



MINUTES of the regular meeting of the Board of Estimate and Taxation held on Monday, June 15, 2009 in the Town Hall Meeting Room, Greenwich, CT.

Chairman Stephen Walko called the meeting to order at 5:32 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  
William G. Kelly (5:48 p.m. arrival)  
Edward T. Krumeich, Jr.  
Michael S. Mason  
Arthur D. Norton  
Jeffrey S. Ramer  
Laurence B. Simon

Selectmen: Peter Tesei, First Selectman; Lin Lavery

Staff: Peter Mynarski, Comptroller; Roland Gieger, Budget Director; Ted Gwartney, Assessor; Robert Shipman, Assistant Assessor; John Crary, Town Administrator; J. Wayne Fox, Town Attorney; Lynn Bausch, Deputy Director, Nathaniel Witherell

Other: Lloyd Bankson, David Ormsby, Bruce Dixon, Nathaniel Witherell Board; Frank Mazza, Glenville School Building Committee; Robert Stricker, OPEB Trust

**ROUTINE APPLICATIONS – from Budget Committee:**

**NW-3 Nathaniel Witherell – Release of Conditions - \$96,000**

Release of Conditions:

\$ 61,000	to	A450-51420	Professional Medical Dental
\$ 35,000	to	A450-53250	Medical Surgical Laboratory

**FD-3 Fire Department – Transfer - \$60,000**

Transfer:

\$ 60,000	to	A205-51100	Overtime Services
\$ 60,000	from	A202-51010	Regular Salaries

**FD-4 Fire Department – Transfer - \$26,000**

Transfer:  
\$ 26,000 to A201-52210 Water Service  
\$ 26,000 from A205-53300 Wearing Apparel

PW-8 DPW – Continue in Force - \$200,000

Continue in Force:  
\$ 200,000 Z312-59620-29029 Cliffdale Road Bridge Drainage

PW-9 DPW – Continue in Force - \$500,000

Continue in Force:  
\$ 500,000 Z321-59560-29033 Holly Hill Master Plan

PW-10 DPW – Continue in Force - \$520,000

Continue in Force:  
\$ 520,000 Z312-59620-29027 Field Point Road Bridge Scour

PW-11 DPW – Continue in Force - \$1,100,000

Continue in Force:  
\$1,100,000 B312-59620-29025 Sherwood Avenue Bridge

PW-12 DPW – Continue in Force - \$770,000

Continue in Force:  
\$ 770,000 J361-59650-29088 Old Greenwich Force Main

PW-13 DPW – Continue in Force - \$40,000

Continue in Force:  
\$ 40,000 Z312-59620-29028 Mill Street Bridge Scour

PW-14 DPW – Continue in Force - \$315,000

Continue in Force:  
\$ 315,000 Z312-59620-29023 Bailiwick Rd. Bridge Reconstruction

PW-15 DPW – Continue in Force - \$650,000

Continue in Force:  
\$ 650,000 Z345-59560-29041 Mianus Dock Master Building

PW-16 DPW – Continue in Force - \$350,000

Continue in Force:  
\$ 350,000 Z345-59560-29043 Town Wide Restroom Rehabilitation

PW-17 DPW – Continue in Force - \$120,000

Continue in Force:  
\$ 120,000                      G318-59600-29100                      Western Junior Highway at Henry  
Street Pedestrian Island

PW-18 DPW – Continue in Force - \$50,000

Continue in Force:  
\$ 50,000                      Z321-59600-28062                      Recycling Area Paving

PW-19 DPW – Continue in Force - \$50,000

Continue in Force:  
\$ 50,000                      Z345-59560-28028                      Fire Training Tower

PW-20 DPW – Continue in Force - \$300,000

Continue in Force:  
\$ 300,000                      Z345-59560-28052                      Town Wide Restroom Rehabilitation

PW-21 DPW – Continue in Force - \$500,000

Continue in Force:  
\$ 500,000                      K361-59650-28099                      Phase 2 SSES/Storm Drainage

FI-1 Fixed Charges – Transfer - \$410,000

Transfer:  
\$ 200,000    to                      A902-57300                      Workers' Compensation Claims  
\$ 210,000    to                      A902-57330                      Unemployment Claims  
\$ 410,000    from                      A901-57100                      Healthcare Costs

In response to Mr. Walko, Mr. Mason provided background on continue in force applications. Mr. Mason stated that the Town Charter calls for all capital commitments, to be committed in the fiscal year in which they are appropriated. If they are not, the Board has the authority to continue them in force for an additional fiscal year. During the Budget Committee June 9, 2009 meeting an update was given on every project. In July, 2009 a final report will be presented to include projects not continued in force, and the remaining funds will become available for future capital appropriations.

Upon a motion by Ms. Tarkington, seconded by Mr. Mason, the Board voted 11-0-0 to approve the routine applications from the Budget Committee.

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

SE-20 First Selectman – Additional Appropriation - \$85,000

Additional Appropriation:  
\$ 85,000    to                      P935-57350                      Settlement  
\$ 85,000    from                                                           Risk Fund Balance

Mr. Campbell gave an explanation for this application, stating that the Law Committee voted 2-0-0 to approve. Ms. Barton commented that this matter was discussed at length at the Budget Committee meeting.

Upon a motion by Mr. Mason, seconded by Mr. Campbell, the Board voted 11-0-0 to approve the application.

SE-21 First Selectman – Release of Funds - \$343,300

Release of Funds:

\$ 343,300	to	B680-59560-29049	Glenville School Building Committee
\$ 343,300	from		Appropriation

Mr. Crary explained that the Town received a grant as part of the Federal Stimulus Program for \$627,500, specifically for energy conservation. After much consideration, it was concluded that the best project for this grant was the photovoltaic roofing system for Glenville School. The total cost for the actual work is \$948,300, along with a ten percent contingency fund of \$95,000. The Building Committee has a \$700,000 allocation and this request is for the difference.

Upon a motion by Mr. Mason, seconded by Mr. Simon, the Board voted 11-0-0 to approve the application.

NW-4 Nathaniel Witherell – Approval of Revolving Fund

SUBJECT TO APPROVAL  
WHEREAS, the Nathaniel Witherell Skilled Nursing Facility desires to present its financial position and results of operations on a revolving fund basis in order to provide for greater transparency of its operations and to improve the quality of its various financial reports.

RESOLVED, that the Treasurer is authorized to accept proceeds resulting from the activities of the Nathaniel Witherell Skilled Nursing Facility, and such proceeds shall become appropriations upon recommendation of the First Selectman and approval of the Board of Estimate and Taxation and the Representative Town Meeting if necessary under Section 30(c) of the Charter and be added to the appropriate accounts within the Nathaniel Witherell Skilled Nursing Facility Revolving Fund. For establishing funding for the appropriation accounts, the policies of the Town of Greenwich are hereby endorsed. It is acknowledged that any revolving fund balance may be utilized by the General Fund if required.

Mr. Bankson presented the resolution to the Board and gave an explanation of the accounting methods to be used.

Ms. Tarkington explained the Nathaniel Witherell's utilization of MUNIS to record entries on a full accrual accounting basis, and from a government accounting standpoint, this would be looked upon as enterprise accounting. Ms. Tarkington suggested that Nathaniel Witherell continue to work on the memorandum of understanding, which was circulated with the BET's Budget Committee May 12, 2009 meeting packet. After appropriate review and modifications are made, the memorandum should go back to the BET Budget Committee for its July 14, 2009 meeting. Mr. Walko confirmed this process. And, Mr. Bankson agreed.

Ms. Barton stated that she does not oppose the establishment of the revolving fund or any efforts that would be taken to pursue it. However, Ms. Barton expressed concerns regarding some of the language of the resolution including: that the financial policies of the Town are established by the Board not endorsed by it; and that use of the revolving fund balance by the Town is required by the Board not acknowledged by it. Mr. Krumeich stated that because the RTM has already passed this resolution, the Board should as well, and then make changes to the language when it is up for renewal. Mr. Walko clarified that this resolution would be similar to the other resolutions that are passed annually by the Board and the RTM in the Resolutions section of the Recommended Budget book.

Upon a motion by Mr. Krumeich, seconded by Ms. Tarkington, the Board voted 11-1-0 to approve the application and the resolution therein as stated above. (Ms. Barton opposed)

**NW-5 Nathaniel Witherell – Transfer - \$22,180,633**

Transfer:

\$22,180,633	to	H450-4*	Various Revenues
\$16,639,384	to	H450-5*	Various Expenses
\$ 5,541,249	to	H450-5*	Benefits and in Kind Costs
\$22,180,633	from	A450-4*	Various Revenues
\$16,639,384	from	A450-5*	Various Expenses
\$ 5,541,249	from	A999-49128	Revenue from NW Revolving Fund

\*Various Codes

Mr. Walko stated that this transfer would not require RTM approval. A discussion followed regarding the various funds, transfers, revenues, and accounting practices.

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

**ASSESSOR’S REPORT**

Mr. Gwartney presented the Assessor’s Report to the Board and stated that the Grand List has been turned over to the Tax Collector in order to issue tax bills. A discussion followed regarding assessment penalties, and senior tax credit applications. Mr. Krumeich stated that 708 seniors received the tax credit and 250 seniors who qualified were denied due to insufficient funding.

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

**BET COMMITTEES’ and SPECIAL PROJECT TEAMS’ REPORTS**

- Ad-Hoc OPEB Committee, June 2009 – Mr. Stone*
- Audit Committee, June 11, 2009 – Mr. Norton*
- Glenville School Building Committee, May 19, 2009 – Mr. Norton*
- Human Resources Committee, June 2009 – Ms. Tarkington*
- Nathaniel Witherell Town Building Committee, June 2009 – Ms. Tarkington*

Mr. Mason stated, according to the Glenville School Building Committee report, that the architect provided a progress report on the playground, and that all new playground equipment is being put in at that school, because of the new construction classification for the Glenville School project. Mr. Mason noted that new playground equipment was not in the original scope of work, because a new playground was put in that location during the previous budget cycle and that when the project was approved there were assurances that the existing playground would not have to be replaced.

In response to Mr. Mason, Mr. Norton stated that because the type of construction was changed to new construction, it has to meet the current State standards at the time at which it was changed and those standards require new equipment. The two-year old equipment was under prior requirements by the Connecticut Department of Education for playground equipment. A brief discussion followed regarding alternative locations and utilization of the used playground equipment.

Mr. Norton stated his intention to move at the Glenville School Building Committee meeting on June 16, 2009 to recommend that the Town apply to the Federal Stimulus Energy Efficiency and Conservation Block Grant for \$627,500 for the photovoltaic system at the Glenville School.

### **COMPTROLLER'S REPORT**

Mr. Mynarski presented the Comptroller's report to the Board.

In response to Mr. Walko, Mr. Mynarski gave an update of the progress of the Health Dimensions Group / Nathaniel Witherell personal services contract, which is with the Law Department, and a brief overview of the process.

Upon a motion by Mr. Mason, seconded by Mr. Norton, 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 May 1, 2009 – May 31, 2009**

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

### **APPROVAL OF MINUTES**

#### **BET Regular Meeting, May 18, 2009**

After a discussion concerning the comments reflected in the minutes in New Business, General Fund Tax on Assessment List of October 1, 2008 for FY 2009-2010 (the establishment of the mill rate), the vote on this item was postponed until the Board's July 20, 2009 meeting.

### **OFFICER'S REPORT**

Mr. Walko stated that the Board does not take a summer hiatus and has a lot of work to do over the next several months: starting the budget guidelines for FY 2010-2011, table of organization

changes, and tracking of expenditures to ensure that expenses remain consistent with what they have shown over time. The July 20, 2009 meeting will be a celebration relative to the Board's turning 100-years old. He hopes to have an event planned for that day and evening, as well as a more elaborate event in December.

## **OLD BUSINESS**

## **NEW BUSINESS**

RESOLVED, that the Board of Estimate and Taxation reappoints Philip M. Skidmore to a seat on the OPEB Trust Board for the term expiring June 20, 2012; and

RESOLVED, that the Board of Estimate and Taxation accepts the resignation of Laurence B. Simon from the OPEB Trust Board;

RESOLVED, that the Board of Estimate and Taxation appoints Robert Stricker, a U.S. citizen, residing at 11 Alden Road, Greenwich, CT to complete the OPEB Trust Board term vacated by Mr. Simon's resignation from said Board, expiring June 30, 2010; and

RESOLVED, that the Board of Estimate and Taxation designates Robert S. Stone as chair of the OPEB Trust Board until June 30, 2010.

Mr. Stone presented the above resolutions from the Ad-Hoc OPEB Committee and introduced Robert Stricker, who is being recommended to serve on the OPEB Trust Board.

Upon a motion by Mr. Stone, seconded by Mr. Norton, the Board voted 12-0-0 to approve the above resolutions.

## **ADJOURNMENT**

Upon a motion by Mr. Ramer, seconded by Mr. Kelly, the Board voted 12-0-0 to adjourn at 6:27 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