MINUTES of the regular meeting of the Board of Estimate and Taxation held on Monday, May 20, 2019, in the Town Hall Meeting Room, Greenwich, CT.

Jill Oberlander, BET Chair, called the meeting to order at 6:35 P.M., after which the members pledged allegiance to the flag.

Board members in attendance:

Jill K. Oberlander, Chair
Jeffrey S. Ramer, Vice Chairman
Elizabeth K. Krumeich, Clerk
William Drake
Andreas Duus III
Karen Fassuliotis
Debra Hess
Michael S. Mason
Leslie Moriarty
Leslie L. Tarkington
Anthony Turner
David Weisbrod

Staff: Aamina Ahmad, Assistant Town Attorney, Law Department; Lauren Elliott, Assessor; Tyler Fairbairn, Administrator, Community Development; J. Wayne Fox, Town Attorney; James Michel, Deputy Commissioner, Public Works Department; Peter Mynarski, Comptroller; Howard Richman, Tax Collector; Larry Roberts, Deputy Chief, Fire Department

TNW: Tom Ellis, Director of Financial Operations, The Nathaniel Witherell (TNW); Laurence Simon, Chairman, TNW Board of Directors

Other: Alexis Voulgaris, Chair, Community Development Advisory Committee (CDAC), RTM D-6

The Chair welcomed BET Members, Town staff and members of the public to the May meeting of the BET.

EXECUTIVE SESSION –Discussion of Pending Litigation

Ms. Oberlander called for an Executive Session to discuss pending litigation.

Upon a motion by Ms. Krumeich, seconded by Mr. Ramer, the BET voted 12-0-0 to enter Executive Session at 6:34 P.M. Motion carried.

Upon a motion by Ms. Fassuliotis, seconded by Ms. Moriarty, the BET voted
12-0-0 to enter Executive Session at 6:59 P.M. Motion carried.

The Committee exited Executive Session at 6:59 P.M.

The Chair noted that the BET had an item to accept and use the Community Development Block Grant entitlement grant, including reprogrammed funds, on the agenda this evening. Ms. Oberlander requested a motion to open a Public Hearing on the Community Development Block Grant (CDBG) for Program Year 2020 Entitlement.

Upon a motion by Ms. Fassuliotis, seconded by Ms. Tarkington, the BET voted 12-0-0 to open a Public Hearing on the Community Development Block Grant Program for PY 2020. Motion carried.

The Chair opened the Public Hearing and invited Ms. Alexis Voulgaris, as the Chair of the Community Development Advisory Committee, to provide the Board with an overview of this year’s process. Ms. Voulgaris remarked that distribution of the U.S. Housing and Urban Development (HUD) Community Development Advisory Grant for Program Year 2020 was complex and thanked BET CDBG liaisons (Messrs. Weisbrod and Drake) and Ms. Krumeich and Tyler Fairbairn, the Administrator of the Program, for their assistance shepherding the many facets of PY 2020 recipient selection and grant distribution.

Ms. Oberlander commented that there were six requests for Budget Adjustments and that four were identified as NON-ROUTINE on the Meeting Agenda. After consideration of the Department of Public Works request (PW-3) related to the Nitrogen Credit Exchange Program, Finance has advised that the BET does not need to act on this item. Ms. Oberlander commented that the Application for Adjustment was withdrawn.

Upon a motion by Ms. Fassuliotis, seconded by Ms. Tarkington, the BET voted 12-0-0 to withdraw item PW-3, a request by the Department of Public Works for an additional appropriation of $232,000 for Sewer Nitrogen credits. Motion carried.

Ms. Oberlander requested a Motion to change the Order of Business.

Upon a motion by Mr. Weisbrod, seconded by Ms. Moriarty, the BET voted 12-0-0 to change the Order of Business on the Agenda. Motion carried.

The Clerk of the BET moved the two NON-ROUTINE items.

**NON-ROUTINE APPLICATIONS**

<table>
<thead>
<tr>
<th>Number</th>
<th>Department</th>
<th>Amount</th>
<th>Purpose</th>
</tr>
</thead>
<tbody>
<tr>
<td>NW-4</td>
<td>Nathaniel Witherell</td>
<td>$195,000</td>
<td>Transfer Maintenance &amp; Healthcare</td>
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</tbody>
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Ms. Moriarty, Chair of the Budget Committee, explained that the internal transfer was related to the cost of the new boiler system at the Nathaniel Witherell (TNW) that was approved as an interim appropriation by the BET and maintenance expense exceeded the operating budget, higher than budgeted costs for elevator and parking lots, as well the healthcare benefits budgeted prior to a policy change from family eligibility to individual-only eligibility for part-time employees. Fewer employees who met the eligibility criteria chose to apply for TNW healthcare benefits resulting in
excess funds that could be used to accelerate payment of a capital expenditure. The Budget Committee voted 4-0-0 to approve this request.

Upon a motion by Ms. Krumeich, seconded by Ms. Tarkington, the Board voted 12-0-0 to approve the internal transfer of $195,000 between accounts. Motion carried.

FD-3  Fire  $136,000  Additional Appropriation  Water Service

Deputy Chief Roberts reported that due to a delay in billing a retro water rate, bills for $23,904 for FY2018 and $112,118 for FY2019, required requesting an additional appropriation of a total $136,000.

Upon a motion by Mr. Ramer, seconded by Ms. Moriarty, the Board voted 12-0-0 to approve the additional appropriation of $136,000 for retro billing on two years of water service for the Fire Department. Motion carried.

Ms. Oberlander requested a Motion to take up a new item.

Upon a motion by Ms. Krumeich, seconded by Mr. Weisbrod, the Board voted 12-0-0 to add a new item to the Agenda. Motion carried.

SE-4  First Selectman  $890,000  Settlement  Griffin vs. TOG

Upon a motion by Ms. Krumeich, seconded by Ms. Fassuliotis, the Board voted 12-0-0 to approve the appropriation of $890,000 in settlement of Griffin vs. Town of Greenwich. Motion carried.

ROUTINE APPLICATIONS

The Clerk moved the following Routine Applications:

PW-2  DPW  $70,000  Transfer  Highway Materials

Ms. Moriarty reported that the Budget Committee voted 4-0-0 to approve the transfer of $70,000 to replenish salt supplies to prepare for next winter’s season by taking advantage of this year’s more favorable pricing.

PD-6  Police  $6,000  Approval to Use  JAG Grant

Ms. Moriarty reported that the Budget Committee voted 4-0-0 to accept a Justice Assistance Formula Grant (JAG) based on violent crimes formula and to approve the use of $6,000 to cover salary and instructor costs for officer training associated with domestic violence, de-escalation tactics and the organized crime dark web effort.

PL-1  Perrot Library  $15,000  Transfer  Interior Painting Expense
Ms. Moriarty reported that the Budget Committee voted 4-0-0 to approve the transfer of funds within the Perrot Library's accounts to repair paint and plaster caused by water leakage around a tower window due to a heavy rainstorm.

Upon a motion by Ms. Krumeich, seconded by Mr. Ramer, the Board voted 12-0-0 to approve ROUTINE applications PW-2, PD-6 and PL-1. Motion carried.

ASSESSOR'S REPORT

The Assessor reported that as of May 15, 2019, 524 seniors have applied for senior tax credit and tax deferral programs to receive credits. Once the Mill Rate is set, all exemptions, credits can be calculated and applied. Ms. Elliott commented that 7 fewer tax appeals on the 2018 Grand List had been filed in response to the Board of Assessment Appeals (BAA) decisions. Personal Property adjustments have been completed for July billing reflecting a reduction of $640,873 to the Personal Property List. A 30-day compliance notice is being sent to Personal Property List non-filers with property valued over $100,000 advising that an audit could be initiated unless a declaration of their property value is filed.

Upon a motion by Ms. Tarkington, seconded by Mr. Ramer, the Board voted 12-0-0 to accept the Assessors report. Motion carried.

COMPTROLLER'S REPORT

The Comptroller presented his report and drew the Board's attention to the following item:

- **Hamilton Avenue Water Damage Claim** – Risk Manager is awaiting response from BOE Business office relating to the January 2019 water damage.

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

TREASURER'S REPORT

Ms. Oberlander asked for questions about the Treasurer's Report showing investment portfolio activity for April 2019. Hearing none, the Chair noted that the BET had received the Report and would forward it to the Audit Committee to be filed for review by the outside auditor.

BET Standing Committee Reports

- **Law Committee** - Ms. Krumeich, Chair of the Law Committee, reported that the Tax Collector had commenced a process of collecting delinquent taxes, and notices have been sent to delinquent taxpayers. The Chair of the BET has requested that the Law Committee establish procedures for a Tax Deed Sale. Having completed initial research of the Connecticut Statutes governing collection of delinquent taxes, Ms. Fassuliotis will now work with Mr. Richman to develop proper procedures that could be utilized by the Tax Collector in the future.

BET Liaison Reports
Public Safety - Mr. Weisbrod and Mr. Mason are reviewing a scope of services that has been written to develop a Request for Proposal (RFP) to study Fire Department emergency response time and other issues. The draft includes objectives and expectations of the Board. BET members will receive a copy of the draft as well as a copy of the 1989 Fire Report and are asked for their comments within the week. While RFPs require many preliminary steps before publication, no contract will be signed before the start of the new fiscal year, July 1, 2019.

OLD BUSINESS – none

CD-2 Community Dev. $1,238,682 Approval to Use CDBG PY2020 Entitlement

Ms. Moriarty reported that the Budget Committee voted 4-0-0 to approve the use of the CDBG PY2020 Entitlement of $1,238,682. Mr. Fairbairn reported that the process has been changed to a July-June cycle and the CDAC received 37 applications and funded 32 applicants, which is an increase over the previous year’s 24 applicants. PY2018 helped an estimated 9,000 local residents.

Upon a motion by Mr. Weisbrod, seconded by Mr. Drake, the Board voted 12-0-0 to approve the use of the CDBG PY2020 Entitlement of $1,238,682 as amended and the allocation of re-programed funds. Motion carried.

Ms. Oberlander declared the Public Hearing on the Community Development Block Grant closed.

NEW BUSINESS

• Approval of 2019-2020 Budget Resolutions
Ms. Krumeich reported on the amendments to the 2019-2020 Budget Resolutions that were approved by the Representative Town Meeting that included: (a) deletion of word "and" from Section 43(a), insertion of ";and" at the end of Section 43(b), and removal of "(d)" from last sentence in Section 43; (b) deletion of word "and", and insertion of "," and insertion of "and the Representative Town Meeting" in Section 44(h) so the relevant sentence reads: "The Board of Education shall submit to the Comptroller, to the Board of Estimate and Taxation and the Representative Town Meeting an annual report itemizing the expenses and reimbursements." In addition, the amount of the bonds was changed to $43,004,000 in the Resolution authorizing the issuance of general obligation bonds.

Upon a motion by Ms. Krumeich, seconded by Ms. Tarkington, the Board voted 12-0-0 to accept the Resolutions as amended during the Representative Town Meeting budget meeting held on May 13, 2019. Motion carried.

• Approval of Mill Rates for 2019 – 2020 Fiscal Year
  o General Fund

Upon a motion by Ms. Krumeich, seconded by Ms. Fassuliotis, the Board

Upon a motion by Mr. Ramer, seconded by Ms. Moriarty, the Board voted 7-6 to amend and to reduce the Mill Rate Resolution to a rate of 11.682 for General Fund Tax on Assessment List of October 1, 2018, for FY2019-2020 (Opposed: Drake, Duus, Fassuliotis, Hess, Mason, Tarkington). The Chair cast a tie-breaking vote. Motion carried.

The Comptroller presented information regarding the Fund Balance. Members of the BET discussed the implications of proposed changes in the Mill Rate. The Tax Collector responded to an inquiry regarding the collection of delinquent taxes and its impact on the FY2019-2020 budget.

Upon the motion by Mr. Ramer, seconded by Ms. Moriarty, the Board voted 9-0-3 to approve the Resolution for General Tax Fund as amended with a rate of 11.682 Mills for General Fund Tax on Assessment List of October 1, 2018, for FY2019-2020. (Abstained: Fassuliotis, Mason, Tarkington). Motion carried.

- Sewer Maintenance Fund

Upon a motion by Ms. Krumeich, seconded by Mr. Ramer, the Board voted 12-0-0 to approve the Resolution for Sewer Maintenance Fund Tax of 0.401 Mills on Assessment List of October 1, 2018, for FY2019-2020. Motion carried.

- Sewer Improvement Fund

Upon a motion by Ms. Krumeich, seconded by Ms. Tarkington, the Board voted 12-0-0 to approve the Resolution for Sewer Improvement Fund Tax of 0.057 Mills on Assessment List of October 1, 2018 for FY2019-2020. Motion carried.

- 2019 M&C Compensation Program

Upon a motion by Ms. Tarkington, seconded by Ms. Moriarty, to re-consider the prior vote of this BET following the vote of the RTM regarding the M&C compensation pool for FY2019-2020 by amending the top range from 2.5% to 2.0% as follows:

- A 1.5% increase for M&C with performance ratings of "exceeded objectives" or "met objectives" as long as their salary was below grade maximum.

- An additional "High Performance" increase for those who consistently go beyond standard expectations and stand out as a performance leader and/or demonstrate outstanding performance in a special role or project. An additional 0.5% can be awarded for those M&C employees who meet either or both criteria in an excellent manner.
During the BET meeting of March 25, 2019, M&C salary range, increasing the M&C Compensation Pool to 2.5% for FY2019-2020 allocating this Pool as a base increase and a "High Performance" increase according to the principles approved by the Board in 2018.

The Board discussed the RTM's vote of May 13, 2019, to decrease the M&C Compensation Pool by 0.5% from 2.5% to 2.0%; maintained the 1.5% increase of M&C salaries with the possibility of an additional 0.5% awarded for high performance at the discretion of the employee's manager.

Upon a motion by Ms. Oberlander, seconded by Mr. Ramer, to amend the Board voted 10-1-1 (Opposed: Drake) (Abstained: Turner) to amend the M&C Compensation Pool provision by inserting the words at the end of the second bullet "as long as the employee's salary was below the grade maximum". Motion carried.

Upon a motion by Ms. Moriarty, seconded by Ms. Tarkington, the Board voted 10-1-1 (Opposed: Krumeich) (Abstained: Oberlander) to approve the motion as amended to affirm the vote of the RTM to decrease the M&C Compensation Pool to a high of 2.0% for FY2019-2020. Motion carried.

Chair's Report

Ms. Oberlander thanked BET colleagues, the Finance Department and RTM for their hard work on the Town's annual budget process. The Chair announced upcoming meetings that Board members might want to attend: a tour of the Family Centers Health Center on a date to be determined; the Retirement Board meeting on May 28 at 8:00 A.M.; and a meeting on the Eastern Greenwich Civic Center to be held on June 12 at 7:30 P.M. Ms. Oberlander concluded her remarks with congratulations to the Board for living up to its reputation as the hardest working board in Town.

Approval of the BET Meeting Minutes

Upon a motion by Ms. Krumeich, seconded by Mr. Ramer, the Board voted 12-0-0 to approve the following Meeting Minutes. Motion carried.

- March 18, 2019 - HDG Presentation
- March 25, 2019 – Regular Meeting
- March 26, 2019 – BET Public Hearing
- March 27, 2019 – BET Budget Workshop
- March 28, 2019 – BET Budget Decision Meeting
- April 22, 2019 – Regular Meeting

Adjournment

Upon a motion by Mr. Weisbrod, seconded by Mr. Duus, the Board voted 12-0-0 to adjourn the meeting at 9:12 P.M. Motion carried.

The next Regular Meeting of the Board of Estimate & Taxation is on Monday, June 24, 2019.
Respectfully submitted,

[Signature]
Catherine Sidor, Recording Secretary

[Signature]
Leslie B. Montgomery, Temporary Clerk for
Elizabeth K. Krumreich, Clerk of the Board

[Signature]
Jill K. Oberlander, Chair