

**Board of Finance
Town of East Windsor
11 Rye Street
East Windsor, CT**

**MINUTES OF REGULAR MEETING,
March 16, 2011 at 7:30 p.m.**

These minutes are not official until approved at a subsequent meeting.

Members Present: Jack Mannette, Daneli-le E. Godeck, Robert Little, Marie DeSousa, Jason Bowsza, and Kathleen Pippin
Members Absent: None
Alternates Present: None
Alternate Absent: Jamie Daniel and Thomas Baker
Others: Catherine Cabral, Denise Menard, Mark Simmons, Richard Pippin, Gilbert Hayes, John Burnham, Dale Nelson, Bob Lyke, Craig Wentworth, Alan Baker, and others
Press: K. Loucks (Journal Inquirer)

I. Call to Order

Chairman Jack Mannette called the Regular Meeting to Order at 7:30 p.m., in the East Windsor Town Hall.

Ms. Marie DeSousa wanted to state for the record she was against having two video cameras recording the meeting, and that one of those cameras was a personal video camera.

II. Appointment of Alternates

Chairman Jack Mannette indicated that all Regular Members are in attendance at this time; however, Alternate Member, Jamie Daniel and Alternate Member Thomas Baker were unable to attend this meeting.

III. Approval of Minutes

Minutes of February 16, 2011 Regular Meeting

An error was noted in the February 16, 2011 Regular Meeting Minutes. An amendment to the minutes in Section V, Paragraph 1 is noted.

“...an organization called **Yankee In Public Policy** which are...”
to

“...an organization called **Yankee Institute for Public Policy/CTSunlight.org website** which are...”

An error was noted in the February 16, 2011 Regular Meeting Minutes. An amendment to the minutes in Section VI, Subparagraph d, Paragraph 2 is noted.

“Each Board Member should **took** at the reports...”

to

“Each Board Member should **look** at the reports...”

An error was noted in the February 16, 2011 Regular Meeting Minutes. An amendment to the minutes in Section VI, Subparagraph e, Paragraph 2 is noted.

“**Mr. Bowsza** questioned the legal accounts...”

to

“**Mr. Mannette** questioned the legal accounts...”

It was **MOVED** (Little) and **SECONDED** (Godeck) and **PASSED** (U) that the Board of Finance approves the minutes of February 16, 2010 Regular Meeting, as amended.

IV. Public Input

None.

V. Communications

Chairman Jack Mannette indicated he had received an Inter Office Memorandum dated February 28, 2011 from E. Arthur Enderle III, Superintendent of WPCA which was also distributed to the Board of Selectmen, WPCA Commissioners and Ms. Catherine Cabral, Treasurer regarding Facility connection charges. He gave a copy of the memorandum to all Board Members. The memorandum indicates that there was an agreement drafted by the former Superintendent of WPCA, Kevin Leslie, and the former First Selectwoman, Linda Roberts in regard to the Facility connection charges that are collected by the WPCA. The agreement spelled out that each year the Town of East Windsor was able to withdraw \$350,000 from the WPCA Facility connection charge to account to be used by the Town of East Windsor. Once the Town removes the \$350,000 from the account this year, this practice will cease. However, he has been unable to locate said agreement and he wanted to give the Board of Finance and Board of Selectmen notice of this agreement and it will no longer be in effect after this year. Mr. Mannette wanted the Board Members to review the memorandum and it will be placed on the agenda for the next meeting. Ms. Menard, who was in attendance at the meeting, indicated she will be trying to locate this agreement.

Mr. Mannette indicated he had received a manila envelope marked “confidential” in his box. He looked inside to see what it was that he wanted to share the information with all the Board Members. He indicated it was a notification that the Town is being sued. Ms. Marie DeSousa indicated it may be an executive session issue depending on the nature of the lawsuit. Mr. Mannette disagreed that it was not an executive session issue and when the Town receives notification of a potential lawsuit, it has never been an executive session issue. He indicated if anyone wanted to look at the correspondence, they were welcome to do so. Ms. DeSousa indicated she was not interested in seeing same.

VI. Monthly Reports

a. Treasurer’s Report

Ms. Catherine Cabral, Treasurer, addressed the Board of Finance. She gave to all the Board Members a memorandum dated March 11, 2011 for their review. The document is broken down in four subjects: Cash, Tax Collections, Assessor Information, and Treasurer Update. As of February 28, 2011, the cash position of the Town is as follows: Webster Bank \$8,887,554; New England Bank (formerly Enfield Federal Savings) \$708,962; TD Banknorth \$574,795; STIFF \$775,561; and MBIA Class \$36,551.

b. Tax Collector’s Report

Ms. Kim Scavatto gave to all the Board Members a report entitled “Tax Collector’s Report to Board of Finance 7/1/2010 through 02/28/2011”. She briefly discussed the figures on the report comparing tax collection of the current year verses the three previous years. The percentage of tax collection is approximately 94.57%. A brief discussion regarding the report was held regarding suspense collections and refunds.

c. Assessor’s Report

Ms. Cabral gave to all the Board Members a report dated March 10, 2011 from the Assessor, Ms. Caroline Madore. The last Court Appeal (A and D Balis Enterprises LLC vs. Board of Assessment Appeals and Town of East Windsor) has been settled. The parties have agreed to settle at a 12.06% reduction which equates to tax loss of \$3,474.44 on the current tax list. The Stipulation for Judgment has been signed and the refund will be in the process shortly. Total legal fees spent on this particular case from June 2010 through February 2011 are \$973.50.

The Board of Assessment Appeals is in the process of meeting on 23 appeals relating to Real Estate and Personal Property matters. Their decisions will be released by the end of the month.

An upgrade to the Assessor's system is currently in process in order that the office will be able to maintain the veteran, disability, and other exemptions quickly. The setup process will take some time, but the result is worth the wait. There is no cost to the upgrade other than the set up time which will be handled during staff hours.

d. 2010-2011 Budget Expenses/Discussion on YTD Expenses Verses Projected Year End Expenses, Projected Department Budget Surplus Analysis, Legal Account, Other

Ms. Cabral gave to the Board Members a few reports which explained budget by departments and expenses. She indicated the reports were done to review the potential excesses and where those excesses are. She indicated the most significant excess is the Pension line due to the smoothing technique which was done saving approximately \$108,000. Along with those savings, there are savings in the employee benefits line as well. In total, there is a surplus of funds totaling \$206,465.

Mr. Mannette inquired about the legal account and if the reimbursement of \$15,000 was included in these figures. Ms. Cabral indicated it was included. She indicated she has spoken to Ms. Menard and it has been applied. Mr. Mannette inquired with Ms. Menard when settling the Gillette case, there was an allocation of \$15,000 which was to be refunded, and he would like to know if that amount came be moved and used in other departments. Ms. Menard reassured Mr. Mannette CIRMA refunded the money and it was placed back into the legal account. Mr. Mannette remarked that it is a potential excess, but Ms. Menard disagreed. She indicated that money was placed back into the legal account to reimbursement that account and it was part of the legal settlement. Mr. Mannette indicated that if the Board of Finance feels it is okay to be in the legal account, however, if money is needed the Board will have to consider where funds may be. Ms. Menard indicated it is not an excess and she is not overspending the legal account. The funds are being reimbursed to the legal account. Mr. Mannette then began giving a background that at one previous meeting; he had a question regarding the legal expenses. He received a report and a communication from Ms. Menard. That communication was not forwarded to all of the Board of Finance Members and he would like that communication forwarded to them so they can review same. He will place this item on the agenda at the next meeting to discuss further. He would like to discuss the legal expenses. Ms. DeSousa interjected by asking why and she believes these are questions for budget meetings. Mr. Mannette wanted to make everyone aware of the legal expenses which have been expended to date of approximately \$200,000 and historically legal accounts were decreasing and he is inquiring why those expenses are rising. He began speaking of a lawsuit recently wherein the case was settled exceeding \$500,000. Ms. Menard indicated to Mr. Mannette those

figures are incorrect and doesn't know where he has received such information. She agrees that money was paid, but it was no where near \$500,000. The discussion continued between Mr. Mannette and Ms. Menard. During that discussion, Ms. DeSousa asked for a point of order, that their discussion was invalid. Mr. Mannette disagreed indicating he was discussing the legal expenses and would like to see the legal bills for those expenses. Ms. DeSousa indicated that this discussion is in an open forum and maybe should be discussed in an executive session. Ms. Godeck commented that discussing legal fees but if the discussion turns into talking about specific lawsuits and handling said lawsuits; executive session may be in order. Ms. Menard commented that lawsuits are not the jurisdiction of the Board of Finance, but the responsibility of the Board of Selectmen. Mr. Mannette disagreed, indicating it is the responsibility of the Board of Finance to overlook the legal expenses. Ms. DeSousa remarked that in her opinion, this discussion is putting the Board in jeopardy. She agrees with reviewing expenses but not reviewing particulars of lawsuits. Ms. Menard commented that the Board of Selectmen are very conscious when it comes to reviewing lawsuits and Mr. Mannette is invited to sit in on an executive session so he can understand and discuss same. Mr. Mannette did indicated that he was reading through minutes and wanted to remind Ms. Menard that the Town Attorney's term will be running out and needs to be reappointed. Ms. Menard commented a contract has been approved by the Board of Selectmen.

Mr. Mannette then began speaking about when was the Chairman of the Police Commission, during three lawsuits; the Town Attorney gave them very good advice. He said that in his opinion, if the town would settle the cases before the lawsuits were initiated, the town would settle those cases for about a quarter of the money that they would settle at if it goes to court. It is his hopes, that the town is taking some of that advice. Ms. Menard indicated it is.

Mr. Mannette began discussing the HR consultant who has recently been hired and is being paid out of the CNR account. He does not believe that can happen and there is not a separate line item describing such payment. Ms. Menard indicated that Mr. Mannette is mistaken. It has been done that way since Linda Roberts was here. She checked with the auditor before the money was spent. Ms. Cabral and Ms. Menard discussed the subject and reassured Mr. Mannette the auditor said the transaction was fine. Mr. Mannette asked Ms. Cabral for a Fund 8 report. Ms. Cabral indicated she would send that report to him and all the Board Members.

e. Rental Income

Mr. Mannette indicated that Mr. Little had requested at the last meeting a list of all of the rental properties and income. That report was given to all Board Members for their review. There were no questions regarding the report.

f. Added Appropriations

Ms. DeSousa requested that on future agendas, if “transfers” could be listed as well as added appropriations so there is less confusion. Mr. Mannette indicated he will.

Mr. Mannette indicated that there is a list of transfers that need to be addressed. Ms. Cabral commented that the reports which were given to show where the excess is and where the monies are being transferred from.

- **General Government**

It was **MOVED** (Bowsza) and **SECONDED** (Godeck) and **PASSED** (U) that the Board of Finance approves the transfer of \$60,000 from the Pension Fund Account No.: 1-01-15-1195-2-203-0000-0 to the OPEB Account No.: 1-01-10-1195-2-207-0000-0 and the transfer of \$48,000 from the Pension Fund Account No.: 1-01-15-1195-2-203-0000-0 to the OPEB Account No.: 1-01-10-1195-2-207-0000-0 and to recommend to Town Meeting, if necessary.

- **Various Departments**

It was **MOVED** (Bowsza) and **SECONDED** (Godeck) and **PASSED** (U) that the Board of Finance approves the transfer of \$2,510 from the Conv of Health Pension Account No.: 1-01-20-5295-2-203-0000-0 to the Human Services Salary Account No.: 1-01-20-5235-1-100-0000-0; and the transfer of \$2,300 from the Conv of Health Pension Account No.: 1-01-20-5295-2-203-0000-0 to Planning Full Time Account No.: 1-01-10-1124-1-100-0000-0; and the transfer of \$1,400 from to the Conv of Health Pension Account No.: 1-01-20-5295-2-203-0000-0 to Building Full Time Account No.: 1-01-10-1125-1-100-0000-0; and the transfer of \$1,310 from the Conv of Health Pension Account No.: 1-01-20-5295-2-203-0000-0 to Senior Center Full Time Account No.: 1-10-1130-1-100-0000-0; and, the transfer of \$1000 from the Conv of Health Pension Account No.: 1-01-20-5295-2-203-0000-0 to Senior Center Nutrition Manager Account No.: 1-01-10-1130-1-122-0000-0 and to recommend to Town Meeting, if necessary.

- **DPW**

It was **MOVED** (Bowsza) and **SECONDED** (Godeck) and **PASSED** (U) that the Board of Finance approves the transfer of \$7,300 from the Conv of Health Pension Account No.: 1-01-20-5295-2-203-0000-0 to the Full Time Salary Account No.: 1-01-25-3180-1-100-0000-0; and the transfer of \$1,200 from the Conv of Health Pension Account No.:

1-01-20-5295-2-203-0000-0 to Park & Rec Full Time Account No.: 1-01-25-3180-1-111-0000-0; and the transfer of \$500 from to the Conv of Health Pension Account No.: 1-01-20-5295-2-203-0000-0 to Stand By Pay Account No.: 1-01-25-3180-1-109-0000-0 and to recommend to Town Meeting, if necessary.

- **Town Clerk**

It was **MOVED** (Bowsza) and **SECONDED** (Godeck) and **PASSED** (U) that the Board of Finance approves the transfer of \$1,110 from the Salary Full Time Account No.: 1-01-10-1030-1-100-0000-0 to the Salary Part Time Account No.: 1-01-10-1030-1-101-0000-0 and to recommend to Town Meeting, if necessary.

- **Assessor**

It was **MOVED** (Bowsza) and **SECONDED** (Godeck) and **PASSED** (U) that the Board of Finance approves the transfer of \$733.27 from the Salary Part Time Account No.: 1-01-10-1035-1-101-0000-0 to the Salary Full Time Account No.: 1-01-10-1035-1-101-0000-0; and transfer of \$1,782.73 from Conv of Health Pension Account No.: 1-01-20-5295-2-203-0000-0 to Salary Full Time Account No.: 1-01-10-1035-1-101-0000-0 and to recommend to Town Meeting, if necessary.

The other transfer requested by the Assessor was in the amount of \$164.50 to repair a desktop, the charge was for delivery and installation. The desktop was under warranty.

Mr. Bowsza entertained a motion to transfer the funds, but after some questions by the Board Members, he withdrew his motion and indicated they would hold this transfer for another meeting to get clarification from the Assessor's office.

- **Town Property**

Mr. Bowsza entertained a motion and Ms. Godeck seconded that the Board of Finance approves the transfer of \$22,399.00 from the Public Safety/Pension Plan Account No.: 1-01-15-2195-203-0000-0 to the Town Property Account No.: 1-01-10-1085-5-595-0000-0 and to recommend to Town Meeting, if necessary.

A discussion was held. Mr. Mannette inquired as to why the transfer was going to Town Property rather than facility repair line, which still has \$20,000 unspent. He inquired as to why a new line was being created. He would recommend the money be transfer to the facility repair line. Ms. Menard indicated due to the fact she is applying for

FEMA monies, it would have to be a segregated account. This expense is out of the ordinary, basically an emergency situation. If the money was taken from the facility repair line, there would be no money in that account in case a repair had to be made to a facility. Mr. Mannette then began discussing how this money could be spent before asking getting the appropriate appropriation for same. Ms. Menard indicated it was an emergency and she had no choice. Mr. Mannette asked Ms. Menard if she claimed a State of Emergency, she indicated she had not. Mr. Mannette then began talking about the guidelines and how they were not followed. Ms. Menard indicated it was an emergency due to the snow on the roofs and she knew she had the funds to cover the expenses within the budget. Mr. Mannette insisted the Guidelines, Charter, and Statutes procedures were not followed. The Charter gives direction and it indicates money cannot be spent without the appropriate appropriations. She should have contacted the Board of Finance to have an emergency meeting to get this approved. He insisted it would not have been denied. Mr. Bowsza commented that the schools were closed and buildings were being compromised all over town and Ms. Menard did what she needed to do. Ms. Godeck also agreed, however, she suggested after the budget season all Boards should review their guidelines and policies so the town will be better prepared in the future if something happens again. The discussion continued regarding the uniqueness of the situation and how the town can be better prepared in the future.

A vote was taken and the motion was passed unanimously.

- **Selectmen/Town Property/IT**

It was **MOVED** (Bowsza) and **SECONDED** (Pippin) and **PASSED** (U) that the Board of Finance approves the transfer of \$3,401 from the Conv of Health Pension Account No.: 1-01-20-5295-2-203-0000-0 to the Selectmen Full Time Salary Account No.: 1-01-10-1010-1-100-0000-0; and the transfer of \$791 from the Conv of Health Pension Account No.: 1-01-20-5295-2-203-0000-0 to Town Property/Salary Full Time Account No.: 1-01-10-1085-1-100-0000-0; and the transfer of \$325 from to the Conv of Health Pension Account No.: 1-01-20-5295-2-203-0000-0 to IT Consultant/Salary Account No.: 1-01-50-8425-1-101-0000-0 and to recommend to Town Meeting, if necessary.

- **Registrar**

Mr. Bowsza entertained a motion transferring \$4,971.00 from Public Safety/Pension Account No.: 1-01-15-2195-2-203-0000-0 to Local Primary 1-01-10-1050-8-811-0000-0 and recommend to Town Meeting, if necessary. The motion was seconded by Ms. Godeck.

A discussion was held regarding why the transfers were taking place and where the monies were being spent. At the end of the discussion, Mr. Bowsza withdrew his motion.

It was **MOVED** (Bowsza) and **SECONDED** (Godeck) and **PASSED** (U) that the Board of Finance approves the transfer of \$140 from the Conference and Training Account No.: 1-01-10-1050-3-325-0000-0 to the Local Primary Account No.: 1-01-10-1050-8-811-0000-0; and the transfer of \$500 from the Postage Account No.: 1-01-10-1050-5-545-0000-0 to Local Primary Account No.: 1-01-10-1050-8-811-0000-0; and the transfer of \$100 from to the Office Supplies Account No.: 1-01-10-1050-6-610-0000-0 to Local Primary Account No.: 1-01-10-1050-8-811-0000-0; and the transfer of \$4,971 from Public Safety/Pension Account No.: 1-01-15-2195-2-203-0000-0 to Local Primary 1-01-10-1050-8-811-0000-0; and the transfer of \$4,0000 from Public Safety/Pension Account No.: 1-01-15-2195-2-203-0000-0 to Referendum Account No.: 1-01-10-1050-8-812-0000-0, and to recommend to Town Meeting, if necessary.

It was **MOVED** (Bowsza) and **SECONDED** (Godeck) and **PASSED** (U) that the Board of Finance approves the transfer of \$1,146 from Public Safety/Pension Account No.: 1-01-15-2195-2-203-0000-0 to Supplies (Elections) Account No.: 1-01-10-1050-6-615-0000-0, and recommend to a Town Meeting, if necessary.

g. Invoices

- **BlumShapario**

Mr. Mannette indicated he wanted clarification of this invoice, because he believes that this invoice has been submitted once before. Ms. Cabral agreed, however, the minutes do not reflect the signing and authorization of payment. Mr. Mannette signed the invoice for payment in the amount of \$29,500.00 for the audit services

- **Webster Bank**

Ms. Cabral gave to Mr. Mannette the invoice from Webster Bank for an analysis service fee in the amount of \$8,680.12. Ms. Cabral and Mr. Mannette had a brief discussion and eventually, Mr. Mannette signed the invoice for payment.

VII. Old Business**a. Discussion of Budget Overruns and Added Appropriations
General Rules**

Ms. Godeck has been unable to make contact with the gentleman at CCM and this agenda item will be tabled until the next regular meeting.

b. Yankee Institute for Public Policy.CT Sunlight

Mr. Mannette indicated this agenda item can be tabled until more information is available so the Board may discuss this subject further. Ms. DeSousa disagreed. She does not want to get involved with this organization.

It was **MOVED** (DeSousa) and **SECONDED** (Pippin) and **PASSED** (4-0)(R. Little abstained) that the Board of Finance does not want to be involved in the Yankee Institute for Public Policy.CT Sunlight.

c. 2011-2012 Budget Schedule

Mr. Mannette wanted to remind all Board Members of the upcoming meetings which revolve around the budget schedule. The presentation of the Board of Selectmen and Board of Education proposed budgets will be Tuesday, March 22, 2011 at 7:00 p.m. at the East Windsor High School. On March 23, 2011, a special meeting is scheduled for the Board of Finance to discuss the public hearing presentation of April 5, 2011. The meeting will take place at Park Hill at 7:00 p.m.

VIII. New Business**a. 2010-2011 Annual Audit**

Mr. Mannette indicated to all Board Members that the Board needs to decide if they wish to rehire BlumShapiro for the audit services. Ms. Cabral indicates she is comfortable with the firm and has no problems working with them. She did indicate that if the Board does choose to go out for bid for services of the audit, it has to be signed before June 30, 2011. Mr. Mannette indicated, he would like to have the audit to be completed by October 15, 2011 and inquired if that would be possible. Ms. Cabral indicated changes in Gaspe and other regulations, it may not be possible.

A brief discussion was held among the Board Members.

It was **MOVED** (Bowsza) and **SECONDED** (Godeck) and **PASSED** (4-1)(R. Little dissenting) that the Board of Finance authorize Ms. Catherine Cabral,

Treasurer to prepare RFP for 2010-2011 Annual Audit and the Board of Finance to sign off at next meeting with a deadline for response by May 15, 2011.

IX. Adjournment

It was **MOVED** (Bowsza) and **SECONDED** (Godeck) and **PASSED** (U) that the Board of Finance adjourns the March 16, 2011 Regular Meeting at 9:24 p.m.

Respectfully Submitted,

Denise M. Piotrowicz
Recording Secretary