MINUTES of the regular meeting of the Board of Estimate and Taxation held on Monday, November 21, 2011 in the Town Hall Meeting Room, Greenwich, CT.

Chairman Stephen Walko called the meeting to order at 6:33 P.M., after which the members pledged allegiance to the flag.

Board members in attendance:

Stephen G. Walko, Chairman  
Jim Campbell, Vice Chairman  
Joseph L. Pellegrino, Clerk  
William R. Finger  
Randall Huffman  
Mary Lee Kiernan  
William G. Kelly  
Michael S. Mason  
Arthur D. Norton  
Jeffrey S. Ramer  
Laurence B. Simon  
Leslie L. Tarkington

Selectmen: Peter Tesei, First Selectman; Drew Marzullo, Selectman

Staff: Peter Mynarski, Comptroller; Roland Gieger, Budget Director; John Crary, Town Administrator; John Wayne Fox, Town Attorney; Eugene McLaughlin, Jr., Assistant Town Attorney, Law Department; Ted Gwartney, Assessor; Robert Shipman, Assistant Assessor; Maureen Kast, Director of Human Resources; Allen Brown, Executive Director; Ray Augustine, Director of Financial Operations, Nathaniel Witherell

Other: David Ormsby, Chairman; Lloyd Bankson, Nathaniel Witherell Board; Joseph Ross, Chairman, MISA Building Committee; Leslie Moriarty, Vice Chairman, Board of Education; Sean Goldrick; Robert Brady

NON-ROUTINE APPLICATIONS

NW-2 Nathaniel Witherell – Other $20,205,000

Additional Appropriation with Bonding Resolution:

$19,450,000 to B450-59560 Building Major Alterations  
$205,000 to B450-59560 Debt Placement Costs  
$550,000 to B450-59560 BANs Interest  
$20,205,000 from Project Bonding
Mr. Mason shared comments regarding the development and planning for Nathaniel Witherell Project Renew. Mr. Mason also shared concerns regarding revisions made to the original plan with regards to the current application. A discussion followed regarding the subject to release conditions, contingency funds, and borrowing practices.

Mr. Walko expressed gratitude to the Nathaniel Witherell Board and its staff, the Board of Selectman, RTM members, and all others involved in the process. Mr. Walko stated that this is an important step forward for the Town and, at least as a result of the BET vote, it will certainly benefit Nathaniel Witherell—an institution that will be with us for decades to come.

Upon a motion by Mr. Pellegrino, seconded by Ms. Tarkington, the Board voted 12-0-0 to approve the application subject to release upon review and approval by the BET of construction documents and updated cost estimates.

Upon a motion by Ms. Tarkington, seconded by Mr. Simon, the Board voted 12-0-0 to approve the application subject to release upon review and approval by the BET of a validation of the Business Plan.

Upon a motion by Ms. Tarkington, seconded by Mr. Norton, the Board voted 12-0-0 to approve the application subject to release upon review and approval by the BET of the Construction Manager as Agent to the Town.

Upon a motion by Ms. Tarkington, seconded by Mr. Norton, the Board voted 12-0-0 to approve the application subject to release upon review and approval by the BET of updated environmental reports.

Upon a motion by Mr. Ramer, seconded by Mr. Finger, the Board voted 12-0-0 to approve the application subject to release upon review and approval by the BET of final construction bids.

Upon a motion by Ms. Tarkington, seconded by Mr. Pellegrino, the Board voted 12-0-0 to approve the application with the following additional language: “Initial financings for Project Renew will be based on borrowings funded by Bond Anticipation Notes (BANs) for a period of up to two years for each series of borrowings. Permanent financings will be funded by General Obligation (GO) bonds, with 20-year amortizations with equal annual principal payments.”

Upon a motion by Mr. Mason, seconded by Mr. Simon, the Board voted 12-0-0 to approve the application, as amended to include the five Subject to Release Conditions and additional language.

NW-3 Nathaniel Witherell – Release of Conditions $1,226,000

Release of Conditions:
$1,226,000 to B450-59560 Building Major Alterations
$1,226,000 from Project Bonding

Minutes of the Regular Meeting of the Board of Estimate and Taxation November 21, 2011 – APPROVED
Mr. Mason gave an explanation stating that this request will allow us to evaluate drawings, designs, architectural and engineering cost estimates. On behalf of Nathaniel Witherell, Mr. Bankson expressed gratitude to all the outgoing BET members for their enormous amount of work and time spent on this project.

Upon a motion by Mr. Mason, seconded by Mr. Simon, the Board voted 12-0-0 to approve the application.

ED-3 Board of Education – Release of Conditions $162,000

Release of Conditions:
$162,000 to B680-59560-12149 MISA

Mr. Mason explained that this request will bring the MISA remediation level of spending up to a total of approximately $1.5M.

Upon a motion by Mr. Mason, seconded by Mr. Simon, the Board voted 12-0-0 to approve the application.

SE-6 First Selectman – Reduction in Interest to be charged $1,900,000

Reduction in Interest to be charged over twenty years:
$1,900,000 to K139-41201

Ms. Tarkington gave a brief overview for this request stemming from lawsuits to reduce the $23,123,000 assessment. Mr. Walko stated that the ruling regarding 18% interest on unpaid assessments may be waived, provided that those individuals bring their assessments current within 30-days, after their new tax bills are issued.

Mr. Walko stated that this in no way should be deemed as a precedent for future sewer projects, and commented that there were issues brought up relative to trunk lines and to how we assess properties of the Town that are not connected to the sewer. Mr. Walko also stated that this settlement should in no way indicate, nor does it indicate, that the Town should address those issues in any manner different from the manner in which it handled them for this project or in contradiction of the Charter.

Upon a motion by Ms. Tarkington, seconded by Mr. Simon, the Board voted 10-0-2 (Mr. Mason and Mr. Campbell abstained) to approve the application.

ROUTINE APPLICATIONS

PR-1 Parks & Recreation – Additional Appropriation $207,097

Additional Appropriation:
$207,097 to Z834-59830 Hurricane Damage – Byram Marina
$207,097 from Capital Non Recurring Fund
HD-4  Health – Approval to Use $73,594.24

Approval to Use:
$43,473.00  to  F403-51300  Part-time Payroll
$9,984.24  to  F403-51420  Professional Svs Medical
$3,000.00  to  F403-52010  Advertising
$4,600.00  to  F403-53010  Office Supplies
$3,900.00  to  F403-53250  Med, Surg, Lab Supplies
$1,310.00  to  F403-54150  Maint Furn, Fixt, Off Equip
$4,000.00  to  F403-54200  Main Mach, Tools, Inst
$3,327.00  to  F403-57050  Benefits
$73,594.24 from

HD-5  Health – Approval to Use $38,282.98

Approval to Use:
$15,000.00  to  F187-51300  Temporary Salaries
$4,000.00  to  F187-52010  Advertising
$1,500.00  to  F187-52110  Mileage Allowance
$1,000.00  to  F187-2950  Misc Services – NOC
$2,515.93  to  F187-52970  Prior Year Expenditure
$1,500.00  to  F187-53010  Office Supplies
$ 500.00  to  F187-53070  Data/Word Processing
$1,500.00  to  F187-53300  Wearing Apparel
$4,000.00  to  F187-53500  Motor Fuels
$2,000.00  to  F187-53520  Parts for Boats
$ 500.00  to  F187-53550  Mechanical Supplies & Tools
$ 119.55  to  F187-53970  Prior Year Expenditure
$3,000.00  to  F187-54300  Maintenance Boats
$ 1,147.50  to  F187-57050  Benefits
$38,282.98 from

PD-4  Police – Approval to Use $56,625

Approval to Use:
$ 55,804  to  F217-51100  Overtime Services
$  821  to  F217-57050  Benefits
$ 56,625 from

Federal Hwy Safety Program Grant
DUI Enforcement Program

Upon a motion by Mr. Pellegrino, seconded by Mr. Ramer, the Board voted 11-0-0 to approve the applications. (Mr. Mason was absent from 7:34 P.M. to 7:38 P.M.)

ASSESSOR'S REPORT
Mr. Gwartney presented the Assessor’s Report to the Board, highlighting the work being done including the real estate, motor vehicle, and personal property accounts, in order to complete the 2011 Grand List.

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

Approval of Assessor 2012-2013 Budget and Operational Plan

Upon a motion by Ms. Tarkington, seconded by Mr. Norton, the Board voted 12-0-0 to take this item out of order.

A discussion followed regarding revisions to the Operational Plan mission statement.

Upon a motion by Ms. Tarkington, seconded by Mr. Norton, the Board voted 12-0-0 to approve the Assessor 2012-2013 Budget and Operational Plan once amended to include suggestions made by the Board.

Mr. Gwartney announced his decision to retire effective February 1, 2012. Mr. Gwartney stated that it has been a pleasure and honor to serve the Town of Greenwich for the past nine years, and shared comments while expressing his gratitude to the BET, the Law Department, Jeff Reardon and the Board of Assessment Appeals, the Assistant Assessor Bob Shipman, and the staff of the Assessor’s office.

Mr. Walko expressed gratitude to Mr. Gwartney in stating that his services will be sorely missed by the Town, and that it is a testament to Mr. Gwartney and his department that the last two revaluations have been performed with minor issues and minimal disruption.

COMPTROLLER’S REPORT

Mr. Mynarski presented the Comptroller’s Report to the Board and shared comments regarding the JP Morgan Chase account, large cash balances, demand deposits, CDs, General Obligations, clarification of the Cash Management Resolution, October 13, 2010, the lack of options, and review of the Short Term Investment Fund (STIF) option. A discussion followed regarding account balances, the operating general fund, allocation of funds, the OPEB Trust and Retirement Board investment account fund management.

Mr. Norton reported that the Investment Advisory Committee has approved and will recommend the contract for the financial advisor IBIC to the BET at the December, 2011 meeting.

Upon a motion by Mr. Norton, seconded by Ms. Tarkington, the Board voted 12-0-0 to accept the Comptroller’s report.

ACCEPTANCE OF TREASURER’S REPORT SHOWING INVESTMENT PORTFOLIO ACTIVITY FOR THE PERIOD OF October 1, 2011 – October 31, 2011

Upon a motion by Mr. Norton, seconded by Mr. Campbell, the Board voted 12-0-0 to accept the Treasurer’s Report.
BET Standing Committee Reports

Audit Committee Report
Investment Committee Report

A discussion followed regarding the writing off of unpaid receivables for FY 2011 from Nathaniel Witherell in the amount of $134,388.

BET Liaison Reports

BET Special Project Team Reports

Revaluation Team Report

A discussion followed regarding proposed recommendations pertaining to the next revaluation, and variances between the mill rate and tax grand list numbers.

CHAIRMAN'S REPORT

Mr. Walko shared comments regarding sending documents for a FOIA request to the Law Department and postponement of the Cityview presentation.

OLD BUSINESS

Discussion and Vote on the Hay Group Human Resources Study

Mr. Walko gave an overview of the process. Mr. Campbell stated that the report, if approved and implemented, will achieve greater accountability, efficiency, and improved services, for both the Town and BOE HR Departments, as well as save the Town money in the process.

Mr. Mason shared comments regarding the RTM’s request through the BET for a change to one Human Resources Department for the Town, and that this report offers a vision to a better product, a different organizational structure, as well as addresses the issues, effects and inconsistencies of having two separate departments, some of which have cost a great deal to the taxpayers.

In response to a concern voiced by Mr. Finger regarding possible limitations being imposed upon the Superintendent, Ms. Kast stated that the appointing authorities, by Charter, are always the final decision makers in hiring. Human Resources assist the appointing authorities, so this in no way removes the rights of the Superintendent to pick and choose the certified staff. In response to Mr. Mason, Ms. Kast stated that the Town Human Resources Department is responsible for management of all benefits, Workers’ Compensation, unemployment, and recruitment, classification and compensation for all Town employees, but not the certified staff.

A discussion followed regarding acceptance, approval and implementation, consolidation of the Human Resources Departments and the new Table of Organization Chart, concerns regarding
the Superintendent of Schools' role and Board of Education's authority, and the need for further input from the Board of Education.

Upon a motion by Mr. Campbell, seconded by Mr. Simon, the Board voted 11-1-0 (Mr. Ramer opposed) to accept and generally approve the Hay Group Report, Organizational and Staffing Review of Human Resources Service Providers, November, 2011, specifically including generally approving the Table of Organization as described on pp. 45 of the report, which Table of Organization shall serve as a framework for implementation.

NEW BUSINESS

Approval of Finance 2012-2013 Budget and Operational Plan

Upon a motion by Mr. Norton, seconded by Ms. Tarkington, the Board voted 12-0-0 to approve the Finance 2012-2013 Budget and Operational Plan.

APPROVAL OF MINUTES

BET Special Meeting, October 3, 2011

Upon a motion by Ms. Tarkington, seconded by Mr. Finger, the Board voted 11-0-1 (Mr. Kelly abstained) to approve the Special Meeting Minutes of the BET from October 3, 2011.

BET Regular Meeting, October 17, 2011

Upon a motion by Ms. Tarkington, seconded by Mr. Finger, the Board voted 11-0-1 (Mr. Huffman abstained) to approve the Regular Meeting Minutes of the BET from October 17, 2011.

ADJOURNMENT

There being no further business before the Board, the meeting was adjourned at 8:35 P.M.

Respectfully submitted,

Maria Bocchino, Recording Secretary

Joseph L. Pellegrino, Clerk of the Board