



**TOWN OF GREENWICH  
BOARD OF ESTIMATE AND TAXATION  
BUDGET COMMITTEE MEETING MINUTES  
TOWN HALL MEETING ROOM  
Tuesday, May 10, 2022**

**Committee**

**Present:** Leslie L. Tarkington, Chair; Nisha Arora, Laura Erickson, Leslie Moriarty

**Staff:** Roland Gieger, Director, Budget & Systems Management, Finance Department; Peter Mynarski, Comptroller; Sean O'Keefe, Greenwich Public Schools Chief Operations Officer, Tyler Fairbairn, Community Development Block Grant Administrator, Charlie Lubowicki, Assistant Fire Chief, Barbara Schellenberg, Town Attorney

**Board:** Dan Ozizmir, Chairman; Michael Basham, Miriam Kreuzer, David Weisbrod

**Other:** Ken Borsuk, *Greenwich Time*; Don Conway, GCTV, Michael S. Lynch, Esq., Lynch Law Group, LLC.

Ms. Tarkington called the meeting to order at 1:05 P.M.

**1. EXECUTIVE SESSION**

Discussion of legal strategy for pending litigation for the following matters:

- Casas v. Town of Greenwich and Board of Education
- Massey v. Town of Greenwich and Board of Education

Upon a motion by Ms. Moriarty, seconded by Ms. Erickson, to enter Executive Session at 1:05 P.M., the Committee voted 3-0-0 (Ms. Arora not yet in attendance). Motion carried.

**Executive Session Closed**

Upon a motion by Ms. Moriarty, seconded by Ms. Arora, to close the Executive Session at 1:29 P.M., the Committee voted 4-0-0. Motion carried.

**2. Request for Budget Adjustments**

<u>Number</u>	<u>Department</u>	<u>Amount</u>	<u>Purpose</u>
<b>SE10</b>	<b>First Selectman</b>	<b>\$x,xxxx</b>	<b>Settlement</b>
	<b>P935-57350</b>		<b>Massey v. TOG and BOE</b>

No action taken.

<b>SE-11</b>	<b>First Selectman P935-57350</b>	<b>\$x,xxxx</b>	<b>Settlement Casas v. TOG and BOE</b>
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No action taken.

Upon a motion by Ms. Erickson to take ED-12 out of order, seconded by Ms. Moriarty, the Committee voted 4 -0-0. Motion carried.

<b>ED-12</b>	<b>Board of Education</b>	<b>\$1,566,171</b>	<b>Additional Appropriation ARP (ESSER II) Funds</b>
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The Schools Chief Operations Officer, Mr. O’Keefe stated that the Greenwich Public Schools (GPS) has been the recipient of four COVID related grants:

- ESSER I - \$758,160
- Coronavirus Relief Fund - \$1,203,684
- ESSER II - \$4,268,046 in total, partially appropriated in May 2021 by the BET for \$2,701,875 leaving a balance of \$1,566,171 to be appropriated
- ESSER III (also, referred to as ARP) - \$9,592,155 to be appropriated

Mr. O’Keefe said that the Coronavirus Relief Fund monies were fully appropriated and spent through FY 2021. He told the Committee that the funds were spent for facilities supplies and equipment and teaching and learning supplies.

The ESSER II grant for the \$2,701,875 initial expenditures in FY 2021 was for certified staff, non-certified staff, technology for students and teachers and supplies, all related to COVID. The remaining balance of \$1,566,171 was almost entirely for staff salary and benefits including benefits of \$285,506 coordinated with Budget Director, Mr. Gieger. Mr. O’Keefe confirmed that the funds were not yet fully spent. A member asked Mr. O’Keefe where the ESSER funds has been spent by each school. He answered that he can do that and would supply that information.

The Chair asked Mr. O’Keefe if the ESSER II Grant for FY 2022 had been presented to the Board of Education (BOE) for approval. He responded that they were reviewed by the BOE Finance Committee and all of the related materials to each grant are put into the monthly package for the full BOE meeting, offering that they want to be as transparent as possible. Ms Arora stated that the grants should be approved by the BOE membership.

There were a number of audit and tracking of expenditures related questions. Mr. Mynarski informed the Committee, that the initial BOE and Town COVID related grants were in the process of being audited. Mr. Mynarski explained how the Finance Department was preparing to meet future audit and administrative burdens by working collaboratively with the BOE and other departments. In addition, Mr. Mynarski clarified the audit process for the various related grants and the difference between the Town’s ARP money versus the BOE’s various ESSER and ARP grants.

Upon a motion by Ms. Moriarty, seconded by Ms. Erickson, to approve the additional appropriation of \$1,566,171 of ESSER II (ARP) funds, the Committee voted 3-1-0 (Ms. Arora voted no). Motion carried.

<b>ED-11</b>	<b>Board of Education</b>	<b>\$9,592,155</b>	<b>Additional Appropriation ARP (ESSER III) Funds</b>
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For the ARP (ESSER III) grant, Mr. O’Keefe reported that the total of \$9,592,155 was either partially spent or committed through the year’s FY 2022 to FY 2024. The focus of the grant is on transformation and at least 20% of the grant must be spent on 1) learning loss, 2) learning

acceleration, 3) academic renewal or 4) student achievement. He explained the term transformation for the Schools includes: 1) \$4,602,363 for human resources, 2) \$971,099 for benefits, 3) \$140,846 for food services, and 4) \$1,494,392 for teaching and learning.

Mr. O'Keefe said that the process started in spring 2021 with a deadline of August 24, 2021 to submit a request package to the Department of Education which determines eligibility for the projects. A member asked if the full BOE had approved these requests and who made the allocation decisions. Mr. O'Keefe stated that Dr. Toni Jones, Mr. O'Keefe and a number of Schools employees put together a plan. It was shared with the BOE Finance Committee. A Budget Committee member stressed that the Finance Committee is a subcommittee and not the full BOE, and expressed concern that the submission was not approved by the full BOE.

The Chair asked if the ESSER III grant was a reimbursement program. Mr O'Keefe stated he was pretty sure the money was upfront and had been received. She then requested that the interest received be allocated back to the program.

Ms. Tarkington requested that Mr. O'Keefe meet with Mr Geiger to determine if any of the items in ESSER III are capital projects. If so, she asked him to prepare "CIP" sheets for the full BET meeting so that they can be booked in Capital and followed in the Open Capital Reports.

Ms. Tarkington stated that she was uncomfortable supporting FY 2024 requests due to the possibility of future changes. She also mentioned reviewing the benefit charges with Finance due to the increase in health care costs.

Ms. Arora continued to express her concern that the full BOE did not approve these allocations and stated she would not vote for this request. Ms. Tarkington agreed with Ms. Arora's comment and stated she was concerned about future allocations in FY 2023 and FY 2024. She asked if ESSER or Town ARP funds can be modified. Mr. Mynarski responded that Town ARP funds can be reallocated depending on spending patterns.

Ms. Moriarty commented that she felt the BOE was fully aware of allocations and the spending of the various COVID grant funds. She said they are reported to the BOE on a monthly basis.

Ms. Erickson wanted to know if we are changing the appropriated allocations for ESSER III for future years especially in the area of human resources. She wanted to know if the COVID related employees already hired would be impacted. Ms. Arora responded that she only wanted the FY 2023 and FY 2024 allocations to go back to the full BOE for their approvals and she was okay with whatever was already spent without being approved by the BOE.

Ms. Erickson made a motion, seconded by Ms. Moriarty, to approve the additional appropriation of \$9,592,155 of ARP (ESSER III) funds.

Ms. Tarkington made a motion to amend Ms. Erickson's motion to send back the allocations for FY 2023 and 2024 to the full BOE for their approvals. Ms. Arora seconded the motion. The Committee voted 3-1-0 to amend the original motion (Ms. Erickson voted no). Motion carried.

Upon a motion by Ms. Erickson, seconded by Ms. Moriarty, to approve the full additional appropriation of \$9,592,155 of ARP funds with the condition that the full BOE approve the FY 2023 and FY 2024 portions, the Committee voted 3-1-0 (Ms. Arora voted no). Motion carried.

<b>CD-1</b>	<b>Community Development</b>	<b>\$1,002,042</b>	<b>Approval to Use</b>
	<b>Q197</b>		<b>CDBG PY2022 Budget</b>

Mr. Fairbairn presented the Program Year 2022 Community Development Block Grant to the Budget Committee for \$1,002,042. He said that this was the annual entitlement grant submission brought forward each year. Mr. Fairbairn explained the process. He said it starts when they send out the applications in January to the various entities and give them 30 days to apply for a grant. There are a series of public hearings for the applicants to present their cases for the grants submitted. The RTM Advisory Committee is made up of members from each RTM District, members of the community and two BET members. The Advisory Committee sends their recommendations to the First Selectman. He makes his selections. After approval by the BET, the proposed expenditures must go to the RTM for the June meeting to meet the August deadline.

Mr. Fairbairn stated that the total grant was made up of three pieces as follows:

- Estimated Entitlement for CDBG Program Year 2022 - \$808,558
- Reprogrammed Prior Year Funds to Program Year 2022 - \$172,768.73
- Reprogrammed CDBG-CV Funding - \$20,717.10
- Total - \$1,002,042.

Ms. Erickson asked about the Nathaniel Witherell Pavilion proposed budgeted item from the FY 2021 Program. Mr. Fairbairn said that the project came in under budget and it made up a majority of the reprogrammed funds from the prior year or about \$90,000. He stated that they couldn't find any other Nathaniel Witherell projects that fit within the scope of that project and had to therefore return the funds to the current year.

Ms. Arora asked about how the CDBG program selects recipients for the grants. He responded that the Advisory Committee makes an effort to try to give everyone something. They look at the number of people served by each program, needs and prior awards. The First Selectman has the final say in the selection process. After his selections, they go to the BET and RTM for approvals.

Ms. Erickson wanted, for the record, to have the Agnes Morley Heights Window Replacement Project explained. Mr. Fairbairn stated that it was a multi-year project affecting more than one floor.

Upon a motion by Ms. Moriarty, seconded by Ms. Arora, to accept and approve to use \$1,002,042 for the Community Development Block Grant Program Year Budget and the associated Resolution, the Committee voted 4-0-0. Motion carried.

The Committee stated that this would need a Public Hearing at the Monday BET meeting.

<b>FD-3</b>	<b>Fire Department</b>	<b>\$275,000</b>	<b>Additional Appropriation</b>
	<b>A205-51100</b>		<b>Payment for Overtime Services</b>

This item was presented by Assistant Fire Chief Charlie Lubowicki, He stated that the projected Overtime line shortage was related to the retroactive pay settlement for the recently settled Collective Bargaining Agreement. He said the encumbered amount was understated by approximately \$300,000. He also stated that the Fire Department froze spending to try to offset some of the shortfall. The problem was exacerbated by not recognizing the last thirteen days of the fiscal year for the payroll accrual.

Ms. Erickson wanted to have it stated that this shortfall was not a fair representation of the total shortfall and wondered why the previous transfer and the current appropriation request did not go together. Mr. Gieger assumed responsibility and stated that they were separated because one

goes to the RTM and one doesn't. He further explained they were waiting to determine the exact amount to ask for to cover the shortfall. Ms. Erickson responded that when the item goes to the RTM, the explanos should fully explain that the total shortfall is \$520,000, not the \$275,000 requested now. Assistant Chief Lubowicki agreed and would make that clear before the RTM.

Ms. Moriarty warned and alerted everyone that this area would need further scrutiny during next year's budget deliberations and would like to revisit the way retroactive pay is budgeted.

Upon a motion by Ms. Arora, seconded by Ms. Moriarty, to approve an additional appropriation of \$275,000 for Fire Department overtime as a Routine item, the Committee voted 4-0-0. Motion carried.

<b>FI-3</b>	<b>Finance Department</b>	<b>\$35,000</b>	<b>Transfer</b>
	N132 51470		Investment Advisory Services

Mr. Gieger told the Committee that this transfer is to create a line item to cover the hiring of an outsourced Chief Investment Officer firm, Vanguard, in the Other Post Employment Benefits (OPEB) Fund during the current year. He stated that the FY 2022-2023 budget already includes this change.

Upon a motion by Ms. Moriarty, seconded by Ms. Arora, to approve a transfer of \$35,000 for Investment Advisory Services for the Other Post-Employment Benefits Fund as a Routine item, the Committee voted 4-0-0. Motion carried.

<b>PL-2</b>	<b>Perrot Library</b>	<b>\$15,000</b>	<b>Transfer</b>
	A710 401,405,415		Painting Expenses

Mr. Gieger presented this item on behalf of the Perrot Library. He stated that the item was a transfer to cover unanticipated expenses for painting at the library.

Upon a motion by Ms. Moriarty, seconded by Ms. Arora, to approve a transfer of \$15,000 for painting expenses for the Perrot Library as a Routine item, the Committee voted 4-0-0. Motion carried

**NEW BUSINESS**

• **Economic Conditions Report**

Mr. Gieger presented this item and the highlights of his report are as follows:

- Conveyance taxes are still going well, and the April report does not include the sale of the commercial office building at 100 West Putnam Avenue.
- Mr. Gieger spoke with Building Inspector, Bill Marr and he said that the building permit activity did not include any large permits, simply a large number of permits.
- Interest income would increase due to interest rate increases.
- Property taxes were up because of the increase in property tax levy, change in collection cycle from COVID Executive Orders, and court stipulations continue to not be settled.
- Overall, all funds are doing quite well for both revenues and expenditures through ten months.

Ms. Tarkington stated that the Bureau of Labor Statistics (BLS) numbers are out for March with an increase in the CPI inflation rate of 1.3% for the month and 6.1% for the year.

## Approval of BET Budget Committee Meeting Minutes

Upon a motion by Ms. Moriarty, seconded by Ms. Erickson, to approve the Minutes of the Regular BET Budget Committee Meeting of April 12, 2022, the BET Budget Committee voted 4-0-0. Motion carried.

Upon a motion by Ms. Moriarty, seconded by Ms. Erickson, to approve the Minutes of the BET Budget Committee Consultation Day Meeting of March 2, 2022, the BET Budget Committee voted 4-0-0. Motion carried.

Before the meeting adjourned, Ms. Tarkington added there is a condition to release on the Round Hill Volunteer Fire Company's budget and requested the other Committee and BET members to send any questions or requests for information relative to the conditions before July 1<sup>st</sup>.

## Adjournment

Upon a motion by Ms. Arora, seconded by Ms. Moriarty, to adjourn the meeting at 3:46 P.M., the Committee voted 4-0-0. Motion carried.

Respectfully submitted,



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Peter Mynarski, Recording Secretary



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Leslie L. Tarkington, Budget Cmte Chair

The next Regular Meeting of the BET Budget Committee will be held on Tuesday, June 14, 2022, at 1:00 P.M. in the Town Hall Meeting Room.