



MINUTES of the Regular Meeting of the Board of Estimate and Taxation (BET) held on Monday, May 15, 2023 in the Town Hall Meeting Room, Greenwich, CT.

Chairman Dan Ozizmir called the meeting to order at 6:36 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; Roland Gieger, Budget Director; John Mastronardi, Executive Director, The Nathaniel Witherell; Brad Markowitz, Chairman, The Nathaniel Witherell Board; Tyler Fairbairn, Community Development Block Grant Administrator; Barbara Schellenberg, Town Attorney; Aamina Ahmad, Assistant Town Attorney; Courtney A. George, Attorney, Marino, Zabel & Schellenberg; James Heavey, Police Chief (via telephonic call-in); Greenwich High Schools Senior Interns Kohei Izawa and Stefano Triant

Other: Don Conway, GCTV

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

Mr. Drake took the opportunity to welcome and introduce two Greenwich High School Seniors that are participating in an internship program providing an overview of Town Government. Ms. Erickson is assisting with this program. They are Kohei Izawa and Stefano Triant.

## **2. Open Public Hearing – Community Development Block Grant (CDBG) FY 2023 Budget**

Ms. Tarkington made a motion, seconded by Mr. Ramer to open the Public Hearing on the CDBG FY 2023 Program Budget at 6:38 P.M. The vote was unanimous, motion carried.

Mr. Ramer made a motion, seconded by Mr. Fisher, to reclassify Routine Applications SE-15 (Desgraves v. TOG) and SE-19 (Los v. TOG) to Non-Routine. The vote was unanimous, 12-0-0, motion carried.

### 3. **Request for Budget Adjustments**

#### **ROUTINE APPLICATIONS**

<b><u>Number</u></b>	<b><u>Department</u></b>	<b><u>Amount</u></b>	<b><u>Purpose</u></b>
<b>CC-1</b>	<b>Conservation Commission</b> F1723 51490	<b>\$5,000</b>	<b>Approval to Use</b> State of CT OPM Grant
<b>FD-4</b>	<b>Fire Department</b> A205 53310 52500	<b>\$110,000</b>	<b>Additional Appropriation</b> PPE& Cleaning Services
<b>HS-1</b>	<b>Human Services</b> F501 51010,53200	<b>\$ 34,136</b>	<b>Approval to Use</b> Youth Services Bureau Grant
<b>RTM-3</b>	<b>RTM</b> A101 51460	<b>\$ 28,000</b>	<b>Transfer</b> Professional Services
<b>PD-7</b>	<b>Police Department</b> F213 43493	<b>\$ 530,000</b>	<b>Approval to Use</b> 911 Fund Grant
<b>PD-8</b>	<b>Police Department</b> F213 21382-2022	<b>\$ 4,318</b>	<b>Approval to Use</b> Port Security Grant 2022
<b>PR-2</b>	<b>Parks &amp; Rec</b> A834 54310	<b>\$ 179,000</b>	<b>Transfer</b> Ferry Dock Maintenance
<b>SE-20</b>	<b>First Selectman</b> P935 57350	<b>\$ 19,000</b>	<b>Settlement</b> Brown v. TOG

The Board Clerk, Ms. Arora, read the Routine Applications into the record. Ms. Tarkington gave the report of the Budget Committee stating the aforementioned items were all approved by the Committee. She added that PR-2 was approved as an Additional Appropriation and the item was now before the Board as a Transfer.

Ms. Arora made a motion to approve the Routine Applications, seconded by Ms. Tarkington. Motion carried 12-0-0 by unanimous consent.

#### **NON-ROUTINE APPLICATIONS**

<b><u>Number</u></b>	<b><u>Department</u></b>	<b><u>Amount</u></b>	<b><u>Purpose</u></b>
<b>NW-3</b>	<b>Nathaniel Witherell</b> H45011, 45020, 45002	<b>\$530,000</b>	<b>Transfer</b> Fees & Services

Ms. Tarkington gave the report of the Budget Committee on the Non-Routine Applications for The Nathaniel Witherell (TNW). She stated that the Committee voted 4-0-0 to approve the transfers and 3-0-1 for the additional appropriation. Ms. Tarkington abstained pending additional information from TNW officials.

Mr. Mastronardi presented both items requesting monies for transfers and an additional appropriation. He told the Board TNW has experiencing shortfalls in two areas: 1) cost overruns in the Dietary, Food budgets due to a lack of staffing and 2) shortfalls in the professional fess budgets due to turnover in the Finance operations of TNW. He and TNW Board Chairman, Brad Markowitz assured the Board they are doing all they could to rectify budgetary shortfalls and financial discrepancies in the billing and receiving of patient accounts at TNW.

Upon a motion by Chairman Ozizmir, seconded by Mr. Selbst, the Board voted 12-0-0 to approve the transfer of \$530,000 for The Nathaniel Witherell for professional fees and services. Motion carried.

<b>NW-4</b>	<b>Nathaniel Witherell</b>	<b>\$920,000</b>	<b>Additional Appropriation</b>
	H450020 51490		Professional Fees

Mr. Mastronardi presented this item also. He added that they are working on zero based budgeting at TNW and hoped to have presentations on their progress shortly. Mr. Markowitz gave the Board an update on the outstanding receivables balances at TNW.

Upon a motion by Chairman Ozizmir, seconded by Mr. Selbst, the Board voted 12-0-0 to condition \$30,000 of the additional appropriation of \$920,000 from The Nathaniel Witherell Fund Balance for professional fees and services pending the receipt of additional supportive documentation. The vote was 12-0-0. Motion carried.

Upon a motion by Ms. Moriarty, seconded by Mr. Tarkington, to approve the request for \$920,000, as amended, for TNW for professional fees, the Board voted 12-0-0. Motion carried.

**4. Assessor’s Report**

Ms. Elliott reported that Income and Expense Reports were sent out by Quality Data Systems on April 14, 2023 to 787 commercial and industrial properties and that they are due back to the Assessor’s Office by June 1, 2023.

The Senior and Disabled Homeowner Property Tax Relief filing began on February 1, 2023 and all applications are due back by May 15, 2023. One hundred and ninety-one (191) applications were sent out.

Litigation – as of May 2023 there are 91 court cases pending, including one (1) from the 2015 Revaluation. The current market value of the pending cases is \$1,848,769,300. Since the 2015 revaluation, 240 cases have been resolved.

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

**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 \$506,758 and the cash balance at March 31, 2023 was at \$16,277,113.
- The year-ending audit for June 30, 2022 was extended until May 31, 2023 and it is unknown if it will be extended beyond that date.

Upon a motion by Ms. Tarkington, seconded by Mr. Fisher, the Board voted 12-0-0 to accept the Comptroller’s Report. Motion carried.

**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 April 30, 2023.

Upon a motion by Ms. Tarkington, seconded by Mr. Fisher, the Board voted 12-0-0 to accept the Treasurer’s Report. Motion carried.

**7. Close Public Hearing**

Upon a motion by Ms. Tarkington, seconded by Ms. Fisher, the Board voted 12-0-0 to close the Public Hearing for the CDBG FY 2023 Program Budget at 7:40 P.M. Motion carried.

**8. Request for Budget Adjustment – NON-ROUTINE APPLICATION**

<b>CD-1</b>	<b>Community Development</b>	<b>\$849,858.79</b>	<b>Approval to Use &amp; Resolution</b>
	Q197		CDBG FY 2023 Program Budget

Mr. Fairbairn present the annual CDBG budget to the Board. Upon inquiry, he said that there were two slight adjustments to the original request for a total of fifty-five thousand (\$55,000).

Upon a motion by Ms. Tarkington, seconded by Mr. Fisher, to accept and approval to use \$849,858.79 for the CDBG Program Year 2023 Budget, the Committee voted 10-0-2 (Erickson & Weisbrod abstained). Motion carried as a Non-routine matter.

Upon a motion by Ms. Tarkington, seconded by Ms. Moriarty, to accept the associated CDBG Proposed Budget Resolution for the Program Year 2023, covering the period of July 1, 2023 through June 30, 2024, the Committee voted 12-0-0. Motion carried.

**9. BET Standing Committee Reports:**

No reports were submitted or presented.

**10. BET Liaison Reports:**

No reports were submitted or presented.

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

### **CMS Building Committee Report**

Written report submitted Ms. Arora and attached to these minutes.

### **Julian Curtiss Building Committee Report**

Written report submitted by Mr. Fisher and included in the packet.

### **Old Greenwich Building Committee Report**

Written report submitted by Mr. Selbst and included in the packet.

## **12. Old Business**

None

## **13. New Business**

- **Setting Mill Rates:**

- **General Fund** – Ms. Tarkington moved the Resolution to set the Mill Rate for the General Fund on the Assessment List of October 1, 2022 for the Fiscal Year 2023-2024 at 11.393 Mills on the dollar, seconded by Mr. Fisher. The Board voted 11-0-1 (Kreuzer abstained) to approve. Motion carried.
- **Sewer Maintenance Fund** – Ms. Tarkington moved to amend the original Resolution to set the Mill Rate for the Sewer Maintenance Fund on the Assessment List of October 1, 2022 for the Fiscal Year 2023-2024 at 0.369 Mills on the dollar by adding \$4 million dollars from the use of fund balance, seconded by Chairman Ozizmir. The Board voted 7-5-0 (Erickson, Moriarty, Ramer, Selbst & Weisbrod voted nay) to approve. Motion carried.  
Ms. Tarkington made a motion to accept the amended Resolution to set the Mill Rate for the Sewer Maintenance Fund on the Assessment List of October 1, 2022 for the Fiscal Year 2023-2024 at 0.201 Mills on the dollar, seconded by Chairman Ozizmir. The Board voted 12-0-0. Motion carried.
- **Sewer Improvement Fund** – Ms. Tarkington moved the Resolution to set the Mill Rate for the Sewer Improvement Fund on the Assessment List of October 1, 2022 for the Fiscal Year 2023-2024 at 0.045 Mills on the dollar, seconded by Chairman Ozizmir. The Board voted 12-0-0 to approve. Motion carried.
- **Approval of the Amended Bonding Resolution by the RTM** – Ms. Fassuliotis made a motion, seconded by Mr. Weisbrod, to amend the Bonding Resolution authorizing the issuance of \$95,562,333 bonds to \$94,612,333 based on the RTM reduction of \$950,000. The Board voted 12-0-0. Motion carried.

- **Review, discussion and vote on The Nathaniel Witherell Internal Audit by CliftonLarsonAllen for Medicare and Medicaid Reporting** – Mr. Fisher made a motion, seconded by Ms. Erickson, to approve the use of \$9,600 for a Medicare and Medicaid Cost Report performed by CliftonLarsonAllen (CLA). The Board voted 12-0-0. Motion carried.

**14. Chair’s Report**

No report given.

**15. Approval of BET Meeting Minutes**

Upon a motion by Mr. Selbst, seconded by Ms. Tarkington, to approve the Minutes of the BET Regular Meeting of March 27, 2023, the Board voted 12-0-0. Motion carried.

Upon a motion by Mr. Selbst, seconded by Ms. Tarkington, to approve the Minutes of the BET Regular Meeting Public Hearing of March 29, 2023, the Board voted 12-0-0. Motion carried.

**16. Executive Session**

The Board held an Executive Session to discuss the following legal matters;

- **Kordick v. Town of Greenwich, et al**
- **Desgraves v. Town of Greenwich**
- **Los v. Town of Greenwich**

Upon a motion by Ms. Tarkington, seconded by Ms. Moriarty, to enter into Executive Session at 8:28 P.M. to discuss the above noted legal cases, the Board voted 12-0-0. Motion carried.

Upon a motion by Mr. Weisbrod, seconded by Ms. Fassuliotis to close the Executive Session at 9:36 P.M., the Board voted 12-0-0. Motion carried.

**NON-ROUTINE APPLICATIONS**

<u>Number</u>	<u>Department</u>	<u>Amount</u>	<u>Purpose</u>
<b>SE-15</b>	<b>First Selectman</b>	<b>\$110,000</b>	<b>Settlement</b>
	P935 57350		Desgraves v. TOG

Upon a motion by Ms. Fassuliotis, seconded by Ms. Moriarty, the Board voted 12-0-0 to appropriate \$110,000 from the Risk Fund for the legal settlement of Desgraves v. TOG. Motion carried.

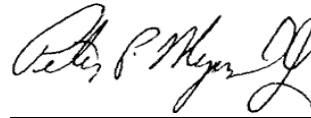
<b>SE-19</b>	<b>First Selectman</b>	<b>\$ 12,500</b>	<b>Settlement</b>
	P935 57350		Desgraves v. TOG

Upon a motion by Ms. Fassuliotis, seconded by Ms. Tarkington, the Board voted 12-0-0 to appropriate \$12,500 from the Risk Fund for the legal settlement of Los v. TOG. Motion carried.

## 17. Adjournment

Upon a motion by Mr. Fisher, seconded by Mr. Selbst, the Board voted 12-0-0 to adjourn at 9:38 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