



STATE OF CONNECTICUT

BOARD OF TRUSTEES

FOR THE STATE COLLEGES

P. O. Box 2008

NEW BRITAIN, CONNECTICUT 06050

TEL. NEW BRITAIN: 203-229-1607

827-7700

~~TELETYPE UNIT FOR EX 203-366-7833~~

RESOLUTION

concerning

CANCELLATION OF ALLEGED INDEBTEDNESS

of

TOWN OF DANBURY FOR PRACTICE SCHOOL OPERATIONS

March 9, 1979

WHEREAS, By Resolution #79-2, dated January 12, 1979, the Board of Trustees for State Colleges authorized the Executive Director to seek the Governor's authorization to cancel an alleged claim against the Town of Danbury in the amount of \$10,003.42 for the reimbursement of instructional supplies furnished to the model and laboratory schools in said town during the 1965-1966 school year, and

WHEREAS, The Attorney General of the State of Connecticut has recommended that such claim be cancelled, and

WHEREAS, Under Section 3-7 of the General Statutes, Governor Ella T. Grasso, under date of February 21, 1979 has authorized the cancellation of said claim, now therefore, be it

RESOLVED, That said claim in the amount of \$10,003.42 be cancelled, and that the Executive Director of the Connecticut State Colleges direct the President of Western Connecticut State College to cancel upon its books, said claim against the Town of Danbury and to direct further that said President inform the Town of Danbury and its school district of the Governor's action.

A Certified True Copy:

James A. Frost
Executive Director

Interdepartment Message

SAVE TIME: *Handwritten messages are acceptable. Use carbon if you really need a copy. If typewritten, ignore/faint lines.*

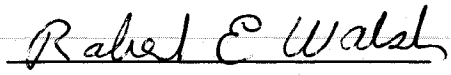
FEB 27 1979
 BOARD OF TRUSTEES
 FOR THE STATE COLLEGES

STO-201 REV. 3/77 STATE OF CONNECTICUT
 (Stock No. 6938-051-01)

To	NAME James Frost	TITLE Executive Secretary	DATE 2-23-79
	AGENCY State Colleges	ADDRESS P. O. Box 2008, New Britain, Ct. 06050	
From	NAME Robert E. Walsh	TITLE Assistant Atty. General	TELEPHONE 4990
	AGENCY Attorney General's Office	ADDRESS 30 Trinity St., Hfd. 06115	

SUBJECT Your letter of January 12, 1979. Re: Claim against Town of Danbury.

Enclosed are recommendation of Attorney General and
 Authorization of Governor re cancellation of claim.


 Robert E. Walsh
 Assistant Attorney General

REW:esn
 Enc.

February 6, 1979

TO HER EXCELLENCY, ELLA T. GRASSO
GOVERNOR OF THE STATE OF CONNECTICUT

RECOMMENDATION AS TO AUTHORIZATION
OF THE CANCELLATION OF UNCOLLECTIBLE CLAIM

At the request of the Board of Trustees for State Colleges, and in accordance with Section 3-7 of the General Statutes, the Attorney General recommends that the Governor authorize the cancellation of a claim in the amount of \$10,003.42 by the Board of Trustees for State Colleges against the Town of Danbury and the Board of Education of Danbury.

An agreement dated August 4, 1903 between the State Board of Education and the Town of Danbury provided that the town would furnish one or more public schools to the State Board of Education for use as model and practice schools by the State Normal School in Danbury, now Western Connecticut State College. The agreement provided that the Town would reimburse the State for the cost of instructional supplies used in the model schools, according to a formula set forth in the contract.

In September of 1968 the above agreement was formally modified to provide that the supplies for the model schools would be furnished by the Danbury Board of Education.

Prior to this modification, on December 14, 1966, the Danbury Board of Education voted to undertake the providing of instructional supplies for the model schools.

The records of the Town of Danbury and the records of the College and the Board of Trustees for State Colleges are not clear as to when the State stopped furnishing instructional supplies to the laboratory schools. A letter in the file from Ruth A. Haas, former President of Western Connecticut State College dated September 27, 1978 states her recollection that there was an informal agreement between the State and Town that the furnishing of supplies by the State would conclude at the end of the 1965-1966 school year. A letter from Stephen K. Lovett, Director of Teacher Training at Western Connecticut State College dated August 8, 1978, indicates that the State stopped purchasing supplies for the practice school at the end of the 1965-1966 school year. A letter in the file from Gertrude Braun, Vice President for Academic Affairs at Western Connecticut State College dated August 10, 1978, is to the same effect. There is, however, a memorandum in the file from F. Travolska of Western Connecticut State College, dated

To Her Excellency, Ella T. Grasso
February 6, 1979
Page Two

March 4, 1970, stating that the last year that the College bought supplies for the model schools was the school year 1966-1967.

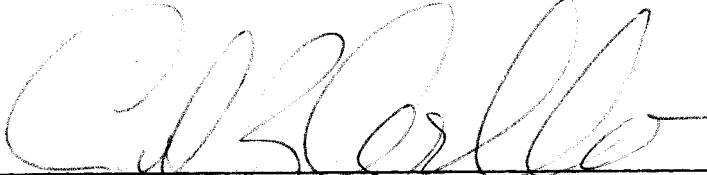
Nevertheless, it does not appear that the College will be able to prove that it bought any supplies for the model schools after June 30, 1965.

The last payment by the Town for supplies was a payment of \$10,940.95 in August of 1967. It is not totally certain whether this payment was made for the 1965-1966 year's supplies or the 1966-1967 year's supplies. There is evidence in the file that the Town paid for the 1964-1965 supplies one year in arrears, in June of 1966. This would support the conclusion that the \$10,940.95 was in payment of Danbury's liability for supplies for the 1965-1966 school year. The above-mentioned letter from Gertrude Braun arrives at that conclusion.

Thus, on the available evidence, viewed as a whole, it cannot be established that the State is entitled to reimbursement from the Town of Danbury for supplies for any school year beyond the 1965-1966 school year. Nor can it be established that the State did not receive reimbursement for supplies for the 1965-1966 school year.

The Board of Trustees for State Colleges has requested that a claim for \$10,003.42 against the Town of Danbury be cancelled. That sum is merely an average of the last three annual payments for supplies received from Danbury, including the above-mentioned \$10,940.95. It therefore represents an estimate of what the billing for 1965-1966 should have been, on the assumption that the final payment of \$10,940.95 was not for the 1965-1966 year.

In view of the above difficulties of proof it is recommended that the State's claim against the Town of Danbury and the Board of Education of the Town of Danbury in the amount of \$10,003.42 for instructional supplies furnished in the model and practice schools in Danbury during the school year 1965-1966 be cancelled as uncollectible.



Carl R. Ajello, Attorney General

To Her Excellency, Ella T. Grasso
February 6, 1979
Page Three

AUTHORIZATION OF CANCELLATION OF UNCOLLECTIBLE CLAIM

Pursuant to the provisions of Section 3-7 of the General Statutes, and upon the recommendation of the Attorney General, authorization is given to the Board of Trustees for State Colleges to cancel upon its books, as uncollectible, a claim in the amount of \$10,003.42 against the Town of Danbury and the Board of Education of the Town of Danbury for instructional supplies furnished to the model and laboratory schools in said town during the school year 1965-1966.

Ella T. Grasso
Governor

February 21, 1979
Date