



BOARD OF FINANCE

Clifford J. Hurgin Municipal Center, 1 School Street
Bethel, Connecticut 06801 Telephone: (203) 794-8501

MINUTES OF SPECIAL MEETING

Tuesday, May 24, 2011

7:00 p.m.

CJH Municipal Center – Meeting Room “A”

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TOWN OF BETHEL
TOWN CLERK

PRESENT: William Slifkin, Chairman, J. Philip Gallagher, John Dietter, William Kingston, James Roden, Gary Regan and Timothy Draper (late – entered at 7:30 p.m.) Also in attendance were Comptroller Robert Kozlowski, Tax Collector Ann Scacco and Town Counsel Martin J. Lawlor.

Call to order/pledge of allegiance: William Slifkin called the Special Meeting to order at 7:01 p.m.

Public comment: William Michaels, Lawrence Craybas, Robert Crnic, J. Philip Gallagher, and Robert Burke spoke.

Approval of April 12, 2011 Minutes: William Kingston made a motion, which was seconded by Gary Regan, to approve the minutes with the correction to the wording *illegible* to *ineligible* on the 1st page under Chairman comments. Vote, all in favor, motion unanimously approved.

Approval of April 14, 2011 minutes: John Dietter made a motion, which was seconded by William Kingston, to approve the minutes as presented. Vote, all in favor, motion unanimously approved.

Tax Collector report / Suspense List Authorization: Tax Collector Ann Scacco presented the suspense list. Mrs. Scacco pointed out that by transferring these accounts to suspense, it removes them from consideration as assets to the town, but they remain a liability on the person against whom they were levied. All eligible accounts will be placed in collection.

John Dietter made a motion, which was seconded by J. Philip Gallagher, to approve the Tax Collector's request (dated May 23, 2011) for Suspense List authorization in the amount of \$101,751.91. Vote, all in favor, motion unanimously approved.

Comptroller report

Comptroller Robert Kozlowski noted that this budget year, there are 53 payroll weeks; this was not budgeted for. They will look to savings in various accounts and wage contingency to offset this shortfall. He also advised that he will be speaking with Webster Bank about the anticipated late summer bonding of the road plan. He anticipates that next month's reports will have more of the details as they continue to work with the new MUNIS system.

Set mill rate – FY 2011-2012

William Kingston made a motion, which was seconded by James Roden, to establish a Mill Rate of 23.24 for FY 2011-2012. Discussion followed.

Several members questioned that if the budget referendum were overturned, would this have an impact on the establishing the mill rate.

Town Counsel Martin J. Lawlor offered that the referendum results will stand. A letter has been sent to the Board of Selectmen by resident William Michaels requesting that they obtain a legal opinion from an attorney other than our present town attorney, due to a possible conflict of interest, regarding the legality and validity of the Monday May 2, 2011 Annual Town Budget Meeting and the Thursday May 12 Budget Referendum.

Board of Finance members discussed their concern that if the mill rate was established and funding was reduced from the state, there would be a shortage that would need addressing.

J. Philip Gallagher made a motion, which was seconded by John Dietter, that in the event that revenues from the state are reduced or eliminated, to recommend to the Board of Selectmen and Board of Education, that they institute a spending freeze and suspend the implementation of all day kindergarten. Voting in favor of the motion: J. Philip Gallagher, John Dietter, William Slifkin, James Roden and Timothy Draper. Voting against the motion: William Kingston and Gary Regan. Motion passed.

William Kingston had advised that he was not in favor of telling the Board of Education what programs to cut, in the event that anticipated revenues were not received.

The vote in favor of establishing the FY 2011-2012 mill rate of 23.24 was unanimous.

Consideration/Discussion - Resolution – Article 14 – BEA contract as recommended by Board of Finance member John Dietter

Mr. Dietter explained that he had presented the resolution (below) and among other things, he thought that the dues being collected and sent are using taxpayer dollars and felt that the Board of Finance should be part of the negotiations and that this is not a political stance. His resolution is as follows:

Whereas: One member of the Bethel Board of Finance member is present at the Collective Bargaining Agreement between the Bethel Board of Finance and the Bethel Education Association (BEA) creating a Standing for the Bethel Board of Finance recommendations to any future agreement.

Whereas: Article 14 of such above current Agreement mandates the collection of Union dues and its distribution by the Bethel Board of Education, Director of Fiscal Services to the Treasurer of the BEA.

Whereas: Taxpayer money is being used to pay for the services of the Director of Fiscal Affairs.

Resolved: That the Bethel Board of Finance recommends the deletion of Article 14 in any future negotiated Agreement and that the BEA arrange for the collection and distribution of Union dues not using taxpayer supported service(s).

Lawrence Craybas, Chairman of the Board of Education, under Public Comments had advised this is an item that does not belong before the Board of Finance; they have no jurisdiction over Board of Education negotiations. He explained that these dues are deducted from employee wages and are sent as part of negotiated bargaining, the cost of which is approximately \$50 annually and expressed concern that this resolution singles out one bargaining unit.

Town Counsel Martin J. Lawlor, who was asked by the First Selectman to attend tonight's meeting to address this (and other topics), questioned why this resolution was only directed at one bargaining unit when the town and education sides have at least 11 other unions and clarified with Comptroller Robert Kozlowski that payroll functions include the processing of union dues, supplementary pension and insurance plans, credit union deductions, etc.

J. Philip Gallagher and William Slifkin explained that a Board of Finance member is invited to observe the Board of Education negotiations, but they are there for observation purposes, not negotiating purposes.

William Slifkin made a motion, which was seconded by William Kingston, to table this topic for further discussion. Vote, all in favor, motion unanimously approved.

Consideration/Discussion of Account 420-370 – Transfer to Capital Account

William Slifkin made a motion, which was seconded by James Roden, to fund from the capital non-recurring account, the following:

Fleet Maintenance	30 radios	\$27,652
Bethel Fire Department	thermal cameras	\$23,000
Stony Hill Fire Department	thermal cameras	\$23,000
Municipal Center Boiler Room Repairs		\$14,500

Vote, all in favor, motion unanimously approved.

William Slifkin discussed two additional items and requested additional information before they are considered by the Board of Finance on the Highway Garage roof repair and the South Street Firehouse. They wanted clarification on information presented as part of the budget process for these two projects. Town Engineer Andrew Morosky indicated he will review the numbers and get back to the Board of Finance.

Consideration/Discussion of “old” Train Station account

James Roden expressed concern over several provisions with the “old” Train Station lease. Mr. Roden explained that, for example, it is his understanding that the SBA loan does not fund construction activities and the renovations are clearly construction. Town Counsel Martin J. Lawlor explained that the SBA approved the loan and the stated purpose of the loan was clearly to renovate the facility owned by the Town of Bethel and is aware of the provision that if the lessee defaults on his loan, any future tenant would have to be approved by the town. Mr. Roden also felt that there were other inconsistencies with the lease.

Town Counsel Martin J. Lawlor explained that an RFP was prepared, an ad-hoc committee had been formed; they reviewed the two proposals received and made recommendation to the Board of Selectmen, negotiated the lease provisions, etc. He offered that the lease is perhaps somewhat less conventional than other leases, but that considering several extenuating and unique factors to this property including the state of disrepair and cost to repair the “old” train station, the limitations established by the state for the use of the

building and the criteria for rental income being used only for the upkeep of the building, it was recommended to structure the lease so that rather than have the town pay for the repairs to the building, the tenant would pay for the costs and offset these costs with the rental payments. He also pointed out that the lease had been approved at a Special Town Meeting.

Comptroller Robert Kozlowski advised that the "old" train station account has approximately \$50,000 in it from previous tenants and that those funds can only be utilized for the repair/maintenance to the building and land. Parking lot drainage and paving is estimated at \$51,000 and they will only expend up to what is in the account.

James Roden made a motion, which was seconded by John Dietter, to suspend paving at the lot until the request comes before the Board of Finance. Vote, all in favor, motion unanimously approved. He cited a charter provision that the Board of Finance needs to approve items over \$25,000.

It was clarified that each invoice is reviewed for consistency with typical renovations.

Adjourn: As there was no further business on tonight's agenda, J. Philip Gallagher made a motion, which was seconded by William Kingston, to adjourn the meeting at 8:35 p.m. Vote, all in favor, motion unanimously approved.

Respectfully submitted,


Wendy Smith, Recording Secretary