

## 1. BET Meeting Documents

Documents:

[BET\\_MEETING\\_AGENDA\\_10-20-03.PDF](#)  
[BET\\_MEETING\\_MINUTES\\_10-20-03.PDF](#)



**REGULAR MONTHLY MEETING OF THE  
BOARD OF ESTIMATE AND TAXATION  
MONDAY, OCTOBER 20, 2003, 8:00 PM  
TOWN HALL MEETING ROOM**

**A G E N D A**

1. Call to Order and Pledge of Allegiance
2. Consideration of Applications:

**ROUTINE APPLICATIONS**

<b><u>Number</u></b>	<b><u>Department</u></b>	<b><u>Amount</u></b>	<b><u>Purpose and Committee</u></b>	<b><u>Notes</u></b>
CDBG	<b>Community Development</b>	<u>\$10,000</u>	Transfer	11-0-0
	Q9703-59900-23146	\$5000	Family Centers, Inc. Head Start Program	
	Q9703-59900-23145	\$5000	Dental Center of Stamford RUTGERS, STORMS	
L-1	<b>Health</b>	<u>\$21,870</u>	New Appropriation	11-0-0
	F403-51300	\$9,996	Accept Public Act Funds	
	Payments. Temp Service-Greenwich Pay		for Fiscal-Year 2003-2004	
	F403-52010	\$7,622	"	
	Advertising & Public Notices			
	F403-53010	\$1,765	"	
	Office Supplies			
	F403-53250	\$2,487	"	
			RUTGERS, STORMS	
L-2	<b>Health</b>	<u>\$10,414</u>	New Appropriation	11-0-0
	F406-51490	\$8,475	Accept HERR Funds for	
	Prof. & Other special		Fiscal Year 2003-2004	
	F406-52010	\$675	"	
	Advertising & Public Notices			
	F406-52150	\$591	"	
	Office Services			
	F406-53010	\$436	"	
	Office Supplies			
	F406-53250	\$237	"	
	Medical Supplies		RUTGERS, STORMS	
N-1	<b>Nathaniel Witherell</b>	<u>\$45,000</u>	Additional Appropriation	11-0-0
	Z450-59090-24103		Financial Software Replacement RUTGERS, STORMS	

<b>Number</b>	<b>Department</b>	<b>Amount</b>	<b>Purpose and Committee</b>	<b>Votes</b>
J-1	Public Works K361-59650-20004	\$42,000	Approval to Use Monthly Report of Traffic Control No. Mianus Sewer Construction BURNETT, WALKO	11-0-0

**REGULAR APPLICATIONS**

<b>Number</b>	<b>Department</b>	<b>Amount</b>	<b>Purpose and Committee</b>	<b>Votes</b>
SE-1	First Selectman P935-57350	\$700,000	Settlement of Claims TOG vs. Nisinzweig SIMON, GARDNER, WALKO, KRUMEICH	11-0-0

4. Human Resources Committee Actions & Report:
  - Finance: Request to reclassify the position of Budget & Systems Management Director from salary grade M/C-6 (\$74,836-\$101,281, current salary \$95,006) to salary grade M/C-7 (proposed salary \$98,320) 11-0-0
  - Assessor: Request to reclassify the position of Assessor Staff Assistant from salary grade GMEA C (\$37,464-\$51,736 current salary \$48,614) to salary grade B (proposed salary \$53,179). 11-0-0
  - Approval of Employee Health Care Budget Status Report 11-0-0
5. Assessor's Report 11-0-0
6. BET Committee & Liaison Reports
7. Chief Financial Officer/Comptroller's Report 11-0-0
8. Acceptance of Treasurer's Report showing investment portfolio activity for the periods of September 1, 2003 through September 30, 2003 11-0-0
  - Approval of BET minutes for: September 22, 2003 regular meeting 11-0-0
9. Officer's Report
10. **OLD BUSINESS**
  - Approval of CDBG 2004 Resolution 10-0-0
  - Discussion on charter change concerning BET elections – six different possible models
  - Consideration of proposal to increase rate of allocations to equity segment of OPEB Fund 12-0-0
  - Policy & Procedure Committee Quarterly Progress Report
- not given
  - BET approval to make the Policy & Procedures Committee a standing committee withdrawn
11. **NEW BUSINESS**
  - Approval of Charter change to Section 11 Comptroller, appointment; term, salary; vacancy 12-0-0
  - Salary adjustment for elected officials: First Selectman and Selectmen 10-1-1 (as amended), Tax Collector 11-1-0 (as amended), Town Clerk 12-0-0 (as amended), Board of Assessment Appeals withdrawn
12. Adjournment 12-0-0

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Peter J. Tesei, Chairman

MINUTES of the regular meeting of the Board of Estimate and Taxation held on Monday, October 20, 2003, in the Town Hall Meeting Room, Greenwich, CT.

The Chairman, Peter J. Tesei, called the meeting to order at 8:08 PM, after which the members pledged allegiance to the flag.

Board members in attendance:

Peter J. Tesei, Chairman  
Valeria P. Storms, Clerk  
Jara N. Burnett  
Janice C. Gardner  
Kathryn Guimard  
Edward Krumeich  
Frank E. Mazza  
Alma Rutgers  
Laurence B. Simon  
Robert S. Stone  
Stephen G. Walko

James A. Lash, Vice-Chairman (arrived at 9:55 PM)

Staff: Edward Gomeau, Comptroller; Roland Gieger, Finance Department; John Wetmore, Fernando de Arango, Law Department; Al Cava, Human Resources; Ted Gwartney, Assessor's Office; Raymond Augustine, Curtis Milton, Nathaniel Witherell

Other: Richard Bergstresser, First Selectman; Michael Mason, RTM

**ROUTINE APPLICATIONS:**

CDBG COMMUNITY DEVELOPMENT – Transfer - \$10,000

Request to transfer:

\$ 5,000	to	Q9703-59900-23146	Family Centers, Inc. Head Start Program
\$ 5,000	to	Q9703-59900-23145	Dental Center of Stamford
\$10,000	from	Q9703-59900-23153	Outpatient Center Greenwich Hospital

This transfer of a grant declined because it cannot be used by December 31, 2003 is requested with CDAC approval to be transferred toward approved activities that are providing similar or related services to the targeted population.

L-1 HEALTH – New Appropriation - \$21,870

Request for new appropriation:

\$9,996	to	F403-51300	Pymts Temp Srv-Green Pay
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\$7,622	to	F403-52010	Advertising & Public Notices
\$1,765	to	F403-53010	Office Supplies
\$2,487	to	F403-53250	Medical Supplies

This request is being made to accept additional Public Act Funds for fiscal year 2003/2004.

L-2 HEALTH – New Appropriation - \$10,414

Request for new appropriation:

\$8,475	to	F406-51490	Professional & Other Special
\$ 675	to	F406-52010	Advertising & Public Notices
\$ 591	to	F406-52150	Office Services
\$ 436	to	F406-53010	Office Supplies
\$ 237	to	F406-53250	Medical Supplies

This request is being made to accept HERR Funds for fiscal year 2003/2004. This is the last year for this particular grant.

NW-1 THE NATHANIEL WITHERELL – Additional Appropriation - \$45,000

Request for additional appropriation:

\$45,000	to	Z450-59090-24103	Technology
\$45,000	from		Capital Reserve

This request is for an additional appropriation for clinical and financial software replacement at The Nathaniel Witherell.

J-1 PUBLIC WORKS – Approval to Use - \$42,000

Request to release:

\$42,000	to	K361-59650-20004	North Mianus Sewer Construction
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This request covers traffic control funds for November 2003.

Upon a motion from Ms. Storms, seconded by Mr. Simon, the Board voted 11-0-0 to approve the routine applications.

**EXECUTIVE SESSION:**

The Board adjourned to executive session at 8:10 PM to discuss the settlement of claim in the case of Nisinzweig v. Town of Greenwich.

In attendance were:

John Wetmore, Fernando de Arango: Law Department  
 Richard Bergstresser: Office of the Selectman  
 Edward Gomeau, Roland Gieger: Finance Department  
 Mssrs. Tesei, Krumeich, Mazza, Simon, Stone and Walko: Board of Estimate  
 Mmes. Burnett, Gardner, Guimard, Rutgers and Storms: Board of Estimate

Upon a motion from Mr. Walko, seconded by Ms. Gardner, the Board voted 11-0-0 to conclude the executive session and resume the regular meeting at 8:37 PM.

**REGULAR APPLICATIONS:**

SE-1 FIRST SELECTMAN’S OFFICE – Settlement of Claims - \$700,000

This request is for additional appropriations for the settlement of \$700,000 in the lawsuit Nisinzweig v. the Town of Greenwich. This claim has been approved by the Board of Selectmen, the Claims Committee of the RTM, and the Law Committee of the BET.

Request for additional appropriations:

\$700,000	to	P935-57350	Settlement of Claims
\$700,000	from		Fund Balance – Risk Fund

Upon a motion from Mr. Walko, seconded by Mr. Krumeich, the Board voted 11-0-0 to approve the request.

**HUMAN RESOURCES COMMITTEE ACTIONS AND REPORT:**

Finance - Budget & Systems Management Director – M/C-6 (\$74,836 - \$101,281)

This is a request to reclassify the position of Budget & Systems Management Director from salary grade M/C-6 (\$74,836 - \$101,281, current salary \$95,006) to salary grade M/C-7 (proposed salary \$98,320).

Mr. Walko stated that this item came before the HR Committee in September and the job description in October. The HR Committee reviewed this issue and voted unanimously to approve the request.

Upon a motion from Mr. Walko, seconded by Ms. Burnett, the Board voted 11-0-0 to approve the request to reclassify the position of Budget & Systems Management Director to salary grade M/C-7 at a salary of \$98,320 retroactive to September 1, 2003.

Assessor - Assessor Staff Assistant – GMEA C (\$37,464 - \$51,736)

This is a request to reclassify the position of Assessor Staff Assistant from salary grade GMEA C (\$37,464-\$51,736, current salary \$48,614) to salary grade B (proposed salary \$53,179) retroactive to July 1, 2003.

Mr. Walko stated that this item was reviewed by the HR Committee in October.

Upon a motion from Mr. Walko, seconded by Ms. Burnett, the Board voted 11-0-0 to approve the request to reclassify the position of Assessor Staff Assistant to salary grade GMEA B at a salary of \$53,179 retroactive to July 1, 2003.

### **APPROVAL OF HEALTHCARE BUDGET STATUS REPORT:**

Mr. Cava reported that a contract has been agreed on and sent to the local physicians' association in an effort to get more participants in the Anthem plan as managed care network providers. Mr. Cava also stated that Mr. Bill Carew will give a presentation at the next HR Committee in November for anyone who would like to attend.

Upon a motion from Mr. Walko, seconded by Ms. Gardner, the Board voted 11-0-0 to accept the healthcare report as submitted.

### **ASSESSOR'S REPORT:**

Mr. Gwartney, Assessor, submitted the Assessor's Report for review. He commented that very little has happened with the court cases since last month's report. He also pointed out that the state will not provide reimbursement to towns for the Disabled Individual and Additional Veteran tax credit. The result will be an approximately \$600 loss to Greenwich in the first case and an over \$73,000 loss each year for two years in the second.

Upon a motion from Mr. Simon, seconded by Ms. Gardner, the Board voted 11-0-0 to accept the Assessor's Report as submitted.

### **BET Committee/Liaison Reports:**

#### Power Plant Committee – Ms. Gardner

Ms. Gardner stated that this would be the last report from the Power Plant Committee. There has been no expense to the Town yet, but the EPA expects a cost of \$20,000 for consultations regarding engineering work to develop the site. Ms. Gardner stated that the committee also discussed funding for the project.

#### Audit Committee – Mr. Stone

Mr. Stone commented on the Audit Committee meeting that was held on October 15, 2003. He reported that significant progress has been made regarding discrepancies in the Town's bank account reconciliations, with only three remaining that are not fully up-to-date. He also noted Internal Auditor Ron Lalli's report that approximately 25% of the department's objectives have not been met. The shortfall is due to special requests from the Comptroller and the Audit Committee that have required his time and attention. Mr. Stone made the point that we might well be running the Internal Audit function too thinly in view of having, effectively, less than one full-time professional so devoted.

#### The Nathaniel Witherell – Mr. Simon

Mr. Simon commented that the state and Town have agreed to continue negotiations regarding the Certificate of Need. The next meeting in Hartford is scheduled for November 6, 2003. The Town is proceeding on schedule with its feasibility study for a new facility. Mr. Gomeau stated that an award letter was sent to Health Dimensions Group to perform the study.

Investments – Ms. Guimard

Ms. Guimard noted that she attended a meeting with US Trust to review investment strategy. The returns on the OPEB fund are below benchmark due to the volatile rates of recent months, but the gap has narrowed between the OPEB returns and the benchmark numbers. US Trust is confident in its strategy and is recommending allocation in 20 year funds.

**COMPTROLLER’S REPORT:**

Mr. Gomeau submitted the Comptroller’s report for approval. He commented that the BOE Health Buyout is being re-marketed to teachers.

When questioned, he stated that the remaining available capital money for the Grass Island Upgrade in the budget is for the retainer.

Upon a motion from Ms. Burnett, seconded by Mr. Stone, the Board voted 11-0-0 to accept the Comptroller’s report as submitted.

**TREASURER’S REPORT:**

Upon a motion from Ms. Guimard, seconded by Mr. Stone, the Board voted 11-0-0 to accept the Treasurer’s Report for investment activity for the period of September 1, 2003 through September 30, 2003.

**APPROVAL OF MINUTES:**

Upon a motion from Ms. Storms, seconded by Ms. Gardner, the Board voted 11-0-0 to approve the minutes of the regular meeting of the Board of Estimate and Taxation of September 22, 2003.

**OFFICERS REPORT:**

Mr. Tesei commented that there was a meeting on October 1, 2003 concerning an outside firm reviewing the status of the Greenwich Pay Plan. There was a meeting on October 15, 2003 concerning severance agreements, and another meeting is scheduled for October 21, 2003.

**OLD BUSINESS:**

CDBG 2004 Resolution

Upon a motion from Ms. Rutgers, seconded by Ms. Storms, the Board voted 10-0-0 to approve the CDBG 2004 Resolution.

Discussion on Charter Change Concerning BET Elections

Mr. Tesei stated that there are six different models being considered concerning BET elections:

1. Maintain the status quo.



2. Conduct non-partisan elections for the BET.
3. Stagger and lengthen the terms of BET members.
4. Follow a model similar to that used to elect members of the Board of Education.
5. Conduct direct elections of BET members.
6. Conduct direct elections providing for staggered and longer terms of office.

Mr. Tesei stated that the Law Committee and the Town Attorney will review the options then public hearings will be scheduled.

#### Proposal on OPEB Fund Investment

Mr. Stone presented a proposal to adjust the acquisition rate within the Town's OPEB Fund, the designated vehicle being Vanguard's Total Stock Market Index Fund, from \$100,000/month to \$200,000/month until the 31% maximum level permitted by state statute has been reached, and then to maintain such level with monthly allocations of no more than \$200,000. This change will be effective November 1, 2003.

Upon a motion from Mr. Stone, seconded by Ms. Guimard, the Board voted 12-0-0 for the above proposal.

#### Policy and Procedure Committee Progress Report

Ms. Gardner stated that the manual that has been created will not be presented at this time.

#### Motion to Make Policy and Procedure Committee a Standing Committee

A motion to make the Policy and Procedure Committee a standing committee was made by Ms. Gardner. The language of the motion was reviewed. Mr. Simon commented that, as Mr. Mazza has suggested, the Policy and Procedure Committee should only consider policies at the request of the Board.

After discussion, the Policy and Procedure Committee withdrew the motion to make it a standing committee. Mr. Krumeich and Ms. Gardner will rework the language of the proposal and may present at a future meeting. The Policy and Procedure manual will be presented when the status of the Committee is decided.

#### **NEW BUSINESS:**

#### Approval of Charter Change to Section 11 – Comptroller, Appointment; Term, Salary; Vacancy

The addition of the words "for a two-year term" and "appointed term at the will" make the provisions governing appointment, term, and service at the will of the Board similar to the provisions dealing with the Assessor. Mr. Mazza inquired as to benefits (health, etc.) for the position. Mr. Wetmore responded that there is a pay plan in existence that appointing authorities did approve. The Greenwich Pay Plan provides for benefits as does the employee handbook.

Upon a motion from Mr. Walko, seconded by Mr. Krumeich, the Board voted 12-0-0 to approve the charter change to Section 11 – Comptroller.

## **SALARY ADJUSTMENTS FOR ELECTED OFFICIALS:**

### First Selectman and Selectmen

By charter, the two Selectmen shall receive no less than ten percent of the salary of the First Selectman.

Mr. Walko made a motion, seconded by Ms. Gardner, to adjust the First Selectman's salary (current salary \$100,000) by 3.5% December 1, 2003 (proposed salary \$103,500) and by 3.25% December 1, 2004 (proposed salary \$106,864).

After some discussion, Mr. Walko amended his first motion to increase the First Selectman's salary (current salary \$100,000) by 3.25% December 1, 2003 (proposed salary \$103,250) and by 3.25% December 1, 2004 (proposed salary \$106,606).

Upon a motion by Mr. Simon, seconded by Ms. Guimard, the Board voted 10-1-1 to amend the original motion, Mr. Krumeich dissenting and Mr. Lash abstaining.

Upon the amended motion by Mr. Walko, seconded by Ms. Gardner, the Board voted 11-0-1 to increase the First Selectman's salary (current salary \$100,000) by 3.25% December 1, 2003 (proposed salary \$103,250) and by 3.25% December 1, 2004 (proposed salary \$106,606), Mr. Lash abstaining.

### Tax Collector

Mr. Walko made a motion, seconded by Ms. Gardner, to adjust the Tax Collector's salary (current salary \$72,000) by 3.5% January 1, 2004 (proposed salary \$74,520) and by 3.25% January 1, 2005 (proposed salary \$76,942).

After some discussion, Mr. Walko amended his motion to increase the Tax Collector's salary (current salary \$72,000) by 3.25% January 1, 2004 (\$74,340) and by 3.25% January 1, 2005 (\$76,756).

Upon a motion by Mr. Walko, seconded by Ms. Gardner, the Board voted 11-1-0 to amend the original motion, Mr. Krumeich dissenting.

Upon the amended motion by Ms. Burnett, seconded by Ms. Guimard, the Board voted 12-0-0 to increase the Tax Collector's salary (current salary \$72,000) by 3.25% January 1, 2004 (proposed salary \$74,340) and by 3.25% January 1, 2005 (proposed salary \$76,756).

Town Clerk

Upon a motion from Mr. Walko, seconded by Ms. Gardner, the Board voted 12-0-0 to increase the Town Clerk's salary (current salary \$70,000) by 6.2% January 1, 2004 (proposed salary \$74,340) and by 3.25% January 1, 2005 (proposed salary \$76,756).

The 6.2% increase in 2004 was approved in order to equalize this salary with that of the Tax Collector.

Board of Assessment Appeals

Mr. Walko made a motion that the stipend paid to the members of the Board of Assessment Appeals be increased by \$1,000 to \$6,000 effective July 1, 2004, and that the stipend for the Chairman of the Board of Assessment Appeals be increased by \$1,000 to \$8,500 effective July 1, 2004.

A discussion regarding the Board of Assessment Appeals ensued. Mr. Stone stated that during a revaluation year each member of the board works an average of 194 hours, and during non-revaluation years the number decreases to approximately 54 hours. Mr. Gomeau commented that the Board of Assessment Appeals is the only Board allowed under state statutes to receive stipends. The remuneration makes it easier to find candidates for these positions that are sometimes difficult to fill.

However, after further discussion about the number of hours spent working in these positions compared to totals spent by volunteers on some other Town boards; and the stated desire of some BET members to keep costs down, especially in light of the upcoming tight budget, Mr. Walko withdrew the motion with Ms. Gardner concurring.

There being no further business before the Board, the meeting was adjourned at 10:56 PM.

Respectfully submitted,

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Jennifer Sargeant

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Peter J. Tesei, Chairman

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Val P. Storms, Clerk of the Board