



TOWN OF GREENWICH

Office of First Selectman (203) 622-7710 Fax (203) 622-3793
Town Hall- 101 Field Point Road - Greenwich, CT 06830
E-Mail: ptesei@greenwichct.org
Twitter: @greenwichfirst

Peter J. Tesei
First Selectman

Board of Selectmen Meeting
Thursday, October 13, 2016
10:00 a.m.
Town Hall Meeting Room

AGENDA

1. **Welcome and Pledge of Allegiance**
2. **Approval of Minutes**
 - a. Board of Selectmen Regular Meeting on Sept. 22, 2016
 - b. Board of Selectmen Special Meeting on Oct. 6, 2016
3. **First Selectman's Updates – Peter J. Tesei**
4. **Old Business**
5. **New Business**
 - a. Proposal: Creation of an Ad Hoc Committee to advise the BOS on current and future soil contamination issues. – Selectman Drew Marzullo.
6. **Appointments and Nominations**
7. **Executive Session**
 - a. Pending Litigation
8. **Adjourn**

This certificate received on file

On OCT 12 2016

At 9:40 AM


Town Clerk



Peter J. Tesei
First Selectman

Town of Greenwich

Board of Selectmen

Meeting September 22, 2016

10:00 A.M.

Town Hall Meeting Room

DRAFT MINUTES

1. The meeting opened at 10:09 A.M. with the Pledge of Allegiance.

- a. Attendance:
 - I. First Selectman Peter J. Tesei - Present
 - II. Selectman John Toner - Present
 - III. Selectman Drew Marzullo – Present

The First Selectman greeted and welcomed attendees commenting that it was the second monthly meeting of the Board of Selectmen and explained that it was a Public Meeting of the Board of Selectmen who reserve the right to call on people to propose questions and make comments.

2. Approval of Minutes

- a. Minutes of the Regular Board of Selectmen meeting held on Sept. 8, 2016 were moved for approval by Mr. Toner, seconded by Mr. Marzullo. The motion passed unanimously.
- b. Minutes of the Special Meeting of the Board of Selectmen held on Sept. 19 were moved for approval by Mr. Toner, seconded by Mr. Marzullo. The motion passed unanimously.

3. First Selectman's Update

Mr. Tesei explained that the Board is required to hold one monthly meeting and that he provide updates regarding the Town's business, to the Selectmen at the meeting.

- a. Mr. Tesei said he was pleased with the show of community support on Sept. 11 with the ceremony held at Cos Cob Park and the Glenville Fire Company's commemoration for first-responders.
- b. On Sept. 20, Mr. Tesei issued a proclamation to the Sons and Daughters of the American Revolution of the 239th anniversary of the Constitution for celebration of Constitution Week from Sept. 16 – 22, 2016.
- c. On Sept. 8, Mr. Toner presented a proclamation honoring the Romaniello family who received the Greenwich Preservation Trusts's Neighborhood Historic Building Award. The award recognized the work the Romaniello family undertook to restore and renovate Ada's store which has served as a community hub for many years on Riverside Avenue in Riverside.
- d. On Sept. 21, Mr. Tesei attended the formal opening of JLofts, a new apartment rental complex on Old Track Road. Members of the Planning and Zoning, and Conservation commissions were among several town officials to attend. The complex feature rooftop amenities including a putting green. Forty-seven of the 59 units have been rented and there are units set aside for affordable housing.
- e. The Greenwich United Way kicked off its annual campaign on Sept. 21. Mr. Tesei

said the agency conducted a Needs Assessment to identify needs in the community. He said there are more than 25 community agencies that have been financially squeezed by the availability of grants and the diminution of contributions.

- f. Upcoming events include the Pemberwick Glenville Day on Saturday, Sept. 24; the Greenwich Food + Wine Fest on Friday and Saturday, and the Greenwich Land Trust's Go Wild event on Sept. 25.
- g. Mr. Tesei also noted that the Employee Recognition Day was held on Sept. 16. He thanked Cicile Brown and Tiffany Navarro for organizing the program and the day's festivities that honored the Employee of the Year for the Town and for the Board of Education, the Team of the Year that went to the Registrars of Voters for the exemplary customer service, and the Safety Award that was given to Darrin Wigglesworth.
- h. The First Selectman's Youth Services Partnership held its quarterly meeting on Sept. 21, as required by state law because the partnership is funded by state money
- i. Mr. Tesei also announced that Senators Richard Blumenthal and Chris Murphy were scheduled to visit Greenwich Point Park on Friday, Sept. 23 where they would meet with the Greenwich Shellfish Commission to discuss the impact of the Long Island Sound project
- j. Mr. Tesei also announced that there would be an informational meeting concerning the soil conditions at Western Middle School on Wednesday, Sept. 28. He said that information/data reviewed by the state Department of Public Health indicates that there is no urgent public health emergency at the location. The meeting will be held at 7 p.m.

4. Old Business

5. New Business

- a. Imposition of Town-wide Water Conservation Mandates – Conservation Director Denise Savageau.

Mr. Tesei read a Sept. 22 memo from Ms. Savageau regarding the imposition of water use restrictions because of the continuing drought. He also noted that Ms. Savageau is continuing to monitor reservoir levels – as she does year-round, and that there were several representatives from Aquarion Water Co. in attendance.

Mr. Tesei also explained that through a Town ordinance adopted in the early 1980s, there is a phased-in approach to water use bans. The bans would apply not only to Aquarion customers, but to residents who rely upon wells for their water supply. He said that the proliferation of outdoor irrigation systems is the primary cause for the continued water demand in Town.

Greenwich Police Sgt. John Slusarz explained the fee structure that would be imposed for those issued a summons for violating the water use restrictions. The fine would be a total of \$90 * – a \$50 Town fine; a \$35 State surcharge and a \$5 processing fee. (Please note that after further review it was determined the total fine is actually \$91 – state surcharge and processing fee

actually totally \$41.) Sgt. Slusarz also explained that the public has been notified of the ordinance and water use restrictions through meetings, electronic signs, Connecticut Department of Transportation highway signs and a press release issued by the Town and the Greenwich Police Department. He also explained that the Police Department will participate in a public education/awareness campaign before issuing the summons to repeat offenders.

Mr. Tesei also noted that notification of the water use restrictions was sent to the Greenwich Public Schools for inclusion in their weekly parental notifications. A recorded message regarding the water use restrictions also would be distributed to all Town residents on Friday, Sept. 23 using the reverse 911 system, Mr. Tesei said.

Ms. Savageau identified the members of the Water Supply Team. In addition to herself, the First Selectman, the Emergency Operations Director and the Fire Chief serve. Additionally, guidance is sought from the Parks & Recreation Department, the Department of Public Works and the Police Department. She said that although the Town received 1.2 inches of rain on Sept. 19, it was not enough to recharge the underground water supply and the Greenwich reservoir system.

Mr. Tesei introduced Aquarion officials Bruce Silverstone, John Walsh, Jeff Ulrich. Mr. Silverstone said that Greenwich is the only city or town in Connecticut that has an ordinance regarding water use restrictions. Mr. Marzullo questioned how enforcement will be handled and what other towns are doing. Mr. Silverstone explained that Stamford and Darien have issued Code Red messages and that the State has empowered the utility with the authority to shut off water service to customers who continue to use irrigation systems.

Mr. Marzullo also questioned how long the ban would remain effective. Mr. Walsh advised it would be in place through the season. He said reservoir levels were at 34 percent capacity instead of the usual 60 to 65 percent capacity.

Mr. Toner questioned Aquarion's relationship with neighboring Westchester County. Mr. Walsh explained that the towns of Port Chester, Rye and Rye Brook are serviced by Aquarion via a private water company, Suez. He also said his company is working with the county and New York State in an attempt to get Suez to reduce its customers' water usage.

Mr. Tesei made a motion to enact Phase I of the water use ordinance as outlined in Ms. Savageau's Sept. 22 memo. Mr. Toner seconded the motion which was adopted by a 3-0-0 vote.

Mr. Tesei noted that a legal notice publicizing the enactment of Phase 1 would be published in the Greenwich Time newspaper on Sept. 23, 2016.

b. Public Hearing – Proposed Town acquisition of abandoned cemeteries - Byram Cemetery, the Lyon Cemetery and the African-American Cemetery on Byram Shore Road and Byram Dock Street.

The public hearing opened at 11:06 a.m. with a reading of the legal notice of the hearing by Mr. Tesei.

Ms. Savageau, the Conservation Director, noted that two members of the Cemeteries Subcommittee of the Conservation Commission – Janice Dickinson and Eric Brower were in attendance.

Mr. Tesei read letters in support of the acquisition that were submitted by descendants of families buried there – Julie Grey Pollock and Dr. Charles Boetsch.

Ms. Savageau reviewed the history of the request as well as the process for the Town to initiate the acquisition of the cemeteries, and how the cemeteries were previously maintained. Mr. Marzullo questioned how it was determined the cemeteries were abandoned. Ms. Savageau explained the process which includes there has not been a burial within 40 years.

Ms. Teresa Vega introduced herself as well as several members of her family, whom she described as descendants of African Americans and the Lyon family who are buried in the cemeteries. She read a statement describing her family's history in the Town and of her family's support of the Town's effort to preserve the cemeteries and their histories. She also read additional letters from three other relatives in support of the acquisition. Ms. Vega submitted her statement and the letters as part of the meeting record.

Resident Lauren Taylor spoke of her family's history to the Lyon family and stated she objected to the Town acquisition. She stated she is continuing research into the cemetery and her family history and that she is interested in becoming the owner/caretaker of the Lyon part of the cemetery.

Ceci Saunders, president of Historical Perspectives, spoke in favor the proposal.

Jo Conboy, president of the Greenwich Preservation Trust, also spoke in favor of the proposal.

Anne Young, a staff member of the Historic District Commission, said the Byram Cemetery is the third oldest cemetery in Town.

Attorney Philip Russell spoke on behalf of his clients, Jeffrey and Andrea Stewart, who own property at 11 Byram Dock St., adjacent to the African-American cemetery. Mr. Russell submitted documents and stated while his clients are not categorically against the acquisition, they are seeking that the African-American cemetery not be included in the request because

there is a presumption that the land is burial grounds. He said previous construction work and surveys of the site have not revealed evidence of a burial ground.

Mr. Brower said that any work or surveys conducted for the Stewart family were evidence of trespass.

Ms. Savageau said the Town will acquire the whole parcel, that it cannot be split. She also explained that the Board of Selectmen previously approved a Municipal Improvement project designation and now the Conservation Commission will formalize map so that the acquisition can go before the Representative Town Meeting.

The hearing was closed at 12:33 p.m, following a unanimous vote on a motion by Mr. Toner and seconded by Mr. Marzullo.

Mr. Marzullo made a motion, seconded by Mr. Toner, to recess at 12:33 p.m. The vote was 3-0-0.

The meeting resumed at 12:52 p.m.

6. Appointments and Nominations

7. Executive Session

Mr. Toner motioned to enter into executive session at 12:53 P.M., and was seconded by Mr. Marzullo. The Board voted 3-0-0 in favor.

Also present in Executive Session were Town Administrator Ben Branyan; J. Wayne Fox, Town Attorney; Assistant Town Attorneys Valerie Maze Keeney and Fred deArango; attorney Peg Sheehan and Human Resources Director Mary Pepe.

Mr. Toner moved to exit Executive Session at 2:11 P.M., seconded by Mr. Marzullo. The Board voted 3-0 in favor.

8. Adjournment

Mr. Toner motioned to adjourn at 2:12 P.M.; seconded by Mr. Marzullo, the Board voted 3-0 in favor.

Next regular meeting of the Board of Selectmen is scheduled on Thursday, Oct. 13, 2016 at 10:00 A.M. in the Town Hall Meeting Room.

Peter J. Tesei, First Selectman

DRAFT

Town of Greenwich

Board of Selectmen

Special Meeting October 6, 2016

10:00 A.M.

Town Hall Meeting Room

DRAFT MINUTES

1. The meeting opened at 10:07 A.M. with the Pledge of Allegiance.

a. Attendance:

- I. First Selectman Peter J. Tesei - Present
- II. Selectman John Toner - Present
- III. Selectman Drew Marzullo – Present via telephone

The Board also observed a moment of silence in memory of long-time Greenwich resident and a U.N. undersecretary-general, former U.S. ambassador and chief of protocol under President George H.W. Bush, who passed away on Sept. 29 at Greenwich Hospital.

First Selectman Tesei also announced that Breast Cancer Alliance's 'Go for Pink' month, highlighting breast cancer awareness, was kicked off with a flag-raising ceremony earlier in the morning in front of Town Hall.

The First Selectman greeted and welcomed attendees commenting that it was a special Public Meeting of the Board of Selectmen.

2. New Business

- a. Adoption of the Water Supply Emergency – Phase II Restrictions. – Conservation Director Denise Savageau.

Mr. Tesei explained that the Board must vote to adopt Phase II of the water use restrictions as outlined in the Town Ordinance. The restrictions and ordinance were first adopted in 1981. Mr. Tesei also said the Town is working closely with surrounding municipalities – Stamford, Darien and New Canaan - and that there has been a tremendous reduction in water consumption. He also said the town and Aquarion Water Co. must continue to work to reduce demand and control demand and supply.

On Tuesday, Oct. 4, he and Health Director Caroline Baisley and Conservation Director Denise Savageau attended a three-hour meeting with representatives from Stamford, Darien and New Canaan, as well as with Laori Mathieu, Public Health Section Chief of the Drinking Water Section of the Connecticut Department of Health. During the meeting, there was discussion of moving water through the Aquarion system, into Greenwich, to help protect water supplies. As of that date, water supplies in the Putnam Reservoir were at 29% of capacity. Mr. Tesei also said that daily consumption peaked at 32 million gallons per day (MGD) in part because of seasonal usage and now is at 5 MGD. He also explained that Stamford

Mayor David Martin and New Canaan First Selectman Rob Mallozzi are not ready to impose fines to consumers who do not conserve water. Darien does not have a water use restriction ordinance.

Mr. Tesei also recognized the work of Conservation Director Savageau during the past couple months and said it is indicative of the work she performs year-round concerning the Town's water supply.

Greenwich Police Sgt. John Slusarz informed the Board that since imposition of Phase I of the water use ban on Sept. 22., the department has documented 149 water ban complaints. Seventy-one resulted in education of property owner; 67 warnings issued to property owners; seven unfounded reports; four reports remaining active. No summonses have been issued.

Ms. Savageau reported that Greenwich's reservoir levels continue to drop despite reduced consumption. The reservoirs are at 29 % capacity. Previous levels were at 34.9 % or the equivalent of a 60-day water supply. She said that the state Department of Public Health indicated that if the Town had not addressed water consumption and achieved a reduction, Aquarion would not have been allowed to supply more water to the Town by using its Bridgeport and Stamford connections. She said that Greenwich has a population of 62,000-63,000 while Stamford has a population of 128,000. She said Greenwich uses more water than Stamford with half the population.

Ms. Savageau explained the restrictions that will now be required in Phase II as well as suggestions on how residents can reduce water usage.

Selectman Marzullo asked what is Phase III? Health Director Baisley said Phase III allows for enactment of another water supply emergency that can impose minimum amounts of water used by a household; allow for provisions to truck in potable water; allow for use port-a-potties via the Army Corps of Engineers.

Ms. Savageau also discussed the effectiveness of mandatory restrictions versus voluntary restrictions.

Mr. Marzullo asked if there would be an advantage to imposing Phase III now. Ms. Baisley responded that residents are conserving and that there is a need to follow the process of steps already in place.

In response to a question from Mr. Marzullo, Ms. Savageau said everything is contingent upon receiving rain and that she expects the bans to remain in place for the remainder of this growing season. She said the goal is to have a recharge of the reservoirs and underground water supplies for the spring season.

Bill Gallagher, owner of Summer Rain Sprinklers, questioned whether mandatory rather than voluntary water use restrictions should have been imposed in July; i.e.: Allowing irrigation every other day or every third day.

He said the water supply would not be so dire if mandatory restrictions were imposed during the summer. He also suggested that the government investigate the creation of desalination plants to help replenish fresh water supplies while dealing with rising sea levels.

Mr. Toner questioned whether the water restrictions also apply to back country residents and those with wells. Ms. Savageau said the restrictions apply to all, regardless of their water supply.

Mr. Toner motioned to approve the implementation of Phase II of Water Supply Emergency. The motion was seconded by Mr. Marzullo, and the Board voted 3-0 in favor.

3. Adjournment

Mr. Toner motioned to adjourn at 11:14 A.M.; seconded by Mr. Marzullo, the Board voted 3-0 in favor.

Next regular meeting of the Board of Selectmen is scheduled for Thursday, October 13, 2016 at 10:00 A.M. in the Town Hall Meeting Room.

Peter J. Tesei, First Selectman

Prepared by Barbara A. Heins
Recording Secretary



TOWN OF GREENWICH

Town Hall • 101 Field Point Road • Greenwich, CT 06830

Board of Selectmen

Date: Sept. 29, 2016
From: Selectman Drew Marzullo

DRAFT PROPOSAL

Proposal: Creation of an Ad Hoc Committee to advise the BOS on current and future soil contamination issues.

Charge: The Committee would be charged with identifying the extent of soil contamination and potential solutions available to the Town. The Committee will be charged with developing a procedure for such. This procedure should include, without limitation which Town Department should be informed, a timetable for consultation with State Departments with jurisdiction, a protocol for communication and possible funding options. The Committee will make a report to the BoS with their recommendations.

Rationale: Based on the age of the community, historical data and newly formed regulations not present in prior decades, Greenwich faces soil contamination on Town owned properties. Over the last several years as a result of planned building projects the the Town has become aware of environmental concerns underlying some town owned property. The Town can expect to encounter similar issues as it continues to upgrade infrastructure. To date the Town has addressed these concerns on a case-by case basis. A reactive approach. This knowledge and the resultant costs for remediation may have a broad impact on maintenance and future capital projects. It would benefit the town to have a plan and funding system in place to proactively address soil contamination on Town owned properties. Health concerns from dirty soil pose risk if not addressed, school fields and ball fields have gone without use for months if not years because of contaminated soil.

Committee: The Committee should include representatives from the various Boards and Depts. that are impacted by contaminated soil. Suggestions may include representatives from BOS, BET, Health, BOE, RTM, Law, Parks and Law. Also to include individuals from general public.

Suggested Questions for the Committee to Pursue:

- How should the issue of contaminated soil be explored?
- Does the town survey and test all town owned property?
- Does the town only test property at the time of a capital project?
- What is the impact on the public schools and on their budget if remediation is required?
- What is the impact on the tax payer over all?
- What are the potential positive consequences of proactively identifying contaminated soil?
- What are the potential negative consequences of proactively identifying contaminated soil?
- How might funding be structured? Can money be saved longterm if contaminated soil issues are addressed proactively.
- Develop a formal protocol that is Greenwich specific in regards to "testing" results offering clarification of State interpretation when "testing" results exceed State guideline but doesn't require immediate remediation.
- Future capital projects in areas the Town may suspect and have concerns.
- What are other town, cities doing? Greenwich not unique.
- Are federal monies available through grant allocations?