TOWN OF GREENWICH
BOARD OF ESTIMATE AND TAXATION
LAW COMMITTEE SPECIAL MEETING
MINUTES
Wednesday, March 22, 2017
Law Department Conference Room

Committee: Leslie L. Tarkington, Chair; Elizabeth K. Krumeich

Other: John Wayne Fox, Town Attorney; Aamina Ahmad, Assistant Town Attorney; Michael Mason, Chairman, Board of Estimate and Taxation; Peter Sherr, Chairman, Board of Education

The meeting was called to order at 2:03 P.M.

1. Review and Approval of Budget Resolutions
The Committee discussed the draft of the BOE Athletic Gifts Budget Resolution with the Town Attorney, Mr. Mason, Mr. Sherr, and Attorney Ahmad. Ms. Krumeich referred to the January 2017 update of the Board of Education (“BOE”) Gifts & Grants Procedures. Mr. Sherr advised that the Procedures should be read together with the BOE’s Financial Management Policy, which was then reviewed. After much discussion there was support for the proposed new BOE Athletic Gifts Budget Resolution.

Upon a motion duly made and seconded, the Law Committee of the Board of Estimate and Taxation (“BET”) members Tarkington and Krumeich present by a vote of 2-0 approved upon review and advice of the Town Attorney, the BOE Athletic Gifts Budget Resolution #44:

44. The Board of Education is authorized to accept appropriate gifts of athletic equipment and improvements to indoor and outdoor athletic facilities (“Gifts”), provided that (a) any such Gifts of improvements to athletic facilities shall comply with all Town and Board of Education policies and procedures and purchasing and contracting requirements (including insurance and indemnification), be overseen by the Board of Education’s Finance and Operations Department, comply with all applicable laws and regulations, and have all necessary Federal, State and local land use, environmental and other governmental approvals in place prior to the start of work; and (b) donations of cash shall become appropriations which the Comptroller shall add to the appropriate accounts upon approval by the Board of Estimate and Taxation. The installation of any such Gifts shall be overseen and supervised by the Board of Education and/or the Town. The Board of Education shall submit to the Comptroller and the Board of Estimate and Taxation an annual report itemizing these Gifts and donations.

The Committee discussed with the Town Attorney and Attorney Ahmad the Small Town Economic Assistance Program (STEAP) Grant Resolution. To reflect current practice the Resolution was revised to recognize that grants are applied for and accepted on behalf of external entities.

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Upon a motion duly made and seconded, the Law Committee of the Board of Estimate and Taxation ("BET") members Tarkington and Krumeich present by a vote of 2-0 approved upon review and advice of the Town Attorney, the STEAP Grant Budget Resolution #6:

6. The First Selectman is authorized to apply for and accept grants on behalf of the Town and external entities from the Small Town Economic Assistance Program (STEAP), in accordance with C.G.S. § 4-66g as amended by Public Act 07-7, Section 41, and C.G.S. § 4-66c as amended by Public Act 07-07, Section 40, and such grants shall become appropriations upon approval by the Board of Estimate and Taxation.

The Committee discussed the BOE financial donations from the Campaign for MISA, Inc. Resolution and agreed that as campaign funding was complete, and Campaign for MISA, Inc. dissolved, that Budget Resolution #42(g) should be deleted and #42(h) and 42(i) shall be renumbered to #42(g) and #42(h).

Upon a motion duly made and seconded, the Law Committee of the Board of Estimate and Taxation ("BET") members Tarkington and Krumeich present by a vote of 2-0 approved upon review and advice of the Town Attorney, to delete the BOE Campaign for MISA, Inc. Budget Resolution #42(g) and #42(h) and 42(i) shall be renumbered to #42(g) and #42(h).

The Committee discussed the Budget Resolutions with the Town Attorney and agreed to amend as follows.

Upon a motion duly made and seconded, the Law Committee of the Board of Estimate and Taxation ("BET") members Tarkington and Krumeich present by a vote of 2-0 approved upon review and advice of the Town Attorney, the Resolutions of Board of Estimate and Taxation and Representative Town Meeting on 2017-2018 Budget, Grants and Other Receipts as amended.

The Committee discussed with the Town Attorney the Resolution authorizing the issuance of $36,284,000 bonds of the Town to meet a portion of the capital budget appropriations. Ms. Krumeich raised objection to the term and a final fifth year installment. She requested that the Resolution be amended for a final twentieth year installment.

Upon a motion duly made, Ms. Krumeich moved to amend to replace “fifth” with twentieth”. There was no second, and the motion failed.

Upon a motion duly made and seconded, the Law Committee of the Board of Estimate and Taxation ("BET") members Tarkington and Krumeich present by a vote of 1-1-0 (Krumeich against) upon review and advice of the Town Attorney that the Resolution authorizing the issuance of $36,284,000 was in legal order but did not approve the Resolution Authorizing the Issuance of $36,284,000 of the Town to Meet A Portion of the Capital Budget Appropriations in the Capital Plan for Fiscal Year 2017-2018 and Pending the Issuance Thereof the Making of Temporary Borrowing for Such Purpose.
The Committee discussed with the Town Attorney the Resolution authorizing the issuance of $1,100,000 Bonds of the Town for various sewer systems appropriations.

Upon a motion duly made and seconded, the Law Committee of the Board of Estimate and Taxation ("BET") members Tarkington and Krumeich present by a vote of 2-0 approved upon review and advice of the Town Attorney, the Resolution Authorizing the Issuance of $1,100,000 Bonds of the Town for Various Sewerage System Appropriations in the Sewer improvement Capital Plan for Fiscal Year 2017-2018 and Pending the Issuance Thereof the Making of Temporary Borrowing for Such Purpose.

The meeting was adjourned at 3:34 P.M.

Leslie L. Tarkington, BET Law Committee Chairman