

1. BET Special Meeting Agenda 4-16-2021

Documents:

[BET SPECIAL MEETING AGENDA 4-16-2021.PDF](#)

2. BET Special Meeting Packet 4-16-2021

Documents:

[BET SPECIAL MEETING PACKET_4-16-2021.PDF](#)

3. VOTED AGENDA_BET Special Meeting 4-16-2021

Documents:

[VOTED AGENDA_BET SPECIAL MEETING 4-16-2021.PDF](#)

4. SUB_TO_APP_BET Special Meeting Minutes_4-16-2021

Documents:

[SUB_TO_APP_BET SPECIAL MEETING MINUTES_4-16-2021.PDF](#)



**TOWN OF GREENWICH
BOARD OF ESTIMATE & TAXATION**

**SPECIAL MEETING
Friday, April 16, 2021 – 8:30 A.M.**

AGENDA

Please click the link below to join the webinar:

<https://greenwichct.zoom.us/j/86145124088?pwd=dSt6T1djMFNmZkF3Z0xc2d4dQvUT09>

Password: 8013297

Or iPhone one-tap:

US: +16465189805,,86145124088#,1#,8013297# or 8335480276,,86145124088#,1#,8013297#
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Webinar ID: 861 4512 4088

Password: 8013297

1. Requests for Budget Adjustments

<u>Number</u>	<u>Department</u>	<u>Amount</u>	<u>Purpose</u>
ED-11	BOE B6801089 59560	\$2,055,000	Interim Appropriation Collapsed Ceiling
FI-6	Finance	\$2,055,000	Borrowing Resolution North Mianus School Flood

Michael S. Mason, Chair



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Michael S. Mason, Chair

**Town Of Greenwich
Request Form For Budget Adjustments**

BET Meeting Date:

Apr-21
ED 11

Application #:

ED 11

Department & Division: BOE
Action Requested: Interim Appropriation
Date of Submission: March 22, 2021

	Fund	Dept	Object	Project	Desc	Amount
To:	B	6801089	59560	TBD	Collapse Ceiling	\$2,055,000
From:						

Justification of Request: (Set forth reasons the adjustment is required, the factors involved in arriving at costs,
Costs associated with the ceiling collapse at North Mianus School.



Board Chairman _____ Department Head: _____

Certified correct as to computations and amounts shows as appropriations to date and unencumbered balances, with any changes given.

Date: _____ Comptroller: _____

The following action was taken at a meeting of the Board of Estimate and Taxation held on:

_____ Approved Motion: _____
 _____ Disapproved
 _____ Modified as follows: Second: _____
 Clerk of the Board: _____

This form should be submitted with 35 blue copies in addition to a current Appropriation Statement

EXPLANATORY COMMENTS

On the morning of Saturday, February 13, 2021, an alarm was triggered for water intrusion due to a ceiling collapse in an upper level elementary classroom at North Mianus School, creating an immediate response from GPS Facilities and the Greenwich Fire Department. A ceiling assembly “consisting of ... two inches of plaster on metal lath, and wood furring strips spaced at 12 inches o.c. and secured to the 2x14 ceiling joist spaced at 16 inches o.c. failed at the connection between the furring strips and joist” ([Pustola & Associates Engineering Report](#)).

In lay terms, the plaster ceiling collapsed on top of the sprinkler line, severing the line causing a large flood which brought down the hung ceiling.

As a result of the ceiling collapse, further investigation determined that the remaining plaster ceilings on Level 1 and Level 2 at the front of the building (original section of the building) need to be removed and replaced for safety reasons. In addition, several rooms were damaged when the sprinkler pipe broke, and seeped through the ceilings on the first level; the Media Center and Main Office areas were impacted as well. Analysis was conducted by Pustola & Associates, consulting engineers, and initial emergency clean-up and repairs were conducted by Wernert.

The ceilings were early 1900’s construction using long nails going through the plaster into the structural beams, however the sprinkler line and hung ceiling, during their initial installation, were only attached to the plaster itself. This issue was not visible, as it sits behind layers of insulation. Over time, through expansion and shrinkage, due to temperature fluctuation, the nails were brought down by the weight of the ceiling.

The interim request must cover the emergency response required. These items include: swift water clean-up, immediate environmental monitoring to remove instructional items impacted by the flood, emergency response remediation and demolition, shutting off all water to the impacted area and reestablishing fire suppression systems for the rest of the building, and other work completed to ensure the building was safe for immediate construction and remediation. The interim request also covers the construction necessary to remove and replace the faulty ceilings. In addition, large storage containers were brought in to clear out the impacted portions of the building in tandem with a professional moving company, and then relocate 15 classrooms across the district. As listed in the estimate provided, there are costs associated with the replacement of security cameras, and transportation of students from February through June to the alternate location sites. North Mianus previously ran two buses, and an additional 8 routes were needed to safely socially distance while transporting students to their new sites.

While some of the project will eventually be covered through insurance, the replacement of the unsafe ceilings where flooding did not occur, are not covered through insurance.

Set forth reasons the adjustment is required, the factors involved in arriving at cost, and the status of the account from which the transfer is made.

The BET pending meeting date of April 9,2021. The bonding resolution by the BET follows.

North Mianus - Approved Funding by BET on April 7, 2021

<u>Description</u>	<u>Estimate</u>	<u>Contingency (20%)</u>	<u>Total</u>
Damaged Areas:			
Emergency response/remediation/demo	\$189,731	\$0	\$189,731
Estimate to rebuild damaged areas	<u>\$628,834</u>	<u>\$125,767</u>	<u>\$754,601</u>
Total Damaged Area	\$818,565	\$125,767	\$944,332
Preventative Work:			
Demo - 1st Floor	\$332,551	\$66,510	\$399,061
Demo- 2nd Floor	<u>\$294,592</u>	<u>\$58,918</u>	<u>\$353,510</u>
Total Preventative	\$627,143	\$125,429	\$752,572
Total Construction-related	\$1,445,708	\$251,195	\$1,696,903
Other (non-construction):			
FF&E	\$18,702	\$0	\$18,702
Security camera replacements	\$19,500	\$0	\$19,500
Transportation for displaced students (till June)	\$307,367	\$0	\$307,367
Staffing	\$12,000	\$0	\$12,000
Moving & Storage	<u>TBD</u>	<u>\$0</u>	
	\$357,569	\$0	\$357,569
Total Approved on April 7, 2021	\$1,803,277	\$251,195	\$2,054,472
Rounded			\$2,055,000
Deferred pending additional information			\$6,054,027
Total of Initial Request			\$8,109,027

RESOLUTION AUTHORIZING THE ISSUANCE OF \$2,055,000 BONDS OF THE TOWN TO MEET A PORTION OF THE CAPITAL BUDGET APPROPRIATIONS FOR THE REPAIR OF THE CEILING AT NORTH MIANUS ELEMENTARY SCHOOL FOR FISCAL YEAR 2021-2022 AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWING FOR SUCH PURPOSE

WHEREAS, the Board of Estimate and Taxation and the Representative Town Meeting have approved specific appropriations for the repair of the ceiling at the North Mianus Elementary School in various capital projects in the Town's Capital Budget for Fiscal Year 2020-2021.

BE AND IT IS HEREBY RESOLVED:

Section 1. To meet the portion of the approved capital budget appropriations for the repair of the ceiling at the North Mianus Elementary School in various capital projects in the Town's Capital Budget for Fiscal Year 2021-2022 (collectively, the "North Mianus Ceiling Project"), \$2,055,000 general obligation bonds of the Town are authorized to be issued in one or more series, maturing in annual installments of principal in compliance with the General Statutes of Connecticut, as amended from time to time (the "Connecticut General Statutes"), *provided* the final installment shall be due not later than the fifth year after their date. The bonds shall be in the denomination of \$5,000 or a whole multiple thereof, be issued in fully registered form, be executed in the name and on behalf of the Town by the facsimile or manual signatures of the Chairman of the Board of Estimate and Taxation or another authorized BET member designated by the Chairman and the Treasurer, and countersigned by the Comptroller, have the seal of the Town affixed and attested by the Town Clerk, be certified by a bank or trust company, and be approved as to their legality by nationally-recognized bond counsel. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and interest thereon.

Section 2. The aggregate principal amount of the bonds of each series to be issued, and the manner of issue and sale shall be determined by the Comptroller, *provided* the bonds shall be issued in amounts which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the costs of issuance of such bonds. The annual installments of principal, redemption provisions, if any, the certifying, registrar and transfer agent and paying agent, the date, time of issue and sale and other terms, details and particulars of such bonds, including approval of the rate or rates of interest payable thereon, shall be determined by the Comptroller, in accordance with the Connecticut General Statutes.

Section 3. Said bonds shall be sold by the Comptroller, in a competitive offering or by negotiation, in his discretion. If sold in a competitive offering, the bonds shall be

sold at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. If the bonds are sold by negotiation, provisions of the purchase agreement shall be approved by the Comptroller.

Section 4. The Comptroller is authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the Chairman of the Board of Estimate and Taxation or another authorized BET member designated by the Chairman and the Treasurer, and countersigned by the Comptroller, have the seal of the Town affixed and attested by the Town Clerk, be approved as to their legality by nationally-recognized bond counsel, and be certified by and payable at a bank or trust company designated by the Comptroller, pursuant to Section 7-373 of the Connecticut General Statutes. They shall be issued with maturity dates which comply with the provisions of the Connecticut General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a capital cost of the North Mianus Ceiling Project. Upon the sale of the bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any temporary borrowings then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. The Board of Education is authorized in the name and on behalf of the Town to apply to the Connecticut Commissioner of Education for any and all State grants-in-aid of the North Mianus Ceiling Project.

Section 6. The Town hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and any time after the date of passage of this Resolution in the maximum amount of and for the North Mianus Ceiling Project with the proceeds of bonds, notes or other obligations ("Tax Exempt Obligations") authorized to be issued by the Town. The Tax Exempt Obligations shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the North Mianus Ceiling Project, or such later date as the Regulations may authorize. The Town hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Comptroller is authorized to pay project expenses in accordance herewith pending the issuance of Tax Exempt Obligations.

Section 7. The Comptroller is hereby authorized, on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to the Municipal Securities Rulemaking Board (the "MSRB") and to provide notices to the MSRB of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds or other obligations authorized by this Resolution. Any agreements or representations to provide information to MSRB made prior hereto are hereby confirmed, ratified and approved.

Section 8. The time for the issuance of bonds, notes or other obligations authorized hereunder shall not be limited but shall remain in full force and effect until all payments are made and all borrowings completed for the North Mianus Ceiling Project financed by such bonds or other obligations.

Section 9. The Chairman of the Board of Estimate and Taxation or another authorized BET member designated by the Chairman, the Treasurer and the Comptroller are hereby authorized, on behalf of the Town, to enter into any other agreements, instruments, documents and certificates, including tax and investment agreements, for the consummation of the transactions contemplated by this resolution and to contract in the name of the Town with engineers, contractors and others in connection therewith.



**TOWN OF GREENWICH
BOARD OF ESTIMATE & TAXATION**

**SPECIAL MEETING
Friday, April 16, 2021 – 8:30 A.M.**

VOTED AGENDA

1. **Requests for Budget Adjustments**

<u>Number</u>	<u>Department</u>	<u>Amount</u>	<u>Purpose</u>	<u>Vote</u>
ED-11	BOE B6801089 59560	\$2,055,000	Interim Appropriation Collapsed Ceiling	9-0-3
FI-6	Finance	\$2,055,000	Borrowing Resolution North Mianus School Flood	10-1-1

Michael S. Mason, Chair



MINUTES of the Special Meeting of the Board of Estimate and Taxation held on Friday, April 16, 2021 in a virtual Zoom webinar, Greenwich, CT.

Chairman Michael S. Mason called the meeting to order at 8:30 A.M.

Board members in attendance:

Michael S. Mason, Chairman
Karen Fassuliotis, Vice Chairman
William Drake, Clerk
Andreas Duus III
Laura Erickson
Debra Hess
Miriam Kreuzer
Elizabeth K. Krumeich
Leslie Moriarty
Jeffrey S. Ramer
Leslie L. Tarkington
David Weisbrod

Staff: Roland Gieger, Director, Budget & Systems Management, Finance Department;
Peter Mynarski, Comptroller

BOE/GPS: Peter Bernstein, Chair, Board of Education (BOE); Dr. Toni Jones, Superintendent,
GPS: Sean O'Keefe, Chief Operating Officer, GPS

Other: Horst Tebbe, GCTV

Call to Order and Pledge of Allegiance

Chairman Mason asked for a report from the Budget Committee on its recommendation to the full BET taken at its April 7, 2021 meeting.

Request for Budget Adjustment

NON-ROUTINE APPLICATIONS

<u>Number</u>	<u>Department</u>	<u>Purpose</u>
ED-11	BOE	Interim Appropriation

\$2,055,000

B6801089 59560

North Mianus School
collapsed ceiling

Ms. Tarkington reported that the Budget Committee had received a request of \$8.1 million for repair of damage at the North Mianus School resulting from a ceiling collapse on February 13, 2021. The request was presented by Peter Bernstein, BOE Chairman, Dr. Toni Jones, Superintendent of Schools, Sean O'Keefe, Chief Operating Officer and Dan Watson, Director of GPS Facilities. Ms. Zanesky, Director of Risk Management, reported on the status of the related pending insurance claim. Mr. Watson requested town input, including recommendations for contractors for emergency demolition, and engineering and architectural consultation. At the present, the cost to fully restore the school is unknown, pending ongoing engineering analysis. The initial request of \$8.1 million includes \$2,055,000 itemized for the Damaged Areas, Preventative Work, FF&E, Security camera replacements, Transportation for displaced students, and related staffing. The Committee discussed the scope of the project, the initial request and various alternatives to avoid delay and meet the RTM schedule. Ultimately an appropriation of \$2,055,000 was voted 3-0-1 for immediate needs and to request another interim appropriation when cost estimates by a qualified estimator are known.

Dr. Jones circulated a description of the steps planned by the BOE to have an RFP prepared by April 28, for posting after the RTM meeting of May 10, anticipating bidding to begin May 19 with a contract signing before June 15. It is hoped that the relocated students will be able to return to North Mianus sometime between Thanksgiving and the conclusion of Winter Break. Mr. Bernstein asked that the full amount be appropriated using the BET's practice of conditioning release of funds to ensure no delay in the bidding process.

Ms. Kreuzer made a motion to amend, seconded by Mr. Ramer, to appropriate \$8,109,027 of which \$2,055,000 is immediately available and condition the release of \$6,054,027 subject to BET acceptance and approval of the project bid from a qualified vendor(s).

In the discussion that followed, Ms. Kreuzer asked that the Board follow its typical process for emergency requests. The Board members expressed concerns about the timeline and delays; respecting the RTM's authority to approve or reduce the full \$8.1 million; the BET's fiduciary responsibility to taxpayers; and the special circumstances of student displacement with COVID disruptions.

Mr. Mason asked Mr. Drake for a Roll Call vote on the amended motion to approve \$8,109,027 appropriation with \$2,055,000 available immediately and \$6,054,027 conditioned on approval of the project bid. The Board voted 6-6-0. (Opposed: Drake, Duus, Fassuliotis, Hess, Mason, Tarkington) Motion failed.

Mr. Mynarski and Mr. Gieger were asked to clarify any restrictions imposed on sources of funds and the technicalities of bonding when insurance and state reimbursements are involved. Mr. Mason summarized the discussion and indicated that the repair to the North Mianus School had strong support on the Board, and expressed confidence the repair would be promptly appropriated and carried out. He thanked Dr. Jones for her leadership during the Covid-19 health emergency and expressed appreciation for Greenwich leading the State as the first town to bring students back to school.

Mr. Mason asked Mr. Drake for a Roll Call vote on the original Item ED-11 for an interim appropriation of \$2,055,000 for repair of ceiling damage at North Mianus School. The Board voted 9-0-3. (Abstain: Erickson, Kreuzer, Moriarty) Motion carried.

FI-6	Finance	Borrowing Resolution
\$2,055,000		North Mianus School Flood

Ms. Tarkington reported that a bonding resolution had been prepared by Robinson & Cole to accompany ED-11. The Budget Committee voted 3-0-1 for bonding of a \$2,055,000 appropriation to repair the North Mianus School ceiling damage.

The Board considered the funding sources for the total repairs of the school and received for guidance from the Finance Department on using the Capital Non-Recurring Fund, the Z Fund or bond anticipation note.

Mr. Mason asked Mr. Drake for a Roll Call vote on borrowing resolution FI-6 for \$2,055,000 for repair of ceiling damage at North Mianus School. The Board voted 10-1-1. (Opposed: Moriarty) Abstain: Kreuzer) Motion carried.

Adjournment

Upon a motion by Mr. Ramer, seconded by Ms. Kreuzer, the Board voted 12-0-0 to adjourn the meeting at 10:00 A.M. Motion carried.

Respectfully submitted,

Catherine Sidor, Recording Secretary

William Drake, Clerk of the Board

Michael Mason, Chairman

The next Regular Meeting of the Board of Estimate and Taxation is on Monday, May 17, 2021 at 6:30 P.M.