



MINUTES of the regular meeting of the Board of Estimate and Taxation held on Monday, November 17, 2008 in the Town Hall Meeting Room, Greenwich, CT.

Chairman Stephen Walko called the meeting to order at 6:33 p.m., after which the members pledged allegiance to the flag.

Board members in attendance:

Stephen G. Walko, Chairman  
Robert S. Stone, Vice Chairman  
Leslie L. Tarkington, Clerk  
Nancy E. Barton  
James S. Campbell  
William R. Finger  
Michael S. Mason  
Arthur D. Norton  
Laurence B. Simon

Absent: William G. Kelly, Edward T. Krumeich, Jr., Jeffrey S. Ramer

Selectmen: Peter Tesei, First Selectman; Peter Crumbine

Staff: Peter Mynarski, Comptroller; Roland Gieger, Budget Director; John Crary, Town Administrator; Ted Gwartney, Tax Assessor; Robert Shipman, Assistant Tax Assessor; Maureen Kast, Director, Human Resources; Eugene McLaughlin, Assistant Town Attorney; Samuel Deibler, Director, Commission on Aging

Other: David Brownwood, Chair, Greenwich Library; Catherine Brennan, Chair, Elderly Tax Relief Committee

**ROUTINE APPLICATIONS – from Budget Committee:**

**HD-4 Health Department – Approval to Use – \$73,674.88**

Approval to Use:

\$ 17,500	to	F403-51490	Professional Services NOC
\$ 10,000	to	F403-52010	Publicity
\$ 10,000	to	F403-52020	Printing
\$11,361.88	to	F403-52150	Office Services
\$ 17,013	to	F403-53010	Office Supplies
\$ 200	to	F403-53160	Film & Video
\$ 7,600	to	F403-53250	Medical, Surgical, Lab Supplies
\$73,674.88	from		Public Act funds - Grant

Upon a motion by Ms. Tarkington, seconded by Mr. Mason, the Board voted 9-0-0 to approve the application.

**NON-ROUTINE APPLICATIONS – from Budget Committee:**

LAW-1 Law Department – Release of Condition - \$600,000

Release of Condition:  
\$ 600,000 to A140-51400 Prof. & Other Spec. Svcs. Attorneys Fees

Mr. Mason explained that this is a release of condition for the use of outside counsel in special circumstances by the Law Department, and that Town Attorney Fox indicated that this year's appropriation should be ample to cover the remainder of this fiscal year. The Law Committee also reviewed this request and indicated its support. Both Committees are committed that the Town will continually improve and derive the lessons learned from such items like this to reduce any and all types of litigation when possible.

Upon a motion by Mr. Mason, seconded by Mr. Simon, the Board voted 9-0-0 to approve the application.

**ROUTINE APPLICATIONS**

SE-12 First Selectman – Additional Appropriation - \$10,000

Additional Appropriation:  
\$ 10,000 to P935-57350 Settlement – DiMaio v. TOG  
\$ 10,000 from Risk Fund Balance

SE-13 First Selectman – Additional Appropriation - \$14,031.17

Additional Appropriation:  
\$14,031.17 to P935-57350 Settlement – Allstate Ins. Co. v. TOG  
\$14,031.17 from Risk Fund Balance

Mr. Campbell gave an explanation of both requests, and stated that the Law Committee approved both by a vote of 2-0. In response to Mr. Simon, Ms. Barton stated that the Opinions of Counsel are always confidential, even after settlement.

Upon a motion by Ms. Tarkington, seconded by Mr. Campbell, the Board voted 9-0-0 to approve the application.

**ASSESSOR'S REPORT**

Mr. Gwartney presented the Assessor's Report to the Board and stated that activities on the 2008 Grand List preparation are being completed at this time. In response to Mr. Campbell, Mr.

Gwartney stated that the percentage failure of personal property declarations that have not been returned is normal at this point in the assessment cycle.

Mr. Simon commented on the two cases that were stipulated that the Town received 92.2% of the dollars. In addition, he said that the key to a successful 2009 Revaluation is having enough home sales between October 1, 2008 and September 30, 2009 to do a proper Revaluation. The Town would need at least 350 arms length transaction home sales. The BET will know better where it stands by the summer of 2009, and Mr. Gwartney should continue to give home sales updates for the current fiscal year.

Upon a motion by Ms. Tarkington, seconded by Mr. Norton, the Board voted 9-0-0 to approve the application.

### **BET COMMITTEE & LIAISON REPORTS and SPECIAL PROJECT TEAMS' REPORTS**

*Audit Committee Meeting, 11/13/08 – Mr. Norton*

*Human Resources Committee, 11/12/08 – Ms. Tarkington*

*Nathaniel Witherell Town Building Committee, November 2008 – Ms. Tarkington*

*AD-HOC OPEB Committee Meeting Report, 11/10/08 – Mr. Stone*

*OPEB Trust Board, 11/10/08 – Mr. Stone*

*Havemeyer/Old Town Hall Project, 11/13/08 – Mr. Stone*

*Glenville School Building Committee, 10/21/08 – Mr. Norton*

Chairman Walko requested Mr. Mynarski to inform the Board regarding the status of the proposed independent assessment of the Nathaniel Witherell Business Plan. Mr. Walko explained that \$50,000 was approved in the current fiscal year for the study. Mr. Mynarski stated that he developed a 3-page scope of duties based on the Nathaniel Witherell January 2007 Business Plan, to be performed by an independent, objective, and qualified third party vendor. Upon approval of the scope, Mr. Mynarski will go forward and negotiate a price and timeframe for the assignment, with the expectation of completion within 60 days of the assignment. A discussion followed regarding timeframe and consultants.

Mr. Norton stated that the Audit Committee intends to bring the Fiscal 2008 Audit Report to the Board on December 15 for approval. A Special Meeting of the Audit Committee, to receive the first draft of the Audit Report, including the financial statements and the Management Letter, is scheduled for December 3, 2008 at 8:00 a.m.

### **COMPTROLLER'S REPORT**

Mr. Mynarski gave an overview of a conference call with Governor Rell with Connecticut towns and cities to explain the State's projected fiscal loss to which Mr. Tesei invited both Mr. Mynarski and Mr. Gieger. Mr. Mynarski announced that the Town of Greenwich has recognized Roy Carey, Manager of the Year and Mary Kralik, Team Player of the Year. He recommended that BET Members attend the Awards Ceremony on Thursday, November 20, 2008.

Mr. Mynarski presented the Comptroller's report to the Board and stated that, after approval from the Investment Advisory Committee, a Cash Forecast will be a monthly attachment to the Comptroller's Report. A discussion followed regarding projected re-financing of Town debt.

Upon a motion by Mr. Mason, seconded by Mr. Stone, the Board voted 9-0-0 to approve the application.

**ACCEPTANCE OF TREASURER'S REPORT SHOWING INVESTMENT PORTFOLIO ACTIVITY FOR THE PERIODS OF OCTOBER 1, 2008 – OCTOBER 31, 2008**

Mr. Mynarski presented the Treasurer's Report to the Board.

Upon a motion by Mr. Norton, seconded by Mr. Finger, the Board voted 9-0-0 to accept the Treasurer's Report.

**APPROVAL OF MINUTES**

BET Regular Meeting, October 20, 2008

Upon a motion by Mr. Mason, seconded by Mr. Finger, the Board voted 9-0-0 to approve the Regular Meeting Minutes of the BET from October 20, 2008.

**OFFICER'S REPORT**

Mr. Walko gave an update on the Hamilton Avenue Building remediation. He reported that construction contract retainage had been reduced to \$500,000, and \$500,000 was released to Worth Construction.

**OLD BUSINESS**

Discussion and Approval of Hay Study

Ms. Tarkington reported that the request for approval has been delayed until the December 2008 meeting, due to an appointing authority's need for more time. Ms. Tarkington gave an overview of the plan and the process. Mr. Walko requested confirmation in writing from the Law Department as to whether all appointing authorities must officially sign off and what is the role of the RTM concerning the Plan. A discussion followed regarding the acceptance of the Plan.

**NEW BUSINESS**

Assessor's Dept. Discussion Re: Table of Organization & Office Hours

Mr. Walko stated that he and Mr. Finger meet monthly with the Comptroller and the Assessor and those meetings have been productive. Mr. Walko and Mr. Finger normally deal with sensitive issues, such as personnel, but also how the departments are running and topics that might be up for discussion in coming months. For the past two months, they have discussed with Mr. Gwartney, his table of organization. There has been an issue raised with overall Town Hall office hours. The reason for Mr. Gwartney attending the meeting, relates to an Assessor Office vacancy which occurred as a result of an employee's promotional transfer.

Mr. Gwartney stated that, as shown in the Assessor's Report, there was a revaluation overturned in the late 1990s and it was identified that the major reason for this was the understaffing of the Assessor's Office. A report and study was done indicating what the proper staffing should be and in 2001 the recommendations were implemented. The intent was to facilitate in-house revaluations, where the Assessor Office's staff would maintain all the records and do most of the work, and outside consulting would be limited. Mr. Gwartney gave an update of the department's changes in staffing and increased office hours, which will be from 8:00 am to 4:00 pm. A lengthy discussion followed regarding the impact of cross-training, increase in counter hours, and reduction in positions.

Upon a motion by Mr. Norton, seconded by Mr. Simon the Board voted 8-0-1 (Ms. Barton abstained), to take no action, and the Assessor's Office should abide by the decision of the First Selectman and Human Resources Department related to filling vacant positions and any interdepartmental employee staffing.

#### Vote to Approve – Seniors and Citizens with Disabilities Tax Relief Ordinance

Mr. Mason explained the changes made to the original document and requested that the Board refer the amended document back to the Budget Committee for a final review. In response to Mr. Walko, Mr. Gwartney stated that the first day for applications is February 1, 2009, however the Assessor's office has already had many inquiries regarding this Ordinance.

Mr. Walko requested that any suggested changes to the draft be submitted by December 1<sup>st</sup> to the three BET members who served on the Elderly Tax Relief Committee, including Ms. Tarkington, Mr. Krumeich, and Mr. Simon. They will then refer the proposed Ordinance to the Budget Committee with a copy to the Commission on Aging.


#### Approval of Finance Budget & Operational Plan

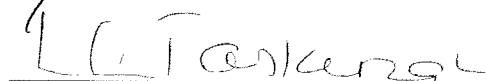
Upon a motion by Mr. Mason, seconded by Mr. Norton, the Board voted 9-0-0 to approve the Finance Budget and Operational Plan for FY 2009-2010.


#### ADJOURNMENT

Upon a motion by Mr. Campbell, seconded by Mr. Walko the Board voted 9-0-0 to adjourn at 8:12 p.m.

Respectfully submitted,

  
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Maria Bocchino, Recording Secretary

  
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Leslie L. Tarkington, Clerk of the Board

  
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Stephen G. Walko, Chairman