



MINUTES of the regular meeting of the Board of Estimate and Taxation held on Monday, December 15, 2008 in the Town Hall Meeting Room, Greenwich, CT.

Chairman Stephen Walko called the meeting to order at 6:34 p.m., after which the members pledged allegiance to the flag and then observed a moment of silence in memory of Leslie Tarkington's father, Eugene Long.

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  
William G. Kelly  
Edward T. Krumeich, Jr.  
Michael S. Mason  
Arthur D. Norton  
Jeffrey S. Ramer  
Laurence B. Simon

Selectmen: Peter Tesei, First Selectman; Peter Crumbine; Lin Lavery

Staff: Peter Mynarski, Comptroller; Roland Gieger, Budget Director; Ted Gwartney, Tax Assessor; Robert Shipman, Tax Assessor; J. Wayne Fox, Town Attorney; Eugene McLaughlin, Assistant Town Attorney; Maureen Kast, Director, Human Resources; John Crary, Town Administrator; William Kowalewski, Executive Director, Nathaniel Witherell

Other: David Ormsby, Chairman, Nathaniel Witherell Board; Frank Mazza, Chairman, Glenville School Building Committee; Staley T. Tregellas; Turner Construction, Jonathan Rather, Welsh, Carson, Anderson, & Stowe

**ROUTINE APPLICATIONS – from Budget Committee:**

PW-3 DPW – Approval to Use – \$190,080

Approval to Use:

\$ 190,080	to	F361-59650	Wet Weather/Nutrient Removal
\$ 190,080	from		National Fish & Wildlife Foundation - Grant

PW-4 DPW – Additional Appropriation - \$150,000

Additional Appropriation:  
\$ 150,000 to Z312-59620-28008 Porchuck Road Bridge Replacement  
\$ 150,000 from Capital Non-Recurring Fund

GM-1 GEMS – Release of Condition - \$1,560,010

Release of Condition:  
\$1,560,010 to A440-51490 Professional - NOC

SE-15 First Selectman – Additional Appropriation - \$15,000

Additional Appropriation:  
\$ 15,000 to P935-57350 Settlement – Pompa vs. TOG  
\$ 15,000 from Risk Fund Balance

Upon a motion by Ms. Tarkington, seconded by Mr. Mason, the Board voted 12-0-0 to approve the routine applications from the Budget Committee.

**NON-ROUTINE APPLICATIONS:**

RF-1 BET-Retirement – Private Equity Agreement

Mr. Mynarski explained that this request has been reviewed by the Law Committee and the Investment Advisory Committee and then introduced Jonathan Rather, a General Partner of Welsh, Carson, Anderson & Stowe.

In response to Mr. Norton, Mr. Rather stated that his firm is a classic growth investor and unlike larger firms, does not rely on leverage to deploy capital. In response to Mr. Walko, Mr. Lavin stated that the Retirement Board has been working on the investment in this growth equity fund for several months and have another investment in WCAS Fund IV. In response to Mr. Stone, Mr. Rather stated that in the last six months they have been looking at various alternative sources of capital.

Upon a motion by Mr. Norton, seconded by Mr. Finger, the Board voted 12-0-0 to approve the Welsh, Carson, Anderson & Stowe XI, L.P. Private Equity Agreement.

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

PR-2 Parks & Recreation – Additional Appropriation - \$175,000

Additional Appropriation:  
\$ 175,000 to M824-59560-28084 Administration Building & Pro Shop  
\$ 175,000 from Griffith E. Harris Fund Balance

Mr. Mason gave an explanation for the request and gave an overview of the planning, funding, and construction. Ms. Tarkington stated that the environment for this type of project has

changed and she does not support providing additional funds for a clubhouse at this point of time, although an adequate contingency should be in place prior to proceeding. A discussion followed regarding capital needs, contingency and accountability.

Upon a motion by Mr. Mason, seconded by Mr. Stone the Board voted 11-1-0 (Ms. Tarkington against), to Subject to Release, the final \$100,000 on the condition of the acceptance of a report by the whole BET regarding the need for these funds.

Upon a motion by Mr. Mason, seconded by Mr. Simon, the Board voted 11-1-0 (Ms. Tarkington against) to approve the amended application.

**SE-11 First Selectman – Additional Appropriation - \$30,000**

Additional Appropriation:

\$ 30,000	to	P935-57350	Settlement – Boucher et al vs. TOG
\$ 30,000	from		Risk Fund Balance

**SE-14 First Selectman – Additional Appropriation – \$85,000\***

Additional Appropriation:

\$ 85,000*	to	P935-57350	Settlement – United States vs. Compaction (Combe Fill South Land Fill)
\$ 85,000*	from		Risk Fund Balance *up to \$85,000

Ms. Barton gave an explanation of both requests.

Upon a motion by Ms. Barton, seconded by Mr. Campbell, the Board voted 12-0-0 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 and the completed 2008 Real Estate List shows an increase of \$314,644,190. A presentation to the BET of the PropertyMax on-line inquiry system is being planned for January and implementation soon thereafter. A discussion followed regarding commercial vacant land property values. Mr. Kelly requested a synopsis of each of the outstanding court cases and Mr. Gwartney agreed to provide such information to the Board.

Upon a motion by Ms. Tarkington, seconded by Mr. Mason, the Board voted 12-0-0 to accept the Assessor's Report.

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

*Investment Advisory Committee Meeting, 12/4/08 – Mr. Norton*

*Audit Committee Meetings, December 2008 – Mr. Norton*

*Human Resources Committee, 12/10/08 – Ms. Tarkington*

*Nathaniel Witherell Town Building Committee, December 2008 – Ms. Tarkington  
OPEB Trust Board, 12/10/08 – Mr. Stone  
Havemeyer/Old Town Hall Project, 12/9/08 – Mr. Stone  
Glenville School Building Committee, 11/18/08 – Mr. Norton*

Mr. Stone reported that regarding the Havemeyer/Old Town Hall project the team recommends a number of steps be taken; first of which, a Team be formed by the BET to re-visit the study that was done for the Commission on Aging. The remaining steps to be taken early in 2009, and then finally, the First Selectman should form a group that will study the long term options that are available to the Town in connection with the Havemeyer Building.

In response to Mr. Simon, Mr. Mynarski gave an explanation of the FY 2008-2009 Capital Project Refinancing plan, which includes a BET Investment Advisory Strategy Meeting with IBIC on January 12, 2009. A discussion followed regarding refinancing options, implications, and recommendations.

### **COMPTROLLER'S REPORT**

Mr. Mynarski presented the Comptroller's Report to the Board. Mr. Kelly commended the Finance Department for assisting the BOE in securing liability insurance for the Girls Gymnastic Team, which was an ongoing issue for many years. In response to Mr. Mason, Mr. Mynarski stated that the CIP Committee does not vote on replacement equipment, such as police cars, any trucks, and small equipment. In response to Mr. Walko, Mr. Mynarski stated regarding Glenville School, after going over the million dollar mark, the Town should get a reimbursement every two months on the portion submitted for reimbursement, but it has not received any funds so far.

Upon a motion by Ms. Tarkington, seconded by Mr. Mason, the Board voted 12-0-0 to accept the Comptroller's Report.

### **ACCEPTANCE OF TREASURER'S REPORT SHOWING INVESTMENT PORTFOLIO ACTIVITY FOR THE PERIODS OF NOVEMBER 1, 2008 – NOVEMBER 30, 2008**

Mr. Mynarski presented the Treasurer's report to the Board, along with the Cash Flow Forecast FY 2009 report. Ms. Tarkington suggested spreading out the timing of disbursements to external entities, quarterly or some other defined period over the calendar year, with the expectation that this will allow less borrowing and to defer some of the funding until next January.

In response to Mr. Walko, Mr. Mynarski gave an overview of the Cash Flow Forecast FY 2009. Difficulties are encountered in tracking vendor payments and the current mandate on all departments to reduce spending has changed the spending pattern. The largest receipts are tax collection and aid from the State of Connecticut; and the largest expenditures are for payroll.

Mr. Norton stated that the Investment Advisory Committee is pleased with the report, and it is a tremendous tool that allows the Board and the Finance Department to understand where the Town expects to be throughout the next seven months. A discussion followed regarding revenue variances, tax receipts, and pay patterns.

Upon a motion by Mr. Norton, seconded by Mr. Mason, the Board voted 12-0-0 to accept the Treasurer's Report.

## **APPROVAL OF MINUTES**

### **BET Regular Meeting, November 17, 2008**

Upon a motion by Mr. Finger, seconded by Mr. Mason, the Board voted 11-0-1 (Mr. Krumeich abstained) to approve the Regular Meeting Minutes of the BET from November 17, 2008.

## **OFFICER'S REPORT**

Mr. Walko commended the Assessor and Comptroller for maintaining normal office hours on the day before Thanksgiving.

Mr. Walko stated that the evaluation procedure for the Comptroller and Assessor will change this year. Mr. Finger and Mr. Walko will submit to the Board a first draft evaluation, for comments and questions, and then finalize it for approval at the January 21, 2009 meeting.

Mr. Walko met with members of the BOE Executive Committee with regards to shared services and building maintenance, and will be organizing a group before the budget cycle begins.

Mr. Walko stated as to progress on the Hamilton Avenue School, that the Building Committee is still cautiously optimistic that the children will be able to occupy the building by January 5, though late last week an issue arose regarding a substituted material used for the flues for the boilers.

## **OLD BUSINESS**

### **Discussion and Approval of Amended M/C Employee Pay Plan**

Ms. Tarkington gave an overview of the MC Pay Plan resolution. Ms. Kast gave an explanation of the M/C Employee compensation and evaluation process. Ms. Tarkington gave an explanation of the HR Committee's role in the annual budget process. A discussion followed regarding the Board's responsibility, timetable, and costs.

Upon a motion by Ms. Tarkington, seconded by Ms. Barton, the Board voted 12-0-0 to approve the resolution, that the Board of Estimate and Taxation ("BET") adopts the amended Managerial and Confidential Employee Pay Plan with base wages predicated upon comparable market rates, and with salary increases based upon performance, substantially in the form attached hereto as Exhibit A, subject to annual review and approval of the proposed salary increase guide by the BET and the Representative Town Meeting as part of the budget process.

### **Glenville Building Committee Update**

Mr. Mazza presented an update on the Solarvoltaic System. On December 16, 2008 Mr. Tregallas, who works for the Construction Manager, Turner Construction Company, will recommend to the Building Committee that it not proceed with the Solarvoltaic System.

## **NEW BUSINESS**

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

Mr. Mason presented the Seniors Tax Relief Ordinance and gave an overview of the modifications made to it by the Budget Committee. A discussion followed regarding a proposed change to add an asset based eligibility requirement, and also to include the disabled, and the need for further review on these issues.

Upon a motion by Mr. Ramer, seconded by Ms. Barton, the Board voted 3-9-0 (Mr. Ramer, Ms. Barton, Mr. Finger in favor) against an amendment to change paragraph 10 of the Ordinance to require that each applicant submit a signed statement as part of the application process that the applicant meets two further requirements (1) that the applicant does not own net assets (other than the residence for which the tax relief is sought) having a net fair market value in excess of \$250,000, and (2) the applicant or the applicant and spouse shall not have received gifts, inheritances and/or other tax free income, which aggregates together with the qualifying total annual income a sum in excess of \$60,000.

Upon a motion by Mr. Mason, seconded by Mr. Simon, the Board voted 12-0-0 to approve the proposed Seniors Tax Relief Ordinance.

### **Nathaniel Witherell Board Discussion – Project Renew**

Mr. Ormsby gave an update of the current year operating budget, operations status, the State's Department of Health audit and fire safety audit, volunteers, and community development. Mr. Kowalewski gave an explanation of Project Renew, which is expected to have person-centered care and he will make a proposal to use the Pioneer Network Model. Mr. Bankson stated that the Board and management are re-doing their long-range plan. A discussion followed regarding private-pay, the census assumption, and funding.

### **City View Presentation**

Mr. Crary gave an explanation of the CityView software program. He then gave an overview of the program and its implementation, which is scheduled for March 2009. A brief discussion followed.

### **Approval of the Comprehensive Annual Financial Report and Other Documents for the Year ending June 30, 2008**

Mr. Norton gave an explanation of the reports and process.

Upon a motion by Mr. Norton, seconded by Mr. Finger, the Board voted 12-0-0 to accept the Comprehensive Annual Financial Report (CAFR)

prepared by BlumShapiro, and to approve the State Single Audit Report and the Federal Single Audit Report all for the year ending June 20, 2008.

Other Post Employment Benefits Investment Guideline Resolution – First Read only

Mr. Walko stated that any questions or comments be sent to Mr. Stone by January 10, 2009.

Other Information

Mr. Tesei provided an update on the sewer main break in Cos Cob.

**ADJOURNMENT**

Upon a motion by Mr. Kelly, seconded by Mr. Campbell the Board voted 9-0-0 to adjourn at 9:57 p.m.

Respectfully submitted,

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Maria Bocchino, Recording Secretary

SUBJECT TO APPROVAL

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Leslie L. Tarkington, Clerk of the Board

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Stephen G. Walko, Chairman