



**REPRESENTATIVE TOWN MEETING
TOWN OF GREENWICH**

**EXPLANATORY COMMENTS FOR
JUNE 2007 MEETING**

ITEM NO.: **1**
DEPARTMENT: Board of Education 0705ED01
CONTACT: Susan Wallerstein 625-7471
Sue_Wallerstein@greenwich.k12.ct.us
REFERRED TO: Education Committee
VOTES: Board of Education
Board of Estimate and Taxation

RESOLVED, that the sum of \$7,500 is hereby appropriated to be added to account Z6801792 27054.

EXPLANATORY COMMENTS

The Chickahominy Reunion Assn. has generously offered to donate up to \$7500 to cover the cost of installing a special rubberized playing surface on the blacktop base of the planned basketball court at Hamilton Ave. School. This project will not be undertaken until the school construction project has been completed. The Board of Education, District administration, and Parks and Recreation will share responsibility for approving the final design, the selection of a contractor, and supervising the installation. The Association also anticipates donating funds to the Parks and Recreation Foundation to support ongoing maintenance costs

ITEM NO.: **2**
DEPARTMENT: Board of Selectmen
CONTACT: Aamina Ahmad, Assistant Town Attorney, Town of Greenwich
203-629-7330 aahmad@greenwichct.org and/or
Bruce F. Cohen, Fogarty Cohen Selby & Nemiroff LLC
203-629-7330 bcohen@fcsn.com
REFERRED TO: Finance, Legislative & Rules, Parks & Recreation Committees
VOTES: Board of Selectmen: 3-0-0

RESOLVED, that the sale of municipal property, formerly known as the North Mianus Community Center, located at 296 Valley Road, Town of Greenwich (Tax. I.D. # 08-4531) to Bridges Group LLC for the sum of Eight-Hundred-and-Twenty-Five-Thousand Dollars (\$825,000.00) is hereby approved.

EXPLANATORY COMMENTS

The former North Mianus Community Center (the “Premises”) has been on the Town’s list of excess property for disposition for several years, and is in substantial disrepair. As recommended by the Board of Selectmen, and approved by the Planning and Zoning Commission (Municipal Improvement #0548), the Premises are to be sold to Bridges Group LLC for adaptive reuse and historic rehabilitation of the building to serve as an early childhood education center for 74 children. Approvals for the proposed school use and building improvements have been obtained from the Planning and Zoning Commission, Planning and Zoning Board of Appeals, Inland Wetlands and Watercourses Agency, and Historic District Commission. Bridges Group LLC shall make an annual payment in lieu of property taxes in an amount equivalent to the property taxes that would be due based on the assessed value of the property as a school.

ATTACHMENTS: SUPPLEMENTAL INFORMATION

Separate enclosure

ITEM NO.: **3**
DEPARTMENT: Board of Education 0706ED01
CONTACT: Susan Wallerstein 625-7471
Sue_Wallerstein@greenwich.k12.ct.us
REFERRED TO: Education Committee
VOTES: Board of Education
Board of Estimate and Taxation

RESOLVED, that the Town of Greenwich accept a discretionary grant for \$20,000 for Hamilton Avenue School selected as one of four Connecticut Vanguard Schools from the Connecticut State Department of Education. Said amount be and is hereby appropriated to the following account E0407 43100.

EXPLANATORY COMMENTS

Hamilton Ave. School has been selected as one of four Connecticut Vanguard Schools for 2007-08 based on the school’s significant growth in student performance. The Connecticut State Department of Education awards each Vanguard School a \$15,000 discretionary grant to support the school’s “journey towards excellence.” In addition to the discretionary award, Hamilton Ave. will receive an additional \$5,000 grant to support costs associated with mentoring a partner school (to be determined by the State Department of Education).

ITEM NO.: **4**
DEPARTMENT: Selectmen
CONTACT: James Lash 622-7710
REFERRED TO: Appointments, Health & Human Services Committees
VOTES: Board of Selectmen 3-0-0

RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed a member of the Commission on Aging for a term expiring 3/31/08.

HOWARD P. SERRELL

Explanatory Comments

Howard P. Serrell. 12 River Lane, Cos Cob. New nomination as a regular member of the Commission on Aging for a term expiring 3/31/08.

BA, Dartmouth College, MA, Wesleyan University, CFP, Adelphi University. Presently, Vice President – Wachovia Bank, Trust and Estate Administration. Member, American Red Cross and Mews and former member of Hotline and YMCA.

ITEM NO.: **5**
DEPARTMENT: Selectmen
CONTACT: James Lash 622-7710
REFERRED TO: Appointments, Town Services Committees
VOTES: Board of Selectmen 3-0-0

RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed a member of the Alarm Appeals Board for a term expiring 3/31/08.

THOMAS E. ZACK

Explanatory Comments

Thomas E. Zack. 18 Old Orchard Road., Riverside. New nomination as a regular member of the Alarm Appeals Board for a term expiring 3/31/08. Presently, firefighter for Village of Port Chester. 38 years in fire fighting, 40 year volunteer in Village Fire Department, enforcing alarm ordinance when on duty.

ITEM NO.: **6**
DEPARTMENT: Selectmen
CONTACT: James Lash 622-7710
REFERRED TO: Appointments, Land Use Committees
VOTES: Board of Selectmen 3-0-0

RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed an alternate member of the Inland Wetlands and Water Courses Agency for a term expiring 3/31/08.

ROBERT V. SISCA

Explanatory Comments

Robert V. Sisca. 40 Nutmeg Drive, Greenwich. New nomination as an alternate member of the Inland Wetlands and Water Courses Agency, for a term expiring 3/31/08.

Keene State College, B.A., George Washington University, Graduate School of Political Management, M.P.M. and J.D., New York Law School.

Pro-bono Attorney., Greenwich Youth Football League Counsel, Board member of Greenwich Old Timers and New York Law Guardian.

ITEM NO.: **7**
DEPARTMENT: Selectmen
CONTACT: James A. Lash 622-7710
REFERRED TO: Appointments, Health & Human Services Committees
VOTES: Board of Selectmen 3-0-0

RESOLVED, that the following named person, nominated by the Board of Selectmen, be reappointed a member of the Commission on Aging for a term expiring 3/31/10.

KAREN T. LaMONICA

Explanatory Comments

Karen LaMonica. 34 Benenson Drive, Cos Cob. Renomination as a regular member of the Commission on Aging for a term expiring 3/31/10.

Certificate Program in Aging, Brookdale Center on Aging, Hunter College, MA, Administration and Supervision, Teacher's College, Columbia University, BSN, Columbia University. Volunteer, Catholic Family Services, Board of Directors, Columbia University School of Nursing Alumni Association Board Secretary, Columbia University School of Nursing Alumni Assoc. Class Representative.
Current member of this Commission.

ITEM NO.: **8**
DEPARTMENT: Selectmen
CONTACT: James Lash 622-7710
REFERRED TO: Appointments, Health & Human Services Committees
VOTES: Board of Selectmen 3-0-0

RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed a member of the Board of Health for a term expiring 3/31/10.

DORIAN S. FABIO

Explanatory Comments

Dorian S. Fabio. 61 Mallard Drive, Greenwich. New nomination as a regular member of the Board of Health for a term expiring 3/31/10.
Fairfield University – Bachelor of Science, completed various education programs in chemical engineering, pharmaceutical advertising, medical education (regulations and compliance) FDA/government regulatory issues and women’s health and wellness. Member, PTA at Julian Cutriss, Community Centers, Inc. and Junior League. Part member of United Way and Arts Council.

ITEM NO.: **9**
DEPARTMENT: Selectmen
CONTACT: James Lash 622-7710
REFERRED TO: Appointments, Land Use Committees
VOTES: Board of Selectmen 3-0-0

RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed an alternate member of the Historic District Commission for a term expiring 3/31/12.

NOBLE WELCH

Explanatory Comments

Noble Welch. 25 Strickland Road, Cos Cob. New nomination as an alternate member of the Historic District Commission for a term expiring 3/31/12.
Yale University, courses at Harvard Business School. Retired Real Estate broker. Past President, Common Condo Association and past Director, VP – Yale Alum. Association.

ITEM NO.: **10**
DEPARTMENT: Selectmen
CONTACT: James Lash 622-7710
REFERRED TO: Finance, Health & Human Services Committees
VOTES: Board of Selectmen 3-0-0

To consider and act upon the following resolution requested by the First Selectman:

RESOLVED, pursuant to State Public Act No. 95-268, An Act concerning Neighborhood Assistance, the programs set out in the Explanatory Comments (attached) and complete applications filed in the Town Clerk's office are hereby approved for the purpose of encouraging business contributions to non-profit organizations and government agencies providing important services in Greenwich.

Explanatory Comments

The Connecticut Neighborhood Assistance Act provides tax credits for businesses that contribute to community programs that have received both municipal and state approval. The programs include providing neighborhood assistance, job training or education, community services, crime prevention, energy conservation, or construction or rehabilitation of dwelling units for families of low and moderate income in the State. Municipalities interested in submitting programs for inclusion in the 2007 program must hold a public hearing on their proposals, and the legislative body of each municipality must also vote to approve the programs. The programs should be detailed on the proposal forms. When the tax exempt organization and/or municipal agency receives both municipal and state approval for its proposed program(s), it is then up to that organization to secure funding for the approved program(s) from businesses, which in turn will receive a tax credit from the State of Connecticut. Basically, it is a way to give corporations and businesses an incentive to give money to non-for-profit, tax-exempt organizations and government agencies that aid the community. Submitted for your approval for 2007 are 18 programs from organizations with a total funding of \$ 880,500.00.

ATTACHMENTS

List of 2007 applicants. A complete set of applications with program information is available in the Town Clerk's Office.

ITEM NO: **11**
DEPARTMENT: Fire Department 0705FD01
CONTACT: Assist' Chief Pete Siecienski Contact's phone # 203-622-3952
Psiecienski@greenwichct.org
REFERRED TO: Finance, Town Services Committees
VOTES: Board or commission name vote (y/n/a)

RESOLVED, that the sum of \$290,000 be and the same is hereby appropriated to be added to the account number identified below:

206-59120-27101 Fire Apparatus \$290,000

EXPLANATORY COMMENTS

The request is made to purchase a replacement pumping engine. Due to ongoing mechanical difficulties, the Fleet and Fire Departments have agreed to attempt the replacement of 2002 - Engine 2. The engine has been out of service for maintenance totalling in excess of a full calendar year. Records indicate that 65 per cent of the down time was for warranty repairs. The option, available and recommended, is to accept a manufacturer offer of \$250,000 trade-in for the current engine and, acquire through additional appropriation, \$290,000 to purchase a new pumper.

ITEM NO.: **12**
DEPARTMENT: Hamilton Avenue School Building Committee
CONTACT: Frank Mazza, Chairman
622-2259
REFERRED TO: Education, Finance Committees
VOTES: Board of Estimate and Taxation

RESOLVED, that the sum of \$545,000 is hereby appropriated and added to the following account Z6801792 59550 25110 for Hamilton Avenue Reconstruction. Said appropriation to come from the Capital and Non-Recurring Fund and is subject to approval by the Board of Estimate and Taxation at its May 21, 2007 meeting.

Explanatory Comments

The Hamilton Avenue School Building Committee is requesting and additional appropriation of \$545,000.00 to complete construction of the new Hamilton Avenue School.

The following is a summary of the money appropriated and committed to date.

Appropriations

2004-2005 Budget Year	\$ 3,410,000.00
2005-2006 Budget Year	\$23,700,000.00
2006-2007 Budget Year	\$ 1,800,000.00
Total	\$28,910,000.00

Money committed to May 1, 2007

Architects Fee's	\$1,563,110.00
Project Managers Fee's	727,618.00
Abatement and Demolition Contract	1,001,540.00
Phase 1 (Parking Garage)	1,759,446.00
Phase 2 (Building)	22,467,110.00
Misc. Town Fee's	237,949.00
Misc. Expenses	9,024.00
Furniture, Fixtures & Equipment	1,000,000.00
Total	\$28,765,797.00
Appropriation	\$28,910,000.00
Money Committed to May 1, 2007	28,765,797.00
Balance May 1, 2007	\$144,021.00
Pending proposed changed orders on May 1, 2007	\$148,232.00

When the building committee went out to bid in March of 2006 for Phase 2, we knew our budget was very tight because \$1,800,000 had been moved from the 2005-06 budget request to the 2006-07 budget year. We wanted to make sure we could award a contract in the spring of 2006 because of the time constraints we were dealing with, so we bid a number of items as alternates that could be added to the contract after we received the 2006-07 appropriation.

We had one bid within the appropriation and the contract was award to the Worth Construction Co. for a base price of \$22,013,000. Of the \$1,800,000 appropriated in the 2006-07 budget \$1,000,000 is for Furniture Fixtures and Equipment and the \$800,000 was the contingency fund. The building committee warned both the BET and the RTM that this was an exceedingly low contingency, approximately 3.4% of construction costs.

Normal contingencies are 10% of cost, or in this case an amount of approximately \$2,300,000. We said we would try to stay within the \$800,000 amount but we have been unable to do so because of some unusual costs. The following is a summary of the major change orders issued to date.

Alternate for Bus Canopy	\$ 75,000.00
Wiring for Emergency Generator	25,568.00
Extra rock excavation in Phase 1	200,000.00

Fire Marshall request for revision to sprinkler system	29,930.00
Fire Marshall request for smoke detectors	107,994.00
Revisions to the structural steel design	69,274.00
Geo Design Consultants	27,500.00
Pinnacleone (additional time on site)	52,000.00
Additional testing	10,000.00
Total	\$597,266.00
The balance of the change orders are for numerous small items.	
Summary	
Balance available May 1,2007	\$144,021.00
Additional appropriation	545,000.00
Deduct pending proposed change orders	148,232.00
Balance to complete project	\$540,789.00

We anticipate we will have additional change orders for construction, we will have to pay our Project Manager for additional supervision due to construction delays, and we may commit some money to overtime costs for timely completion of the project. Any money not spent will be returned to the General Fund.

ITEM NO.: **13**
DEPARTMENT: Selectmen
CONTACT: James Lash 622-7710
REFERRED TO: Appointments, Health & Human Services,
Public Works Committees
VOTES: Board of Selectmen 3-0-0

RESOLVED, that the following named persons, nominated by the Board of Selectmen, be appointed members of the Nathaniel Witherell Building Committee.

**DIK GLASS
STEPHEN SOLER
H. ANDREW FOX
JEREMY KAYE
CHRISTOPHER LACEY**

Explanatory Comments

Dik Glass. 55 1/2 Richmond Drive, Old Greenwich.
Senior Corporation Manager for corporations' real estate requirements. Architect by degree, managed millions of dollars of construction over the last 20 years.

Stephen M. Soler. 4 Kent Place, Cos Cob.

President of the Georgetwon Land Development Company. Widely recognized as an expert in Brownfield Development with a specialty in financing acquisition and remediation of Brownfield sites.

H. Andrew Fox. 32 Carriglea Drive, Riverside

Founding partner with Stone Harbor Land Company and Stone Harbor Project Advisors. Currently serves on the Stanwich Club Building Committee, Greenwich Country Day School Building Committee and Greenwich Adult Day Care Committee. Most recently was the Executive Vice President of A.P. Construction Company, subsidiary pf the Ashforth Company.

Jeremy Kaye. 71 Lewis Street, Greenwich.

Partner in law firm – Kaye and Hennessey, LLC. Member of the American Bar, Greenwich Bar and Stamford/Norwalk Regional Bar Association – former President and former Co-Chairperson of the Real Estate Committee.

Christopher Lacey. 5 Indian Point Lane, Riverside.

Presently, Director of Construction – HB Nitkin Group

Experience includes progressive corporate responsibilities in Construction Management and General Contracting organizations, extensive experience in contract negotiations with ownership and governmental agencies.

ITEM NO.:	14
DEPARTMENT:	Selectmen
CONTACT:	James Lash 622-7710
REFERRED TO:	Finance,Legislative & Rules, Public Works Committees
VOTES:	Board of Selectmen 3-0-0

RESOLVED, that the Town of Greenwich hereby agrees to indemnify and hold harmless High Tower Trading LLC for any and all losses which may occur as a result of the installation of a traffic circle, by the Town of Greenwich, at the intersection of King Street and Rye Lake Avenue to be located on a portion of certain property owned by High Tower Trading LLC at the premises known as 1275 King Street, Greenwich, CT.

Explanatory Comments

High Tower Trading LLC has requested that the following language be included in any license agreement between the Town of Greenwich and High Tower Trading LLC:
Waiver and Indemnification.

(a) Licensee waives any and all claims and right of recovery against the Licensor and its affiliates, lessees and mortgagees, and their respective members, officers,

employees, servants, agents, guests and invitees ("Indemnified Parties") which the Licensee might otherwise have for loss or damage to the Permitted Alterations or improvements constructed within the Licensed Area.

(b) Licensee hereby indemnifies and agrees to defend, protect and hold harmless each of the Indemnified Parties from and against all liabilities, claims, demands, judgments, damages, interest and expenses (including attorneys' fees and disbursements) to which any Indemnified Party may (except insofar as it arises out of the gross negligence or willful misconduct of any such Indemnified Person in the use of the Licensed Area) be subject or suffer, whether by reason of

(c) any claim for any injury to, or death of, any person or persons or damage to property (including any loss of use thereof) or otherwise arising from or in connection with the design, installation, maintenance, repair, condition or use of, or from any work or thing whatsoever done or failed to be done in or about any part of the Licensed Area (other than by such Indemnified Party) by Licensee or any employee, agent, contractor, officer, partner, licensee or invitee of Licensee;

(d) any claim or liability relating to the Licensed Area, or as a result of Licensee performing or failing to perform any work or otherwise in or about the Licensed Area, that subjects any Indemnified Party to any Requirement to which such Indemnified Party would not otherwise be subject, or

(e) any claim arising from any condition of the Licensed Area due to or resulting from any default by Licensee in the keeping, observance or performance of any provision contained in this License or from any act or negligence of Licensee or any employee, agent, contractor, officer, partner, licensee or invitee of Licensee.

Licensee agrees to investigate, handle, respond to, and to provide defense for and defend against, any such liability, claim or demands at the sole expense of the Licensee and Licensee agrees to pay Licenser all defense costs reasonably incurred by the Licenser in connection with, any such liability, claims, or demands. Licensee further agrees to bear all other costs and expenses related thereto, including court costs and attorney fees, whether or not any such liability, claims, or demands alleged are groundless, false or frivolous.

ITEM NO.: **15**
DEPARTMENT: Selectmen
CONTACT: James Lash 622-7710
Dan Warzoha 622-2222
REFERRED TO: Finance, Legislative & Rules Committees
VOTES: Board of Selectmen 3-0-0

RESOLVED, that the First Selectman is authorized to accept receipts from the Federal Emergency Management Agency (FEMA) and the State of Connecticut Department of Emergency Management and Security (DEMHS), and such receipts shall become appropriations upon approval of the Board of Estimate and Taxation.

Explanatory Comments

This resolution allows the Town to accept FEMA and DEMHS funds to recoup a portion of the damage to public property caused by the April nor'easter.

ATTACHMENTS - Separate enclosure

Two - Preliminary damage estimates and repair costs for identified municipal repair projects.

ITEM NO: **16**
DEPARTMENT: RTMAppointmentsCommittee
CONTACT: ColineJenkins,637-5872,cocococo@juno.com
REFERRED TO: Appointments, Legislative & Rules Committees
VOTES: 11 – 0 – 0, District 4 absent

RESOLVED, that the following named person, nominated by the RTM Appointments Committee, be appointed a member of the RTM Claims Committee for terms expiring 12/31/07.

FRANCIS J. (“Kip”) BURGWEGER Jr.

EXPLANATORY COMMENTS

Francis J. (“Kip”) Burgweger, Jr., 24 Cat Rock Road, fburgweger@aol.com

RTM Experience: Representative of District 8; Delegate to Legislative & Rules Committee (2nd term)

Town of Greenwich Government Experience: Member Selectmen’s Pedestrian Safety Committee (Served from June 23, 2005 until the Committee was disbanded)

Professional Experience:

Presently retired. Previously Partner, O’Melveny & Myers LLP 1978 – 2003; Associate, O’Melveny & Myers 1971 – 1978; Clerk for Judge Shirley M. Hufstedler, Ninth Circuit Court of Appeals 1970-1971

Representative Work:

Worked as a real estate, zoning and land use attorney from 1971 until retirement. In transactions involving obtaining zoning or environmental approvals, it was necessary to evaluate complex factual situations and devise an effective and efficient strategy both to satisfy municipal requirements and to overcome objections by opponents. Sometimes those objections led to litigation, and the work done in obtaining the approvals had to anticipate and address issues raised in litigation.

Also represented parties to traditional real estate transactions, including purchases, sales, construction, construction financing, permanent financing and leasing.

Education: J. D., University of Pennsylvania 1970; B.A., Yale University 1964

Military Service:

Captain, U.S. Army, Military Intelligence 1964 – 1967; Recipient of Bronze Star for Meritorious Service

Present Affiliations:

Member, United Way of Greenwich Board of Directors; Member, United Way of Greenwich Planning Council; Scoutmaster, Troop 10, Cos Cob; Chair, Christ Church Greenwich Outreach Foundation; Member, Greenwich World Hunger Association, Inc. Board of Directors

ITEM NO: 17
DEPARTMENT: Law Department
CONTACT: John Wayne Fox, Town Attorney 622-7876
REFERRED TO: Finance, Legislative & Rules Committees
VOTES: BET

RESOLVED, that the sum of \$175,000 be and the same is hereby appropriated to be added to Account No. A140-51400, Professional and Other Special Services - Attorneys.

EXPLANATORY COMMENTS

This request is for an additional appropriation of \$175,000 to meet outside attorney fees through the end of the fiscal year. In several cases we have been obliged to bring in outside counsel because of a conflict or potential conflict between the Town's interest and other named defendants employed by the town. In other significant cases, it was necessary to bring in outside counsel with specialties in certain fields.

ITEM NO: 18
DEPARTMENT: Law Department
CONTACT: John Wayne Fox, Town Attorney 622-7876
REFERRED TO: Finance, Legislative & Rules Committees
VOTES: BET

RESOLVED, to adopt an ordinance pursuant to Connecticut General Statutes §7-450(b).

WHEREAS, the Town of Greenwich (the "Town") desires to establish and fund a trust (the "Trust") to hold assets to be used to pay non-pension post-employment benefits (also known as "other post-employment benefits" or "OPEB") to eligible retirees and their beneficiaries in accordance with the provisions of Section 7-450 of the General Statutes of Connecticut, Revision of 1958, as amended; and

WHEREAS, the Town intends that the Trust be exempt from tax under Section 115 of the Internal Revenue Code of 1986, as amended, as a trust utilized in the exercise of an essential governmental function; and

WHEREAS, the Town intends that the Trust be established and operated in accordance with the provisions of Governmental Accounting Standards Board Statements No. 43 and No. 45; and

WHEREAS, the Town desires to appoint a Retirement Board of the Town to serve the initial trustee of the Trust.

NOW, THEREFORE, BE IT HEREBY ORDAINED,

1. That the Town of Greenwich, in accordance with the provisions of Section 7-450(b) of the General Statutes of Connecticut as amended by Section 6 of Public Act No. 06-79 (Feb. 2006 Sess.) of the Connecticut General Assembly, hereby establishes and adopts the "Town of Greenwich Other Post-Employment Benefits Trust Agreement" (the "Trust Agreement") substantially in the form as presented at the Representative Town Meeting and as filed with the minutes thereof in the Office of the Town Clerk, to hold assets that are set aside for the payment of other post-employment benefits, such trust to be administered and operated in accordance with the provisions of Governmental Accounting Standards Board Statement No. 43 and No. 45, as the same may be amended or superceded.

2. That immediately upon the enactment of this ordinance, there shall be established a board as provided for in Connecticut General Statutes §7-450(b) for management and investment of any such trust. The members of said Board shall receive no compensation for serving. The Comptroller for the Town of Greenwich shall serve as an *ex officio* member of the Board. There shall be five other members of the Board.

3. That the Comptroller of the Town, in his capacity as an *ex officio* member of the Retirement Board, is authorized to execute the Trust Agreement on behalf of the Town, with such revisions as the Comptroller deems necessary or desirable to effectuate the intent of this Ordinance.

EXPLANATORY COMMENTS

This resolution is authorized by Connecticut General Statutes §7-450 (b), which permits a municipality, by ordinance, to establish a trust to hold and invest the assets of a pension, retirement or post-employment health and life benefit system. The purpose of the establishment of the trust fund is to better protect that portion of the pension benefits which provide for medical expenses. The Retiree Medical Trust Agreement will be sent under separate cover.

ITEM NO. 19
DEPARTMENT: Selectman
CONTACT: James Lash 622-7710
REFERRED TO: Education, Finance, Legislative & Rules Committee
VOTES:

WHEREAS, a special act was submitted in the Connecticut Legislature in 2007 to provide a grant ~~in an amount up to of~~ \$5,000,000 for the renovation and reconstruction of the Bruce Museum; and

WHEREAS, the Finance, Revenue and Bonding Committee of the State Senate has recommended a grant in the amount of \$1,500,000 for 2007- 2008; ~~and~~

WHEREAS, the amount of such grant, if any is enacted, remains uncertain; and

WHEREAS, subsequent grants may increase the total state grants for this purpose up to \$5,000,000;

NOW, THEREFORE, BE IT RESOLVED THAT the First Selectman is authorized to accept a grant from the State of Connecticut ~~to assist in the financing~~ for the renovation and reconstruction of the Bruce Museum in 2007-2008 and subsequently from time to time to accept additional grants up to \$5,000,000, and such grants shall become an appropriation to account F801-57210 upon approval by the Board of Estimate and Taxation.

EXPLANATORY COMMENTS

Separate enclosure packet

ITEM NO. 20
DEPARTMENT: Finance – Law Dept
CONTACT: John Wayne Fox – 622-7876
Peter Mynarski 622-2226
REFERRED TO: Finance, Legislative & Rules, Public Works
VOTES:

RESOLVED, that the Town shall make available annually an amount from its revenues generally, other than amounts raised from special benefit assessments, sufficient to pay principal of and interest on \$600,000 principal amount of bonds issued under the Resolution. Any provisions contained in the Resolution inconsistent

herewith shall be resolved in favor of the intent of this Resolution to relieve property owners of \$600,000 of the cost of the Project.

EXPLANATORY COMMENTS

In accordance with the provisions of Section 17 of the Sewer Act (No. 292 of S.A. of 1949, as amended), the Comptroller intends to certify the cost for the North Mianus Sewer Project to the Condemnation Commission for an amount of \$22,932,095. This amount is predicated on a billing date of January 1, 2008. Any change in the January 1, 2008 billing date will change the certified amount that includes an accrued interest charge. In addition, the above listed amount includes a \$600,000 reduction as follows:

- Original contract buyout (\$250,000).
- Incremental re-bid costs (\$135,061).
- Non-allowable change orders per independent audit (\$64,939).
- Non-allowable paving costs per independent audit (\$150,000).

To make up for the \$600,000 reduction, the Town shall make available annually an amount from its revenues generally, other than amounts raised from special benefit assessments, sufficient to pay principal of and interest on \$600,000 principal amount of bonds issued under the resolution.