councilor Ryan noted the original \$6,725,000 for the Various School Improvement Projects were approved thru Bond Authorization Resolutions. Therefore, he questioned the process to increase the dollar amount by \$445,000. Finance Director Matthew Bonin explained that Bond Resolution authorize the Town Council to change the scope of the project within the \$6,725,000 that was approved by the townspeople. He stated if more funding was needed the town would have to go back through the town's approval process to increase the original appropriation, regardless of funding source. He explained that the Bond Authorization needed to be for full amount of the Projects. Councilor Ryan requested clarification, noting that if they could not contain the cost of the Projects to original \$6,725,000 as approved by the Townspeople on February 22, 2022 that they would have to hold another Referendum. Mr. Bonin stated that was correct.

Superintendent of Schools Jason Hartling stated the Town Council had the ability to modify the dollar amount of the Project and to allocate funds, as long as they were within a certain percentage. He also stated the Town Council had the ability to allocate American Rescue Plan Act (ARPA) Funding, which would a funding source that would not have to go to a Referendum.

Mayor Allyn, III, addressed the funding noting that Chapter VII, Section 9 of the Town Charter stated:

*“Any resolution making a non-budgeted appropriation of less than one (1) percent of the current tax levy shall become effective after approval by the Town Council, provided that the Director of Finance certifies that there are available unappropriated general fund resources in excess of the proposed appropriation.*

*Such appropriations shall not exceed accumulatively two (2) percent of the current tax levy in the current fiscal year.*

*Any appropriation in excess of the limitations in Section 9 above shall become effective only after it has been approved by resolution of the Town Council and adopted at a Town meeting by a majority vote of the qualified voters present and voting.*

*Any resolution making a non-budgeted appropriation of more than one (1) percent of the current tax levy, but less than five (5) percent for any purpose, any resolution authorizing the issuance of bonds or notes or other borrowing of less than five (5) percent of the current tax levy, except notes in anticipation of taxes to be paid within the fiscal year in which issued, and any sale or purchase of real estate or interest therein shall become effective only after it has been approved by the Town Council and adopted at a Town meeting by a majority vote of the qualified voters present and voting at such meeting.*

Councilor Ryan addressed the language of the Motion, and he questioned the following:

- The reason the town would reject a Grant; and.
- The purpose of tonight's Motion, noting that it did not include the additional funding to support the Juliet W. Long HVAC Project.

Board of Education Director of Facilities and Grounds Wayne Donaldson stated the wording of the Motion was provided and required by the State. He explained as part of the Grant Application the Board of Education had to include the Meeting Minutes in Town Council authorized the funding. Councilor Ryan stated that this three-

part Motion (resolutions) was not authorizing the additional funding needed to support the HVAC Project at the Juliet W. Long School. Mr. Donaldson stated that he had a copy of the Town Council's January 12, 2022 Minutes in which they approved the Bond Resolution authorization the funding in the amount of \$6,725,000 for the Various School Improvement Projects, which included \$400,000 for the Juliet W. Long HVAC System. However, he stated the Town Council needed to now approve funding for the balance to facilitate the HVAC System per the updated design (\$2.2 million).

Councilor Ingalls noted that the Town Council could:

- Authorize the Ledyard Board of Education to apply to the Commissioner of Administrative Services and to accept or reject a grant for the Juliet W. Long School HVAC project.
- Authorize the preparation of at least the schematic drawings and outline specifications for the Juliet W. Long School HVAC project.
- Assign the Juliet W. Long School HVAC project to the Permanent Municipal Building Committee.

Councilor Ryan stated if the Town Council approved the three-part Motion (resolutions) as presented this evening that the Board of Education could not apply for the HVAC Grant until the Town Council authorized the additional funding to support the project at the Juliet W. Long School, noting that he would think that the Grant Funding was needed to prepare the schematic drawings. Therefore, he did not understand the reason they were being asked to act on these motions at this time, without knowing/identifying the funding source. Mr. Donaldson stated all the required authorizations did not have to be approved at the same Town Council meeting. He stated this three-part Motion (resolutions) could wait until the Town Council was ready to approve the funding for the Project. However, he explained by approving the Motion as presented this evening that it would allow him to begin to prepare and upload the documentation into the system for the Grant Application. He stated he had to submit the Grant Application three times one for each of the Resolutions.

Superintendent of Schools Mr. Hartling explained that the critical juncture was the funding related to executing a HVAC Project that they have been discussing for several year. He noted that the State required very specific language that has held them up in their Grant Applications in the past.

Mr. Hartling stated he and Mr. Donaldson met with Councilor Saums to discuss this HVAC Grant opportunity. Councilor Ryan stated that he saw Councilor Saums August 2, 2023 email regarding the three-part Motion (resolutions). However, he stated in reading the email that he did not know if Councilor Saums appreciated that the Motion would be presented to the Finance Committee without the additional funding source in-place; unless the Board of Education's plan was to complete the Juliet W. Long HVAC Project within the original \$6,725,000 funding authorization. However, he stated based on tonight's discussion, he did not think that was the Board of Education's plan. Mr. Hartling stated the funding and management of the Board of Education's Capital Projects was all done on the town-side of the government and thru the Permanent Municipal Building Committee (PMBC). He stated the Board of Education does not have the funding to allocate to the Project, nor did they allocate the original \$6,725,000 funding, noting that they were town-based projects. He stated this process can become confusing because as Superintendent of Schools as the Board of Education's Representative that he was the only person who could apply for these types of Grants. He stated although he did not want to speak for Councilor Saums's that he thought tonight's conversation would revolve around the ways they could fund this project to allow the town to receive the matching grant and move this project that they have been discussing for three-years.

Councilor Ryan stated he would be happy to have a conversation regarding the funding source to support the HVAC Project at the Juliet W. Long School. However, he stated at this juncture he did not see what this three-part Motion (resolutions) would do for the Board of Education, since Mr. Donaldson could not anything until the funding was identified and authorized. He stated he did not disagree with the Project, but that he wanted to make sure they had everything in order so when they do submit their Grant Application that they would not be dealing with any *unknowns* or *gaps* in their Application that would cause the Town not to be successful in receiving the Grant.

Councilor Ingalls asked Mr. Donaldson to explain how moving this three-part Motion (resolutions) forward to the Town Council, without having the funding approval in-place, would be a benefit to him. Board of Education Director of Facilities and Grounds Wayne Donaldson explained there were a lot of steps to the Grant Application; and he stated by having this three-part Motion (resolutions) approved he could download the Minutes into the State's Grant Application Website, so that everything would be ready to go. He stated the only other documentation he would have to download would be the Town Council Minutes when they approved the funding. He stated by approving the Motion presented this evening, would allow him to get everything else in-place and into the State's Grant Application Website.

Mr. Hartling stated the Application process for these Grants was onerous, noting the amount of time they take due to the significant amount of pieces that have to be processed and put in-place, between the Board of Education approvals, the Town Council approvals/minutes, and the Permanent Municipal Building Committee, etc. He stated Mr. Donaldson was trying to fit all this work in so they do not miss out on a Grant opportunity for the town, while also working to manage the District's School Facilities. Mr. Hartling stated based on the Finance Committee's discussion this evening that he did not see the Town Council approving this Motion without having the funding in-Place. Therefore, he suggested they no act on the Motion this evening.

Councilor Ingalls stated if the Finance Committee moved this request forward to the Town Council for action at their August 23, 2023 meeting it would allow Mr. Donaldson to start the Grant Application Process while the town was working to figure out the funding source/approval process. She stated in presenting this three-part Motion (resolutions) to the Town Council that the Finance Committee was saying that they agree the HVAC Project at the Juliet W. Long School was worthy, and that they agree to continue to figure out the funding. In the meantime, approving this three-part Motion (resolutions) would allow the Board of Education to get the ball rolling with the Grant Application.

Councilor Ryan noted that the State required the specific language of the three-part Motion (resolutions) presented this evening. He stated they would be approving the Motion with the understanding that it was constituting the preparation of the Grant Application, and not actually submitting the Application until the funding was authorized by the Town Council.

Councilor Ingalls stated if the Town Council does not approve the funding then the Grant Application would not be submitted.

Councilor Ryan and Councilor Ingalls agreed to approve to forward this three-part Motion (resolutions) to the Town Council for approval with the minutes reflecting that *the wording in the Motion was required by the State; but the understanding was that all the Finance Committee was authorizing at this time was the preparation of the Grant Application, not the actual submittal of the Grant Application, until such time the funding was approved by the Town Council.*

Councilor Ryan asked Mr. Hartling and Mr. Donaldson if they Town Council approved this Motion with the

understanding noted in the Minutes (see above) whether it would be enough to get the Grant Application started. Mr. Hartling and Mr. Donaldson stated “Yes”.

VOTE: 2 - 0 Approved and so declared