



MINUTES of the Regular Meeting of the Board of Estimate and Taxation (BET) held on Monday, March 27, 2023 in the Town Hall Meeting Room, Greenwich, CT.

Chairman Dan Ozizmir called the meeting to order at 6:30 P.M.

Board members in attendance:

Dan Ozizmir, Chairman  
Nisha Arora, Clerk  
William Drake  
Laura Erickson  
Karen Fassuliotis  
Harry Fisher  
Miriam Kreuzer  
Leslie Moriarty  
Jeffrey S. Ramer  
Stephen Selbst  
Leslie L. Tarkington  
David Weisbrod

Staff: Peter Mynarski, Comptroller, Lauren Elliott, Assessor, Attorney Justin Kuehn, Moore Kuehn, PLLC, Town Attorney, Barbara Schellenberg, Aamina Ahmad, Assistant Town Attorney

Other: Don Conway, GCTV

## **1. Call to Order and Pledge of Allegiance**

## **2. Executive Session**

The BET held an Executive Session to discuss the following legal case:

- Kinard v. Town of Greenwich

Upon a motion by Ms. Fassuliotis, seconded by Ms. Tarkington, to enter into Executive Session at 6:31 P.M. to discuss the above noted legal cases, the Committee voted 12-0-0. Motion carried.

Upon a motion by Ms. Fassuliotis, seconded by Ms. Tarkington to close the Executive Session at 6:57 P.M., the Committee voted 12-0-0. Motion carried.

### 3. Request for Budget Adjustments

#### ROUTINE APPLICATIONS

<u>Number</u>	<u>Department</u>	<u>Amount</u>	<u>Purpose</u>
SE-16	First Selectman	\$60,000	Settlement
	P935-57350		Zackson v. TOG and BOE
CA-1	Commission on Aging	\$40,000	Transfer
	A196 53400		Senior Center Lunch Program

The Board Clerk, Ms. Arora, read the Routine Applications into the record.

Mr. Ramer made a request to make SE-16 a Non-Routine Application and requested to go into Executive Session at 6:59 P.M. to discuss the legal settlement of Zackson v. TOG and BOE.

Upon a motion by Mr. Ramer, seconded by Ms. Moriarty The Board came out of Executive Session at 7:02 P.M.

Ms. Tarkington made a motion to approve the Zackson v. TOG and BOE Legal Settlement for \$60,000 from the Risk Fund seconded by Mr. Selbst. The motion carried 11-1-0 (Ramer voting no)

Ms. Tarkington made a motion to approve the transfer of \$40,000 for the Senior Center Lunch Program, seconded by Ms. Moriarty. The motion carried 12-0-0.

### 4. Assessor's Report

Ms. Elliott presented the Assessor's Report. She began by stating that the Board of Assessment Appeals (BAA) met on March 7, 2023 for appeals to the 2022 Grant List and completed their deliberations on March 9<sup>th</sup>. A total of 101 BAA Appeals were received, 92 on the real estate list, and 9 on the personal property list. Of the 92 real estate appeals, ten (10) of the commercial properties were not heard, eleven (11) appeals were either withdrawn or not heard, 15 properties were sustained, and 56 real estate assessments were reduced for a total reduction of \$25,303,250. There were eight (8) out of nine (9) personal property accounts adjusted for a reduction of \$544,908.

Regarding litigation, two (2) cases were settled, one residential and one commercial appeal.

Upon a motion by Mr. Ramer, seconded by Ms. Tarkington, the Board voted 12-0-0 to accept the Assessor's Report. Motion carried by unanimous consent.

### 5. Comptroller's Report

Mr. Mynarski presented the Comptroller's Report and highlighted the following areas:

- The monthly American Rescue Plan (ARP) update on expenditures, cash balances and interest income were presented. He stated that earnings on ARP

monies invested has reached a total of \$377,055 and the cash balance at February 28, 2023 was at \$17,560,853 down from the January 31<sup>st</sup> balance of \$18,296,867.

- The Year-ending audit for June 30, 2022 was extended to April 30, 2023. The auditors are waiting for final figures from The Nathaniel Witherell on outstanding receivables for June 30, 2022.
- Mr. Mynarski reported that the second donation for the Cohen Eastern Greenwich Civic Center for \$1 million dollars has been received, leaving a balance of \$3 million to be collected in future years.
- He also reported that the Town has received a school construction reimbursement of \$4,307,901 for the New Lebanon School construction project.

Upon a motion by Ms. Tarkington, seconded by Mr. Ramer, the Board voted 12-0-0 to accept the Comptroller's Report. Motion carried by unanimous consent.

## **6. Treasurer's Report**

Mr. Mynarski presented the Treasurer's Report highlighting and commenting on individual balances for a number of the different funds as of February 28, 2023. In addition, he gave the Board an update on national bank failures and reported that the Town is currently not at risk on monies invested in the various funds.

Upon a motion by Mr. Weisbrod, seconded by Ms. Tarkington, the Board voted 12-0-0 to accept the Treasurer's Report. Motion carried by unanimous consent.

## **7. BET Standing Committee Reports**

No reports were presented.

## **8. BET Liaison Reports**

No reports were presented.

## **9. BET Special Project Team Reports**

### **CMS Building Committee Report**

Written report submitted by Ms. Arora.

### **Greenwich High School Vestibule Project Building Committee Report**

Written report submitted by Ms. Moriarty.

## **10. Old Business**

### **Discussion and Vote on Cost Estimator Policy**

Mr. Ramer pointed out there were two documents submitted and only one was identified as being on the agenda. He made a motion, seconded by Mr. Ozizmir, to separate the two reports submitted into two categories; one under old business and one under new business. Motion carried by unanimous consent.

The Board turned its attention to the first document entitled "Independent Construction Cost Estimator Project Process".

Ms. Arora, seconded by Ms. Tarkington, made a motion to approve the Independent Cost Estimator Project Process.

Mr. Ramer made a motion, seconded by Ms. Moriarty, to amend the policy. The motion was to add to The Engagement Process Section: "At no point may any member of the BET, directly or indirectly, communicate or confer with the Estimator until such time as the Estimator has submitted its written draft report to the Project Manager." The motion carried 6-5-1 (Ozizmir, Arora, Fassuliotis, Fisher and Tarkington voting no. Drake abstained.)

Mr. Ramer made an additional motion, seconded by Ms. Moriarty, to further amend the policy. The motion was to amend in the sentence just ahead of the prior motion, at the end of the sentence modified referring to project team meetings: If it is determined that the project team would benefit from a discussion with the Estimator, the Project Manager will arrange a meeting "with the Estimator and both Liaisons and striking the remainder of the prior submitted sentence". The motion carried 12-0-0.

Ms. Moriarty made a motion, seconded by Mr. Ramer, to further amend the policy. The motion was to add a sentence in the penultimate paragraph providing the report to the department/BOE: "The relevant Town Department, Board of Education, or Building Committee should also receive a copy of the work product and be given an opportunity to comment". The motion carried 12-0-0.

Ms. Erickson made a motion, seconded by Mr. Ozizmir to strike language in the Hiring Process section, deleting the word "attached" from the phrase "attached Town's Consultant Agreement. The Board voted 12-0-0 to accept Ms. Erickson's motion. Motion carried by unanimous consent.

Ms. Moriarty made a motion, seconded by Mr. Ozizmir to amend the Erickson motion to amend, seconded by Mr. Ramer, to delete the phrase "as identified on the attached proposed project scope" in the introductory paragraph. The Motion carried 12-0-0.

The Committee voted on the original motion, as amended, to approve the Independent Cost Estimator Project Process. The motion carried 11-1-0 (Weisbrod voting no).

## **11. New Business**

### **The Nathaniel Witherell (TNW) – FY 23 FTE Headcount Change**

Mr. Drake reported that the BET Human Resources Committee voted 4-0-0 to increase the headcount at TNW by three FTE's. Ms. Tarkington gave the report of the BET Budget Committee and stated that the Budget Committee voted 2-1-1 (Tarkington voted no, and Arora abstained).

Mr. Drake made a motion, seconded by Ms. Tarkington to approve the increase in headcount at TNW by three (3) FTE's. The motion carried 11-0-1 (Tarkington abstained).

### **Estimator Project Specific Request Process (agenda amended)**

The second report submitted entitled "Estimator Project Specific Request" was withdrawn to provide the Board members additional time to provide comments.

## **12. Chair's Report**

Chairman Ozizmir alerted Board members that they will be voting on the FY 2024 budget next Tuesday, on April 4<sup>th</sup> and requested that they submit their budget amendments to Roland Gieger, Budget Director, by Friday with a deadline of 9:00 A. M. Monday morning. He also stated for the public listeners that there is a Public Hearing this Wednesday, March 29<sup>th</sup> at 7:00 P.M. and the public should submit their comments to a posted link on the Town's website if they can't attend in person.

## **13. Approval of BET Meeting Minutes**

Upon a motion by Ms. Tarkington, seconded by Ms. Moriarty, the Board voted 12-0-0 to approve the Minutes of the BET Regular Meeting held on February 27, 2023. Motion carried.

Upon a motion by Ms. Tarkington, seconded by Ms. Moriarty, the Board voted 12-0-0 to approve the Minutes of the BET Regular Meeting held on November 21, 2022. Motion carried.

## **14. Adjournment**

Upon a motion by Mr. Weisbrod, seconded by Ms. Erickson, to adjourn the meeting, the Board voted 12-0-0 to adjourn at 8:30 P.M. Motion carried.

Respectfully submitted,



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Peter Mynarski, Recording Secretary



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Nisha Arora, Clerk of the Board



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Dan Ozizmir, Chairman