



**REPRESENTATIVE TOWN MEETING
TOWN OF GREENWICH**

**EXPLANATORY COMMENTS FOR
DECEMBER 2014 MEETING**

ITEM NO: **1**
DEPARTMENT: The Nathaniel Witherell (TNW)
CONTACT: Allen N. Brown 203-618-4323 abrown@greenwichct.org
Lloyd Bankson 917-270-9974 lloydbankson@gmail.com
REFERRED TO: *Finance, Health & Human Services, Legislative & Rules Committees*
VOTES: Board of Estimate and Taxation

RESOLUTION AUTHORIZING THE SALE OF STATE HISTORIC TAX CREDITS RELATED TO PROJECT RENEW AND APPROPRIATING THE PROCEEDS THEREOF TO THE REPAYMENT OF THE AMOUNT ADVANCED FROM THE CAPITAL NON-RECURRING FUND AND TO PAY THE PRINCIPAL OF AND INTEREST ON GENERAL OBLIGATION BONDS ISSUED FOR TNW PROJECT RENEW

To consider and act upon the following resolution:

WHEREAS, the Town of Greenwich, Connecticut (the “Town”) is the owner of the Nathaniel Witherell Nursing Facility, a short term and skilled nursing center (“Nathaniel Witherell”); and

WHEREAS, the Town and Nathaniel Witherell have undertaken the rehabilitation, reconstruction and reequipping of the Nathaniel Witherell pursuant to a plan referred to as Project Renew; and

WHEREAS, the Nathaniel Witherell has applied for and been designated a historic structure for State of Connecticut tax purposes; and

WHEREAS, Nathaniel Witherell has been informed that upon completion of Project Renew and the audit of the related construction costs, Project Renew will qualify for receipt of a State historic tax credits of approximately \$4,490,918 (the “Tax Credits”); and

WHEREAS, the Tax Credits are transferable and can be sold to the Connecticut Light and Power Company for approximately \$4,490,918; and

WHEREAS, the Town has advanced \$950,000 to Nathaniel Witherell from the Town’s capital non-recurring fund (the “CNR Fund Loan”) to finance Project Renew; and

WHEREAS, the Town has also issued \$21,105,000 of general obligation bonds (the “Nathaniel Witherell Bonds”) to finance TNW Project Renew; and

WHEREAS, Bond Counsel has advised the Town that the proceeds from the sale of the Tax Credits after repayment of the CNR Fund Loan must be used to pay the principal or and interest on the Nathaniel Witherell Bonds;

NOW, THEREFORE BE IT RESOLVED AS FOLLOWS:

- 1. Any applications, agreements or actions heretofore submitted, executed or taken, respectively, by any official of the Town or the Nathaniel Witherell are hereby ratified.**
- 2. The First Selectman is hereby authorized to negotiate, execute and deliver any agreements, documents, instruments and certificates, and to take any other action necessary, to sell the Tax Credits for a price, on the terms and conditions, and at the time that he deems to be in the best interests of the Town.**
- 3. The First Selectman is authorized accept the proceeds from the sale of the Tax Credits.**
- 4. The proceeds of the Tax Credits are hereby appropriated to (1) repay the CNR Fund Loan to the Town, and (2) pay the principal of and interest on the Nathaniel Witherell Bonds as such principal and interest become due to the extent of the amount remaining after repayment of the CNR Fund Loan. To the extent the proceeds from the sale of the Tax Credits exceeds the amount of the CNR Fund Loan and the principal of and interest on the Nathaniel Witherell Bonds for the fiscal year ending June 30, 2015, such excess shall be reserved and carried over to subsequent fiscal years until full expended.**

EXPLANATORY COMMENTS

In considering available funding sources for the cost of Project Renew, the Friends of Nathaniel Witherell, the 501(c) 3 fund-raising arm of Nathaniel Witherell, identified both Federal and State historic tax credits as a possible source. The Friends retained and funded the costs of an architectural historian who researched and prepared the necessary documentation to prove the historic and cultural value of Nathaniel Witherell. The necessary application was prepared (and the application fee paid) by the Friends of Nathaniel Witherell and submitted to the U.S. Department of Interior, National Park Service. As a result of these efforts, Nathaniel Witherell and its grounds were designated "The Nathaniel Witherell Historic District" on August 5, 2010. In its letter to Peter Tesei on that same date, the Connecticut Commission on Culture and Tourism advised that, under the Tax Reform Act of 1986 and various other congressional legislation, Nathaniel Witherell was eligible to apply for historic preservation tax incentives. With Project Renew renovations about to proceed, and after consulting with counsel related to the availability and use of State of CT tax incentives, The Nathaniel

Witherell applied to the CT State Historic Preservation Office (SHPO) for historic tax credits. On June 25, 2013, such credits were reserved by the SHPO in the amount of \$4,490,918. A subsequent preliminary commitment from CL&P to purchase the tax credits at their par value was received on February 14, 2014.

Having completed Project Renew renovations and anticipating approval shortly of a final certificate of occupancy by the Town, the final steps (including certification by audit of Project Renew construction costs) in attaining release of the tax credits are now in process.

This resolution provides authorizations to complete any steps necessary to obtain and sell the tax credits and apply the proceeds to repay the CNR Fund Loan to the Town and pay the principal and interest on the Nathaniel Witherell Bonds.

ITEM NO: **2**
DEPARTMENT: Office of the First Selectman
CONTACT: Michael Rosen – 203 622 7702 - mrosen@greenwichct.org
REFERRED TO: *Appointments, Health & Human Services Committee*
VOTES: Board of Selectmen 3-0-0

RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed a regular member of the Nathaniel Witherell Board of Directors for a term expiring 3/31/16.

LAURENCE B. SIMON

EXPLANATORY COMMENTS

Laurence Simon, of 48 Edgewood Drive, Greenwich, CT 06831 has been nominated as a regular member of the Nathaniel Witherell Board of Directors for a term expiring 3/31/16.

Mr. Simon is the co-founder of Health Management Systems, Inc., a publically-traded company that is the largest coordinator of benefits for many Medicare and Medicaid programs in more than 40 states. After his retirement from HMS in 1997, Larry served on the Information Advisory Technology Committee for the Town of Greenwich, and then served 12 years on the Board of Estimate and Taxation, 10 of which he spent on the Budget Committee. He is currently a member of the Town's Retirement Board.

Larry earned his B.A. in Economics from the University of Pennsylvania, and his M.A. in Applied Economics from the University of Pennsylvania. He has a thorough understanding of health care reimbursement, and budget formulation. He also has been associated with the Greenwich Land Trust, the United Way of Greenwich, the Bruce Museum, and the League of Women Voters throughout his volunteer career.

ITEM NO.: **3**
DEPARTMENT: Police Department 1411PD03
CONTACT: James J. Heavey 622-8010 N/A
REFERRED TO: *Town Services Committee*
VOTES: Board of Estimate and Taxation - 12-0-0

RESOLVED, that the Greenwich Police Department accept a donation of four (4) Speed Sentry Shield 12-Speed Detection/Display signs (approximate total value of \$7,000) from the Northwest Greenwich Association.

Explanation by the Chief of Police

The Police Department respectfully requests permission to accept a donation of four (4) Speed Sentry Shield 12-Speed Detection/Display signs (approximate total value of \$7,000) to the Greenwich Police Department by the Northwest Greenwich Association. It is intended that these speed-management tools will be used town-wide. They are compact, easy to use and flexible. They will provide drivers with real-time feedback on their actual speed while also collecting valuable traffic data.

ATTACHMENTS - SEPARATE PACKET

Letter from the Northwest Greenwich Association, Inc.

ITEM NO.: **4**
DEPARTMENT: Parks and Recreation 1412PR01
CONTACT: Joseph Siciliano 203.622.6472 jsiciliano@greenwichct.org
Susan Snyder 203.622.6471 ssnyder@greenwichct.org
REFERRED TO: *Finance, Parks & Recreation Committees*
VOTES: BET 12-0-0

RESOLVED, the sum of \$75,000.00 be and the same is hereby appropriated from RESERVED for CAPITAL & NON-RECURRING FUND to the Department of Parks and Recreation account Z816-59300-XXXXX for the replacement of a new chiller compressor and barrel at the Dorothy Hamill Rink.

EXPLANATORY COMMENTS

Funds are requested to cover the cost for the replacement of a compressor unit at the Dorothy Hamill skating Rink. The Dorothy Hamill Rink has two ice making units which components include a compressor and chiller barrel, with only one ice making unit running at a time. Ice rinks are traditionally designed with two such ice making units so that a backup is always on hand during equipment maintenance cycles and outages.

One ice making unit has completely failed leaving the Rink operation with only one unit for the duration of the 2014-15 season. The compressor unit and the chiller barrel being requested were installed 25 years ago. Each year Environmental Engineering is

contracted to perform an annual inspection and maintenance of each unit. This was completed in August of 2014 prior to the start of making ice.

In early October 2014, a significant jump in the operating temperature was detected by the Rink staff. Environmental Engineering was contacted to diagnose the high temperature problem. Details indicated a leak in the chiller barrel and a compression issue with the ice making unit. Because of the age of the units, replacement parts are not available nor in production. The cost of rebuilding this unit will well exceed the cost of replacement with a new unit at \$75,000.00.

The replacement of the compressor unit was originally scheduled in the department's capital program for 2015-16, as a result of this equipment failure; we are seeking an interim appropriation in the amount of \$75,000.00.

ATTACHMENTS – SEPARATE PACKET
Environmental Engineering Proposal/Quotes

ITEM NO: **5**
DEPARTMENT: Nathaniel Witherell
CONTACT: Allen Brown 618-4323
REFERRED TO: Finance, Health & Human Services Committee
VOTES: BET 12-0-0

To consider and act upon the following resolution requested by Nathaniel Witherell

WHEREAS, the completion of Project Renew has created numerous additional points of entry/exit required for public access to and emergency egress from the facility;

WHEREAS, as public awareness of building safety issues has increased in recent years and security concerns have been expressed by family members of residents and employees of Nathaniel Witherell;

WHEREAS, the Town's approved security consultant and vendor has studied the improved facility and recommended the installation of additional wander guard equipment, automatic locking capabilities, card access capabilities, intercom/closed circuit TV upgrades and other security features;

NOW THEREFORE BE IT RESOLVED, that the sum of \$100,000 is hereby appropriated for the purchase and installation of equipment designed to protect and upgrade the safety, security and well being of residents, families, friends and employees who daily visit Nathaniel Witherell, said appropriation to come from the proceeds of a \$500,000 grant received by the Town from the State of Connecticut under the State Town Economic Assistance Program.

EXPLANATORY COMMENTS

The completion of Project Renew converted the garden level of Nathaniel Witherell's building from its previous function as a basement/storage area into a residential/rehab unit with, for the first time, both patient/resident/staff and public occupancy. There are now 21 private rooms on this level. Witherell's Café was also relocated to the garden level. This area has 5 new points of entry/exit that provide public access and emergency egress, increasing the points of entry/exit from 2 to 7. The adjacent Friendship Garden courtyard will be used by residents who present a greater risk for elopement or wandering due to issues related to their dementia and/or their emotional/psychological condition. In addition, the outdated security equipment at the main entrance must be upgraded to permit remotely monitored and controlled entry to the building after hours.

Security Specialists, Inc. (the Town's sole source security vendor) has visited the facility, studied the increased entry/exit locations and recommended the installation of a variety of security-related equipment, including Closed Circuit Television cameras, network video recorders, card readers, a Courtyard main gate and lock down buttons at six nursing stations. The total cost of the security improvements, together with a contingency of 10%, will total \$100,000. At its September 2014 meeting the Witherell Board unanimously approved pursuit of the required security upgrades and authorized the submission of this appropriation request. The cost will be funded from proceeds of a \$500,000 grant received by the Town from the State for Project Renew under the State's Town Economic Assistance Program.