MINUTES of the Special Meeting of the Board of Estimate and Taxation held on Monday, January 14, 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.

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

Board member absent: Laurence B. Simon

Staff: Peter Mynarski, Comptroller; Roland Geiger, Budget Director
Other: John Wayne Fox, Town Attorney; Susan Wallerstein, BOE; Leslie Moriarty, Vice Chairman BOE; Marianna Ponns Cohen, BOE; Frank Mazza, Chairman Hamilton Avenue School Building Committee

Board of Education-Additional Appropriation-$550,000

ED-5 Additional Appropriation:
$ 550,000 to Z-6801792-59550 Hamilton Avenue School

Frank Mazza, Chairman of the Hamilton Avenue School Building Committee, reported that the additional funds are to pay the architect and project manager whose contracts have run out. Also, URS Corporation has been hired as a consultant. The building is at 85% completion, the heat is on, and construction is moving more rapidly with a projected completion towards the end of May 2008.

In response to Mr. Stone, Mr. Mazza said that the payments being made will not absolve the TOG from future claims. In response to Ms. Tarkington, Mr. Mazza reported that the project manager has been constructive in providing documentation.
In response to a suggestion made by Mr. Finger and Mr. Krumeich, and after some discussion, Mr. Walko invited Mr. Mazza to the BET meeting in March to report on the progress of the Hamilton Avenue School construction project.

Upon a motion by Mr. Mason, seconded by Mr. Stone, the Board voted 11-0-0 to approve the appropriation subject to release of the $133,644 contingency only upon presentation to the BET of satisfactory documentation evidencing the need for the $133,644.

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

Upon a motion by Mr. Finger, seconded by Ms. Tarkington, the Board voted 11-0-0 to add an update of the Glenville School construction project to the meeting Agenda.

Mr. Mazza gave a brief update on the Glenville School building project. Bids have come in under the budget of $18,730,000 at around $18,710,000, not including the contingency. The project was re-classified as new construction to qualify for State Grant Funds. This resulted in a code modification for the roof, at an additional cost of $300,000; in return the Town will receive $1.3 million in aid.

Originally there was $700,000 set aside for a geothermal system, which will not work for this project. Instead the committee is evaluating a photovoltaic system, which is a solar panel roof system, which will cost an additional $1.2 million. They discussed obtaining a grant from the Connecticut Clean Energy Fund for approximately $670,000. The expenditure would come from the project's funds, yet the Grant will go into the General Fund. If this is the case, the Glenville School Building Committee will come to the BET for an additional appropriation.

**Law Department-Additional Appropriation-$750,000**

SE-15 Additional Appropriation:
$750,000 to A140-51400 Law Department

Mr. Fox explained the additional appropriation is needed to cover expenses mostly on a few special cases that have become very expensive. These cases require experts and outside counsel. Also, trial dates have been set sooner than expected.

Since this item was a last minute addition to the original agenda for the meeting, there was much discussion on the lack of information given to the Board members. Mr. Fox explained that the appropriation is needed to be approved prior to the RTM meeting which would be held later in the evening; otherwise he would have gone through the correct process.

In response to Mr. Walko, Ms. Barton reported that the Law Committee discussed the supplemental appropriation at length at its January 4, 2008 meeting. The outside counsel line was budgeted low in last year's budget meetings with full discussion before the Budget Committee. At that time, Mr. Fox advised that should additional funds be needed he would return to the BET to request them. The Law Committee evaluated that an additional $750,000, based on the information that was presented to them, is unlikely to be sufficient funding to last through the end of the current fiscal year. The Law Committee accordingly voted 2-0 to
authorize the Town Attorney to seek a supplemental appropriation of up to $850,000 for the remainder of the year. Mr. Fox chose to proceed with the $750,000 appropriation request, which had been previously placed on the BET and the RTM agendas. The Board was advised, however, that Mr. Fox may return to request additional funds at the May meeting. The Law Committee supported the requested application.

In response to Mr. Campbell, Mr. Fox reported that last fiscal year $350,000, and so far this fiscal year $156,000, was recovered in insurance proceeds to cover outside counsel and Mr. Fox anticipates more reimbursements this year. Ms. Barton said that the insurance proceeds go into the General Fund, rather than into the Law Department’s bottom line.

Upon a motion by Mr. Mason, seconded by Ms. Barton, the Board voted 9-1-1 to approve the application. Mr. Kelly voted against; Mr. Finger abstained.

ADJOURNMENT

Upon a motion by Mr. Ramer, seconded by Mr. Kelly, the Board voted 11-0-0 to adjourn at 7:47 p.m.

Respectfully submitted,

Maria Bocchino, Recording Secretary

Leslie L. Tarkington, Clerk of the Board

Stephen G. Waldo, Chairman