MINUTES of the regular meeting of the Board of Estimate and Taxation held on Monday, July 22, 2019, in the Town Hall Meeting Room, Greenwich, CT.

Jill Oberlander, BET Chair, called the meeting to order at 6:30 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: Lauren Elliott, Assessor; J. Wayne Fox, Town Attorney; Roland Geiger, Budget Director; Alan Monelli, Superintendent, Building Construction and Maintenance

BOE/GPS: Peter Bernstein, Chairman, Board of Education (BOE); Jennifer Dayton, Member, BOE; Dr. Toni Jones, Superintendent, Greenwich Public Schools (GPS); Ralph Mayo, Interim Headmaster, Greenwich High School; Lorianne O'Donnell, Chief Operations Officer, GPS; Barbara O'Neill, Member, BOE; Dan Watson, Director of Facilities, GPS.

TNW: Allen Brown, Executive Director, The Nathaniel Witherell (TNW); Laurence Simon, Chairman, TNW Board of Directors

RTM: Miriam Kreuzer, Representative Town Meeting (RTM), D-7

Other: Russ Davidson, Architect, KG&D Associates; Rick Kral, Member, Greenwich Athletic Foundation (GAF); Howard Richman, Tax Collector.

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 Ms. Fassuliotis, the Board voted 12-0-0 to enter Executive Session at 6:31 P.M. Motion carried.
Upon a motion by Ms. Krumeich, seconded by Ms. Fassuliotis, the Board voted 12-0-0 to exit Executive Session at 6:38 P.M. Motion carried.

The Board exited Executive Session at 6:38 P.M.

NON-ROUTINE APPLICATIONS

<table>
<thead>
<tr>
<th>Number</th>
<th>Department</th>
<th>Amount</th>
<th>Purpose</th>
</tr>
</thead>
<tbody>
<tr>
<td>SE-1</td>
<td>First Selectman</td>
<td>$65,000</td>
<td>Additional Appropriation Settlement – Luke v. TOG</td>
</tr>
</tbody>
</table>

Ms. Krumeich reported that the Law Committee voted 2-0-0 to accept the settlement recommended by Town Attorney Fox and Attorney Michael Lynch, outside counsel representing the Town of Greenwich (TOG).

Upon a motion by Ms. Krumeich, seconded by Ms. Fassuliotis, the BET voted 12-0-0 to approve $65,000 in settlement of Luke v. Town of Greenwich. Motion carried.

| ED-2 | BOE         | $1,175,000 | Release of Conditions Cardinal Stadium Bleachers |

Ms. Moriarty reported that the Budget Committee discussed that the conditions for releasing $1,175,000 were based on the receipt of a Board of Education (BOE) report identifying whether an alternative for the bleachers that presented opportunities for use of the space under the Cardinal Stadium bleachers was feasible and continuing discussions on a public-private partnership contributing to the support of the project. The Committee questioned whether the intent of the conditions had been met since the preferred option and its cost were still unknown and the BOE had not voted on the direction. The Committee also noted that the full amount covered planning funds for more than just the bleacher replacements. The Budget Committee did not vote on this item. Members of the BET expressed concern that the release was being requested without commitment to a site, defining the administrative project management process, establishing a project timeframe and project budget. Mr. Bernstein, Mr. Mayo, Ms. O'Donnell and Dr. Jones explained how their application met the spirit of the Release Conditions, afforded the possibility of new bleachers in place in early 2020 and would provide what was requested by the BOE. To facilitate meeting the 2020 timeline, the materials needed for presentation to the RTM, to Planning & Zoning for a Municipal Improvement (MI) application and for a Request for Proposal (RFP) would be developed for immediate implementation after BOE approval. The Board discussed a plan to move forward and explored what was currently available within the BOE budget to define what amount to release. It reviewed the Greenwich Public School (GPS) Administration’s estimated Cost Breakdown and proposed an amendment to the amount to be released, as well as a copy of the contract. When advised that the Director of Purchasing had approved the request for single source purchasing for a contract between the GPS Administration and the architect, KG&D Associates, the GPS Administration was requested to provide a copy of the Purchasing Policy Manual relating to the Requisitioning/Ordering Procedure to ensure compliance with the single source procurement process.
Upon a motion by Ms. Moriarty, seconded by Mr. Ramer, the Board voted 12-0-0 to amend the amount of the Release of Condition application to $120,000, which would provide the BOE with over $200,000, including the $86,000 on hand to cover the cost of architecture and engineering services, some land-use legal counsel fees, environmental testing and a third-party estimator for budget preparation. Motion carried.

Upon a motion by Ms. Moriarty, seconded by Mr. Ramer, the Board voted 12-0-0 to approve the Release of Conditions on $120,000 to continue development of plans for the Cardinal Stadium Bleacher Project. Motion carried.

Ms. O'Donnell provided an update on the BlumShapiro consulting project and Capital Project Processes. Ms. O'Donnell noted that the BOE has received a proposed policies and checklists, which would be applied to current construction projects to test its validity before a full roll-out and investigation of project development software.

| NW-1 | Nathaniel Witherell | $1,091,000 | Additional Appropriation Overtime, Prof. Med & Dental, Prof. Serv., Supplies & Machinery Maintenance |

Ms. Moriarty reported that the Budget Committee voted 4-0-0 to approve the request for an additional appropriation of $1,091,000 to offset costs in the FY2018-19 budget associated with TNW employee overtime, additional employee medical and dental costs, professional services, supplies, prior year expenses paid in the current fiscal year, the cost of changes in the collective bargaining agreement with Laborer's International Union of North America (LIUNA), Local 136, ACL-CIO, and maintenance of machinery. The Budget Committee expressed concern about overspending of the approved budget as well as the possibility of a comment from the auditor. Members of the BET expressed concern that TNW Board and management should have known that the revenues were not meeting budget projections, that costs were over budget and that a strategic solution was needed. It was argued that TNW's spending in excess of the amounts appropriated may not be in compliance with the Town Charter. The Budget Director advised the BET that if this motion failed, the operating shortfall would be reflected as a negative fund balance and would need to be funded in the FY2020-21 budget. Members of the BET did not want to establish a precedent that condones spending in excess of appropriations.

Upon a motion by Ms. Tarkington, seconded by Mr. Ramer, the Board voted 1-8-3 to approve the additional appropriation. (Opposed: Drake, Duus, Moriarty, Oberlander, Ramer, Tarkington, Turner, Weisbrod) (Abstain: Fassuliotis, Hess, Mason). Motion failed.

Mr. Simon agreed that the issue was clear but solving the problems was not easy because of outstanding labor negotiations, the work of the TNW Strategic Planning Committee, current recruitment efforts for a new Director of Financial Operations, the expected retirement of the Executive Director at the end of the calendar year, and the challenges of recruiting Board members.

Upon a motion by Mr. Turner, seconded by Mr. Tarkington, the Board voted 12-0-0 to request that as part of The Nathaniel Witherell Chairman of the Board of Directors' response to the recommendations set forth in the HDG
Report and PKF O’Connor Davies Review, the Chairman provide during the BET’s October meeting a risk mitigation plan specifically addressing the issues and problems that led to overspending at TNW and the controls needed to prevent them from recurring. Additionally, the plan should include details on intended oversight of the controls so as to ensure they are immediately effective. Motion carried

ROUTINE APPLICATIONS

Ms. Krumeich, BET Clerk, moved the following Routine Applications. Ms. Moriarty reported on the Budget Committee actions.

| RV-2 | Registrar | $11,000 | Transfer Regular Salaries |

Ms. Moriarty reported that the Budget Committee voted 4-0-0 to approve the Registrars’ stipends totaling $3,000 to be paid from FY2019 funds, although covering work done in FY2018. The transfer will offset the unanticipated and off-cycle expenses.

| PW-2 | DPW | $450,000 | Additional Appropriation Byram Fire Station Rehabilitation |

Ms. Moriarty reported that the Budget Committee voted 3-0-1 to approve the Additional Appropriation based on the scope of the work needed to meet renovation requirements.

| FI-1 | Finance | $10,000 | Release of Conditions Professional Services |

Ms. Moriarty reported that the Budget Committee voted 4-0-0 to approve the Release of Conditions for an initial assessment to automate the purchasing/invoicing processes throughout the Town.

| FI-2 | Finance | $1,791,827 | Bonding Authorization Closeout |

Ms. Moriarty reported that the Budget Committee voted 4-0-0 to approve the reduction of the bonding authorization formally approved by the BET and RTM during the annual budget process.

The Board voted 12-0-0 to approve the Routine Applications. Motion carried.

ASSESSOR’S REPORT

The Assessor reported that Quality Data Services mailed approximately 80,000 tax bills on June 25, 2019. With respect to the 2018 Grand List, as of July 22, 2019, 1,747 adjustments have been made reducing the Grand List by $12,671,114. In comparison to the previous year, 1,257 adjustments to the Grand List were made for a total reduction of $29,291,912. Response to letters mailed to 72 non-filing Personal Property business accounts has generated 18 immediate and 11 promised submissions of property Declarations adjusting the 2018 Grand List by $736,582. An
additional 43 non-responders will be subject to Audits. During June four (4) commercial cases in litigation were resolved and one (1) residential case is proceeding to trial. As of July 2019, 73 court cases are pending, including 8 new appeals filed from the 2018 Grand List.

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

COMPTROLLER’S REPORT

The Comptroller’s Report was presented in writing. Mr. Mynarski requested that questions be emailed to him for response given that he was out on vacation.

Upon a motion by Ms. Tarkington, seconded by Mr. Ramer, 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 June 2019. Hearing none, the Chair noted that the BET had received the Report.

BET Standing Committee Reports

- **Investment Advisory Committee (IAC)** - Mr. Weisbrod, Chairman of the Investment Advisory Committee, reported that the Committee discussed possible alternatives to the current Other Pension Employee Benefits (OPEB) investment practice. Both Neuberger Berman (NB) and the Vanguard Group Inc. had responded with portfolio management proposals that IAC decided did not merit shifting funds to alternative managers. It was the consensus of IAC and the OPEB Trust Board that the OPEB portfolio should be shifted to investments in index funds and Exchange Traded Funds (ETFs). Mr. Weisbrod encouraged BET members to attend the July 30 Retirement Board meeting for a presentation by Boomershine, the Town’s Actuary, and a discussion of the new proposed discount rate.

BET Liaison Reports

- **Education** – The Education Liaisons, Ms. Moriarty and Ms. Hess, will be meeting with the BOE and GPS Administration next week and will report in September 2019.

OLD BUSINESS


NEW BUSINESS - none

Chair’s Report

Chair Oberlander encouraged BET colleagues to attend the Retirement Board meeting on July 30 to hear the Boomershine report and review of a Neuberger Berman report. A workshop on the Greenwich Plaza Redevelopment Agreement and discussion of air rights is being planned for September. Ms. Oberlander wished BET members a good summer.
Approval of the BET Meeting Minutes

Upon a motion by Ms. Kruemich, seconded by Mr. Ramer, the Board voted 10-0-2 to approve the Minutes of the BET Greenwich Plan of Conservation & Development Workshop of June 12, 2019. (Abstained: Fassuliotis, Turner). Motion carried.

Upon a motion by Ms. Moriarty, seconded by Ms. Krumeich, the Board voted 10-0-2 to approve the Minutes of the regular BET Meeting of June 24, 2019, as corrected to reflect scrivener’s errors. (Abstained: Krumeich, Mason). Motion carried.

Adjournment

Upon a motion by Mr. Duus, seconded by Ms. Fassuliotis, the Board voted 12-0-0 to adjourn the meeting at 9:55 P.M. Motion carried.

The next Regular Meeting of the Board of Estimate and Taxation is scheduled for Monday, September 23, 2019, at 6:30 P.M. in the Town Hall Meeting Room.

Respectfully submitted,

Catherine Sidor, Recording Secretary

Elizabeth K. Krumeich, Clerk of the Board

Jill K. Oberlander, Chair