

**TOWN OF GREENWICH
BOARD OF ESTIMATE AND TAXATION BUDGET COMMITTEE**

Town Hall Meeting Room
MINUTES – Tuesday, June 6, 2017

Committee

Present: James A. Lash, Chairman; Leslie Moriarty, Jeffrey S. Ramer, Leslie L. Tarkington

Staff: Peter Mynarski, Comptroller; Roland Gieger, Budget Director; J. W. Fox, Town Attorney; Aamina Ahmad, Assistant Town Attorney; Ben Branyan, Town Administrator; Tom Greco, Assistant Director, Parks & Recreation; Robert Kick, Assistant Fire Chief, Fire Department; Amy Siebert, Commissioner, Public Works; Alan Monelli, Superintendent, Building Construction & Maintenance

Board: Michael Mason, BET Chairman; Elizabeth K. Krumeich, Arthur Norton, Jill Oberlander, Tony Turner, Nancy Weissler

Selectmen: Peter Tesei, First Selectman

Public: Bruce Angiolillo, Chairman, Harbor Management Commission; Lile Gibbons, Harbor Management Commission; Frank Mazza, Harbor Management Commission

The meeting was called to order at 5:00 P.M.

Mr. Lash welcomed Committee members and attendees.

Executive Session- Discussion of Pending Litigation

Mr. Lash called for an Executive Session to discuss pending litigation.

Upon a motion by Ms. Tarkington, seconded by Mr. Ramer, the Committee voted 4-0 to enter Executive Session at 5:07 P.M.

The Committee exited Executive Session at 5:38 P.M.

Requests for Budget Adjustments

ROUTINE APPLICATIONS

| | | |
|-------------|------------|-----------------------|
| GM - 2 | GEMS | Release of Conditions |
| \$2,413,900 | A440 57225 | Contribution to GEMS |

Request withdrawn from 6-6-2017 Agenda as the first half Fiscal Year 2017-2018 appropriation is not Conditioned.

| | | |
|----------|----------------|---------------------------------------|
| LAW-2 | Law Department | Transfer |
| \$13,000 | A140 52150 | Research, depositions & phone expense |

Ms. Tarkington commented that the Law Committee had approved the transfer and recommended it to the BET. Ms. Tarkington added that for this transfer to take place, approval of last month's BET approved increase of \$200,000 would be required at the June 12, 2017 RTM meeting. Mr. Ramer noted that the \$13,000 was being transferred from line item 51400 attorneys' fees for outside counsel just one month after we appropriated an additional \$200,000 into that account upon advice from the Law Department that additional funds were required in that account to cover the cost of staff sick time and the cost of opposing the Eversource Siting Council applications.

Ms. Tarkington made a motion to approve the requested transfer of \$13,000, seconded by Mr. Ramer. The Committee voted 4-0-0 to approve the request and forward it to the Board of Estimate and Taxation as a Routine Application.

Capital Carry Forward Requests

Mr. Lash asked if there was any discussion on the Capital Carry Forward Requests. Hearing no request for discussion, he proposed that there be one vote that would cover all the 6 Capital Carry Forward Requests.

| | | |
|----------------------|--------------------|---------------------------------|
| PR-1 | Parks & Recreation | Capital Carry Forward |
| \$100,000 | Z822 59830 17186 | Binney Park Improvement |
| PR-2 | Parks & Recreation | Capital Carry Forward |
| \$35,000 | Z832 59830 17190 | Greenwich Point Master Plan |
| PR-3 | Parks & Recreation | Capital Carry Forward |
| \$1,334,000 | B833 59830 17194 | Repair Greenwich Point Causeway |
| PR-4 | Parks & Recreation | Capital Carry Forward |
| \$260,000 Install | B834 59700 17195 | Replace Byram Launch Ramp & |
| PW-1 | DPW | Capital Carry Forward |
| \$200,000 | B345 59560 17141 | Byram Fire Station Rehab Design |
| PW-2 | DPW | Capital Carry Forward |
| \$170,000 | B345 59560 17144 | Eastern Civic Center Design |

Ms. Tarkington requested confirmation that Conditions on the above Capital Carry Forwards would remain in place, which Mr. Lash and Mr. Gieger confirmed.

Upon a motion by Ms. Tarkington to approve all 6 requests for Capital Carry Forward, seconded by Mr. Ramer, the Committee voted 4-0 to approve the Applications and forward them to the Board of Estimate and Taxation as a Routine Application.

Old Business

None

New Business

Harbor Management Commission Budget Process – Ms. Gibbons requested that the Budget Committee review the Law Department's December 14, 2016 Opinion Memorandum and confirm the propriety of the Harbor Commission's Budget Process. Mr. Angiolillo presented a copy of Resolution 10 approved by the BET and RTM as authorization pursuant to Town Charter §307 to continue its current process of annual budgeting through the Board of Selectmen's Budget and the BET. Mr. Mazza commented that traditionally the Harbor Commission had operated by rolling over its year-end balance into the next fiscal year, but requested for transparency that in the future, the Harbor Commission no longer have a non-lapsing budget but rather return any yearend balance to the General Fund and begin fresh each new fiscal year.

Ms. Tarkington commented that she had reviewed the Budget with Mr. Geiger, and that the BET has previously appropriated sufficient funds in each major object code of the presented budget, and that in the RRR Fund that appropriations do not lapse, and therefore no additional funds needed to be appropriated. She queried whether the action should be to accept the proposed budget rather than approve it. Mr. Ramer inquired as to the status of the proposed Harbor Management Plan in its course through the Army Corps of Engineers, DEEP, Dept of Transportation, Board of Selectmen, and RTM approvals. Mr. Angiolillo replied that it had received its comments from the Army Corps and is now before DEEP. Mr. Ramer then commented that it is not clear why the Harbor Commission is coming before the Budget Committee because it does not appear from the statutes that the Commission has any authority until the Plan is fully adopted by the RTM to do anything other than pursue the adoption of the Plan. Most particularly, Mr. Ramer commented, the statutes do not appear to authorize the Commission to levy any permit fees, and any funds collected prior to the adoption of the Plan are Town funds, not Commission funds, until the Town appropriates them to the Commission. Mr. Ramer expressed concern that the funding Resolution exhibited to the Budget Committee on this application tracks only part of the language of the statutes, and appears to ignore the direction in the statutes that any funds collected by the Commission be used also to pay the expenses and compensation of the Harbor Master. Lastly, Mr. Ramer asked if the Harbor Commission had resolved all the issues identified in the 2013 Internal Audit, to which Mr. Angiolillo respond that it had. Mr. Ramer then commented that there really does not appear to be anything requiring BET action unless and until the Harbor Management Plan is fully adopted by the RTM.

Mr. Lash asked Mr. Gieger to confirm whether \$200,000 had been appropriated for the Harbor Commission in the FY18 Budget. He asked that funds above the \$40,750 requested for the Harbor Commission's FY18 Budget be returned to the RRR Fund on June 30, 2017 when the year's books were closed.

Upon a motion by Ms. Tarkington, seconded by Mr. Ramer, the Committee voted 4-0 to return on June 30, 2017 any previously appropriated funds in excess of the \$40,750 FY2017-2018 Budget.

Approval of BET Budget Committee Meeting Minutes

Ms. Tarkington made a motion to approve the BET Budget Committee Meeting Minutes of May 9, 2017, seconded by Mr. Ramer. The Committee

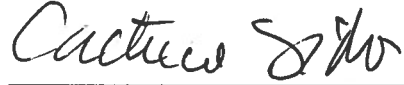
voted 4-0-0 to approve the motion.

Adjournment

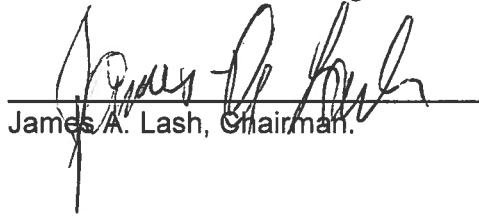
Ms. Tarkington made a motion to adjourn the Meeting at 6:27 P.M., seconded by Mr. Ramer. The Committee voted 4-0-0 to adjourn.

Next regular meeting will be July 11, 2017 at 5:00 P.M. in the Cone Room.

Respectfully submitted,



Catherine Sidor, Recording Secretary



James A. Lash, Chairman.