



STATE OF CONNECTICUT
TOWN OF GREENWICH

A Representative Town Meeting of the Town of Greenwich will be held in the auditorium of Central Middle School and via Zoom Webinar ID: 870 8962 0032 Password: 0162774 on Monday, September 18, 2023 at 8:00 P.M. for the following purposes:

1. To consider and act upon the following resolution. (POSTPONED FROM JUNE 2023 MEETING)

RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed a Regular Member of the Board of Parks and Recreation (R7) for a term expiring June 30, 2026.

SCOTT JOHNSON

**Referred to Appointments Committee
Referred to Parks & Recreation Committee**

2. To consider and act upon the following resolution. (POSTPONED FROM JUNE 2023 MEETING)

RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed an Alternate Member of the Historic District Commission (A1) for a term expiring October 31, 2023.

ANNE ALEXANDER

**Referred to Appointments Committee
Referred to Land Use Committee**

3. To consider and act upon the following resolution.

RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed an Alternate Member of the Historic District Commission (A5) for a term expiring Oct. 31, 2027.

LYNN GARELICK

**Referred to Appointments Committee
Referred to Land Use Committee**

4. To consider and act upon the following resolution.

RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed a Regular Member of the Historic District Commission (R3) for a term expiring Oct. 31, 2025.

PHILLIP DODD

**Referred to Appointments Committee
Referred to Land Use Committee**

5. To consider and act upon the following resolution, requested by the Appointments Committee.

RESOLVED, that the following named person, nominated by the Appointments Committee, be appointed a Regular Member of the Labor Contracts Committee (R2) for a term expiring December 31, 2023.

GLEN CANNER

Referred to Finance Committee

6. To consider and act upon the following resolution, requested by the Appointments Committee.

RESOLVED, that the following named person, nominated by the Appointments Committee, be appointed an Alternate Member of the Claims Committee (A1) for a term expiring December 31, 2023.

AARON J. LEONARD

Referred to Legislative & Rules Committee

7. To consider and act upon the following resolution.

RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed an Alternate Member of the Inland Wetlands and Watercourses Agency (A1) for a term expiring October 31, 2024.

GORDON HINSHALWOOD

**Referred to Appointments Committee
Referred to Land Use Committee**

8. To consider and act upon the following resolution.

RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed a Regular Member of the Inland Wetlands and Watercourses Agency (R6) for a term expiring October 31, 2026.

TED WALWORTH

**Referred to Appointments Committee
Referred to Land Use Committee**

9. To consider and act upon the following resolution.

RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed a Regular Member of the Alarm Appeals Board (R3) for a term expiring June 30, 2027.

TOM ZACK

**Referred to Appointments Committee
Referred to Town Services Committee**

10. To consider and act upon the following resolution.

RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed a Regular Member of the Central Middle School Building Committee.

JAN ROGERS KNIFFEN

Referred to Appointments Committee

Referred to Education Committee

Referred to Public Works Committee

11. To consider and act upon the following resolution.

RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed a Regular Member of the Board of Human Services (R6) for a term expiring June 30, 2026.

ROBIN LEMBERG GRIEF

Referred to Appointments Committee

Referred to Health & Human Services Committee

12. To consider and act upon the following resolution.

RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed a Regular Member of the Nathaniel Witherell Board of Directors (R9) for a term expiring June 30, 2026.

PETER KELLY

Referred to Appointments Committee

Referred to Health & Human Services Committee

13. To consider and act upon the following resolution.

RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed a Regular Member of the Nathaniel Witherell Board of Directors (R4) for a term expiring June 30, 2025.

PAMELA PACKARD

Referred to Appointments Committee

Referred to Health & Human Services Committee

14. To consider and act upon the following resolution.

RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed a Regular Member of the Nathaniel Witherell Board of Directors (R7) for a term expiring June 30, 2026.

BRAD RADULOVACKI

Referred to Appointments Committee

Referred to Health & Human Services Committee

15. To consider and act upon the following resolution.

RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed a Regular Member of the Nathaniel Witherell Board of Directors (R8) for a term expiring June 30, 2026.

MICHAEL GOLDSTEIN

**Referred to Appointments Committee
Referred to Health & Human Services Committee**

16. To consider and act upon the following resolution, requested by the Greenwich Fire Chief, pending Board of Estimate and Taxation approval.

RESOLVED, that the sum of \$500,000 be and the same is hereby appropriated to account Z 380 59120 24323 Fire Ladder Truck.

**Referred to Finance Committee
Referred to Town Services Committee**

17. To consider and act upon the following resolution, requested by the Chairman of the Board of Education.

RESOLVED, that the donation of the installation of an irrigation system from New England Total Landscaping for the Hamilton Avenue School Athletic Field and a fully executed 5-year maintenance agreement, subject to all necessary Town permits, and any insurance as required by the TOG Risk Manager is hereby accepted.

**Referred to Education Committee
Referred to Finance Committee
Referred to Legislative & Rules Committee**

18. To consider and act upon the following resolution, requested by the Office of the First Selectman.

RESOLVED, that the RTM approves the lease with Greenwich Arts Council, Inc. to use a portion of the facility located at 299 Greenwich Avenue, Greenwich. The lease will be for a period beginning October 1, 2023, and ending on September 30, 2033.

**Referred to Finance Committee
Referred to Legislative & Rules Committee**

19. To consider and act upon the following resolution, requested by the Commission of Public Works.

RESOLVED, that Amendment Number 1 to the Design Agreement between the Department of the Army and the Town of Greenwich, Connecticut for the Westchester County Streams, Byram River Basin, Connecticut & New York Flood Risk Management Project allowing for the Design of Flood Control Improvements for the Byram River is hereby approved and the First Selectman and/or Commissioner of Public Works are hereby authorized to execute such agreement.

**Referred to Land Use Committee
Referred to Legislative & Rules Committee
Referred to Public Works Committee**

20. To consider and act upon the following resolution, requested by the Commission of Public Works, pending Board of Estimate and Taxation approval.

RESOLVED, that the sum of \$2,000,000 be and the same is hereby appropriated to be added to the following account: B315-59600-24317 known as “GHS Soil Remediation”.

**Referred to Education Committee
Referred to Finance Committee
Referred to Public Works Committee**

21. To consider and act upon the following resolution, requested by the Board of Estimate and Taxation, pending Board of Estimate and Taxation approval.

**RESOLUTION AUTHORIZING THE ISSUANCE OF \$2,000,000 BONDS OF
THE TOWN TO MEET A PORTION OF THE CAPITAL BUDGET
APPROPRIATION FOR THE REMEDIATION OF GREENWICH HIGH SCHOOL
FIELDS FOR FISCAL YEAR 2023-2024 AND PENDING THE ISSUANCE
THEREOF THE MAKING OF TEMPORARY BORROWING FOR SUCH
PURPOSE**

WHEREAS, the Board of Estimate and Taxation (“BET”) and the Representative Town Meeting have approved specific appropriations for the Greenwich High Field Remediation project in the Town’s Capital Budget for Fiscal Year 2023-2024.

BE AND IT IS HEREBY RESOLVED:

Section 1. To meet the portion of the approved capital budget appropriations for the Greenwich High Field Remediation (collectively, GHD Remediation Project”), \$2,000,000 general obligation bonds of the Town are authorized to be issued in one or more series, maturing in annual installments of principal in compliance with the General Statutes of Connecticut, as amended from time to time (the “Connecticut General Statutes”), *provided* the final installment shall be due not later than the fifth year after their date. The bonds shall be in the denomination of \$5,000 or a whole multiple thereof, be issued in fully registered form, be executed in the name and on behalf of the Town by the facsimile or manual signatures of the Chairman of the Board of Estimate and Taxation or another authorized BET member designated by the

Chairman and the Treasurer, and countersigned by the Comptroller, have the seal of the Town affixed and attested by the Town Clerk, be certified by a bank or trust company, and be approved as to their legality by nationally-recognized bond counsel. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and interest thereon.

Section 2. The aggregate principal amount of the bonds of each series to be issued, and the manner of issue and sale shall be determined by the Comptroller, *provided* the bonds shall be issued in amounts which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the costs of issuance of such bonds. The annual installments of principal, redemption provisions, if any, the certifying, registrar and transfer agent and paying agent, the date, time of issue and sale and other terms, details and particulars of such bonds, including approval of the rate or rates of interest payable thereon, shall be determined by the Comptroller, in accordance with the Connecticut General Statutes.

Section 3. Said bonds shall be sold by the Comptroller, in a competitive offering or by negotiation, in his discretion. If sold in a competitive offering, the bonds shall be sold at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. If the bonds are sold by negotiation, provisions of the purchase agreement shall be approved by the Comptroller.

Section 4. The Comptroller is authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the Chairman of the Board of Estimate and Taxation or another authorized BET member designated by the Chairman and the Treasurer, and countersigned by the Comptroller, have the seal of the Town affixed and attested by the Town Clerk, be approved as to their legality by nationally-recognized bond counsel, and be certified by and payable at a bank or trust company designated by the Comptroller, pursuant to Section 7-373 of the Connecticut General Statutes. They shall be issued with maturity dates which comply with the provisions of the Connecticut General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a capital cost of the GHS Remediation Project. Upon the sale of the bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any temporary borrowings then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. The Board of Education is authorized in the name and on behalf of the Town to apply to the Connecticut Commissioner of Education for any and all State grants-in-aid for the GHS Remediation Project.

Section 6. The Town hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and any time after the date of passage of this Resolution in the maximum amount and for the GHS Remediation Project with the proceeds of bonds, notes or other obligations ("Tax Exempt Obligations") authorized to be issued by the Town. The Tax Exempt Obligations shall be issued to reimburse such

expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the GHS Remediation Project, or such later date as the Regulations may authorize. The Town hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Comptroller is authorized to pay project expenses in accordance herewith pending the issuance of Tax Exempt Obligations.

Section 7. The Comptroller is hereby authorized, on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to the Municipal Securities Rulemaking Board (the "MSRB") and to provide notices to the MSRB of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds or other obligations authorized by this Resolution. Any agreements or representations to provide information to MSRB made prior hereto are hereby confirmed, ratified and approved.

Section 8. The time for the issuance of bonds, notes or other obligations authorized hereunder shall not be limited but shall remain in full force and effect until all payments are made and all borrowings completed for the Capital Budget Projects financed by such bonds or other obligations.

Section 9. The Chairman of the Board of Estimate and Taxation or another authorized BET member designated by the Chairman, the Treasurer and the Comptroller are hereby authorized, on behalf of the Town, to enter into any other agreements, instruments, documents and certificates, including tax and investment agreements, for the consummation of the transactions contemplated by this resolution and to contract in the name of the Town with engineers, contractors and others in connection therewith.

Referred to Education Committee
Referred to Finance Committee
Referred to Legislative & Rules Committee
Referred to Public Works Committee

22. To consider and act upon the following resolution, requested by the Central Middle School Building Committee, pending Board of Estimate and Taxation approval.

RESOLVED, that the Representative Town Meeting authorizes The Town of Greenwich Board of Education to apply to the Commissioner of Administrative Services and to accept or reject a grant for the New Construction at the Greenwich Central Middle School.

Referred to Education Committee
Referred to Finance Committee

23. To consider and act upon the following resolution, requested by the Central Middle School Building Committee.

RESOLVED, that Representative Town Meeting hereby authorizes at least the preparation of schematic drawings and outline specifications for the New Construction at the Greenwich Central Middle School.

Referred to Education Committee
Referred to Finance Committee
Referred to Public Works Committee

24. To consider and act upon the following resolution, requested by the Central Middle School Building Committee, pending Board of Estimate and Taxation approval.

RESOLVED, that the sum of \$42,017,000.00 be and the same is hereby appropriated to be added to the following account: B680 59560 24336 known as Central Middle School.

**Referred to Education Committee
Referred to Finance Committee
Referred to Public Works Committee**

25. To consider and act upon the following resolution, requested by the Board of Estimate and Taxation, pending Board of Estimate and Taxation approval.

**RESOLUTION AUTHORIZING THE ISSUANCE OF \$42,017,000 BONDS
OF THE TOWN TO MEET A PORTION OF THE CAPITAL BUDGET
APPROPRIATION FOR THE CONSTRUCTION OF THE CENTRAL
MIDDLE SCHOOL FOR FISCAL YEAR 2023-2024 AND PENDING THE
ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWING
FOR SUCH PURPOSE**

WHEREAS, the Board of Estimate and Taxation (“BET”) and the Representative Town Meeting have approved specific appropriations for the Central Middle School Reconstruction project in the Town’s Capital Budget for Fiscal Year 2023-2024.

BE AND IT IS HEREBY RESOLVED:

Section 1. To meet the portion of the approved capital budget appropriations for the Central Middle Reconstruction replacement (collectively, CMS Project”), \$42,017,000 general obligation bonds of the Town are authorized to be issued in one or more series, maturing in annual installments of principal in compliance with the General Statutes of Connecticut, as amended from time to time (the “Connecticut General Statutes”), *provided* the final installment shall be due not later than the fifth year after their date. The bonds shall be in the denomination of \$5,000 or a whole multiple thereof, be issued in fully registered form, be executed in the name and on behalf of the Town by the facsimile or manual signatures of the Chairman of the Board of Estimate and Taxation or another authorized BET member designated by the Chairman and the Treasurer, and countersigned by the Comptroller, have the seal of the Town affixed and attested by the Town Clerk, be certified by a bank or trust company, and be approved as to their legality by nationally-recognized bond counsel. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and interest thereon.

Section 2. The aggregate principal amount of the bonds of each series to be issued, and the manner of issue and sale shall be determined by the Comptroller, *provided* the bonds shall be issued in amounts which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the costs of issuance of such bonds. The annual installments of principal, redemption provisions, if any, the certifying, registrar and transfer agent and paying agent, the date, time of issue and sale and other terms, details and particulars of such bonds, including approval of the rate or rates of

interest payable thereon, shall be determined by the Comptroller, in accordance with the Connecticut General Statutes.

Section 3. Said bonds shall be sold by the Comptroller, in a competitive offering or by negotiation, in his discretion. If sold in a competitive offering, the bonds shall be sold at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. If the bonds are sold by negotiation, provisions of the purchase agreement shall be approved by the Comptroller.

Section 4. The Comptroller is authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the Chairman of the Board of Estimate and Taxation or another authorized BET member designated by the Chairman and the Treasurer, and countersigned by the Comptroller, have the seal of the Town affixed and attested by the Town Clerk, be approved as to their legality by nationally-recognized bond counsel, and be certified by and payable at a bank or trust company designated by the Comptroller, pursuant to Section 7-373 of the Connecticut General Statutes. They shall be issued with maturity dates which comply with the provisions of the Connecticut General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a capital cost of the CMS Project. Upon the sale of the bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any temporary borrowings then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. The Board of Education is authorized in the name and on behalf of the Town to apply to the Connecticut Commissioner of Education for any and all State grants-in-aid for the CMS Project.

Section 6. The Town hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and any time after the date of passage of this Resolution in the maximum amount and for the CMS Project with the proceeds of bonds, notes or other obligations ("Tax Exempt Obligations") authorized to be issued by the Town. The Tax Exempt Obligations shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the CMS Project, or such later date as the Regulations may authorize. The Town hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Comptroller is authorized to pay project expenses in accordance herewith pending the issuance of Tax Exempt Obligations.

Section 7. The Comptroller is hereby authorized, on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to the Municipal Securities Rulemaking Board (the "MSRB") and to provide notices to the MSRB of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds or other obligations authorized by this Resolution. Any agreements or representations to provide information to MSRB made prior hereto are hereby confirmed, ratified and approved.

Section 8. The time for the issuance of bonds, notes or other obligations authorized hereunder shall not be limited but shall remain in full force and effect until all payments are made and all borrowings completed for the Capital Budget Projects financed by such bonds or other obligations.

Section 9. The Chairman of the Board of Estimate and Taxation or another authorized BET member designated by the Chairman, the Treasurer and the Comptroller are hereby authorized, on behalf of the Town, to enter into any other agreements, instruments, documents and certificates, including tax and investment agreements, for the consummation of the transactions contemplated by this resolution and to contract in the name of the Town with engineers, contractors and others in connection therewith.

Referred to Education Committee
Referred to Finance Committee
Referred to Legislative & Rules Committee
Referred to Public Works Committee

26. To consider and act upon the following resolution, requested by the Historic District Commission.

RESOLVED, that Article 7 of the Code of Ordinances of the Town of Greenwich entitled: **HISTORIC PROPERTIES**, be amended pursuant to Sections 7-147p through 7-147y of the General Statutes as follows:

Sec. _____ . PROPERTY owned by HISTORIC PROPERTIES OF GREENWICH
The following property known as 1 Cary Road, Riverside, CT is hereby designated as an historic property pursuant to the provisions of the General Statutes, Sections 7-147p through 7-147y:

All that certain piece, parcel or tract of land with the building and other improvements thereon, situated in the Town of Greenwich, County of Fairfield and State of Connecticut, shown as Lot No. 1A on a map filed of record in the Greenwich Land Records and therein numbered 3352, with a right of access to said lot over the roads shown on said map and with the right to connect with and use the public utilities in said roads.

Together with such rights, and subject to the reservations and easements as are set forth in a deed from the Town of Greenwich to Gerald M. Morgan and Elinor H. Morgan dated July 29, 1957 and recorded in Book 583 at Page 225 of the Greenwich Land Records.

Subject property is located on Cary Road in Riverside, Connecticut and is owned by Historic Properties of Greenwich.

Referred to Land Use Committee
Referred to Legislative & Rules Committee

27. To consider and act upon the following resolution, requested by the Office of the First Selectman.

WHEREAS, on October 1, 2022, the Connecticut legislature enacted P.A. 22-30 codified in General Statutes Sections 7-148b through 7-148f. which requires all municipalities in the state with a population of 25,000 or more, to adopt an ordinance that creates a Fair Rent Commission on or before July 1, 2023; and

WHEREAS, The Office of the First Selectman formed a working group to review the Fair Rent Commission model ordinance and develop a proposed ordinance for the Town. The working group consisted of the Chair of the Board of Human Services, the Commissioner of the Department of Human Services, an Assistant

Town Attorney, RTM member, real estate lawyer, real estate agent, and landlord and tenant from different political parties.

WHEREAS, on May 25, 2023 the Board of Selectmen considered the proposed ordinance to create a Fair Rent Commission (First Read) and during the Board of Selectmen meeting held on June 8, 2023 (Second Read), the Board voted unanimously to approve the proposed ordinance to create a Fair Rent Commission; and

WHEREAS, the Board of Selectmen request that the Town, through its Representative Town Meeting, adopt an ordinance creating a Fair Rent Commission in order to comply with state law requiring the creation of a Fair Rent Commission; and

NOW, THEREFORE, BE IT HEREBY ORDAINED, that the Representative Town Meeting for the Town of Greenwich hereby approves the ordinance as it appears below establishing a Fair Rent Commission.

TOWN OF GREENWICH
MUNICIPAL CODE ORDINANCE

CHAPTER 2. ADMINISTRATION
ARTICLE 18. FAIR RENT COMMISSION

SECTION 2-131. CREATION OF FAIR RENT COMMISSION

- (a) A Fair Rent Commission (“Commission”) is established pursuant to and in conformity with Connecticut General Statutes (“C.G.S.”) §§ 7-148b through 7-148f, § 47a-20 and § 47a-23c, for the purpose of controlling and eliminating excessive rental charges for housing accommodations within the Town, and to carry out the purposes, duties, and responsibilities of the above described sections of the statutes pertaining to fair rent commissions.
- (b) The Commission shall consist of five (5) members and three (3) alternates, all of whom shall be residents of the Town of Greenwich. Of the five (5) regular members, at least one (1) shall be a landlord and one (1) shall be a tenant. The Director of Human Services shall serve without vote as an ex-officio member of the Commission. A quorum shall consist of three (3) members or seated alternates. Not more than three (3) of the members shall be registered members of the same political party. The members of the Commission shall serve without compensation.
- (c) The members and alternates shall be nominated by the Board of Selectmen after consideration and recommendations by the Selectmen’s Nominations Advisory Committee and appointed by the Representative Town Meeting. Members of the Commission shall be appointed for staggered terms of three (3) years. The initial members of the Commission shall be appointed for terms which shall commence as of the date of their appointment and expire on the following dates:
 - One (1) member term expiration on July 1, 2025;
 - Two (2) members term expiration on July 1, 2026; and
 - Two (2) members term expiration on July 1, 2027.

Vacancies on the Commission shall be filled in the manner of original appointment for the unexpired portion of the term. Any member of the Commission may be reappointed in the manner of original appointment. The Commission shall meet annually to elect a Chairman and any other officers it deems appropriate.

SECTION 2-132. POWERS AND AUTHORITY OF THE COMMISSION

- (a) The Commission may receive complaints, conduct hearings, and may make studies and investigations, relative to rental charges on housing accommodations, except those accommodations rented on a seasonal basis, within the Town of Greenwich in order to control and eliminate excessive rental charges on such accommodations and to carry out the provisions of C.G.S. §§ 7-148b through 7-148f, C.G.S. § 47a-20 and C.G.S. § 47a-23c. The Commission, for such purposes, may compel the attendance of persons at hearings, issue subpoenas and administer oaths, issue orders and continue, review, amend, terminate or suspend any of its orders and decisions. The Commission is empowered to adopt policies and procedures to further its mission and to retain legal counsel or other professionals to advise it, if circumstances warrant.
- (b) For purposes of this section, "rental charge" includes any fee or charge in addition to rent that is imposed or sought to be imposed upon a tenant by a landlord and includes any charge that is already in effect.
- (c) For the purposes of this section, "seasonal basis" means housing accommodations rented for a period or periods aggregating not more than 120 days in any one calendar year.

SECTION 2-133. DETERMINATION OF EXCESSIVE RENT

- (a) In determining whether a rental charge or a proposed increase in a rental charge is so excessive, with due regard to all the circumstances, as to be harsh and unconscionable, the Commission shall consider such of the following circumstances as are applicable to the type of accommodation:
 - (1) **Rents of Comparable Dwelling Units.** The rents charged for the same number of rooms in other housing accommodations in the same neighborhood and in other areas of the municipality.
 - (2) **Sanitary Conditions.** The sanitary conditions existing in the housing accommodations in question.
 - (3) **Plumbing Facilities.** The number of bathtubs or showers, flush waste closets, kitchen sinks and lavatory basins available to the occupants.
 - (4) **Facilities and Services.** Services, furniture, furnishings and equipment supplied with the housing accommodations.
 - (5) **Occupancy.** The size and number of bedrooms and the number of occupants of the housing accommodations.
 - (6) **Necessary Repairs.** Repairs necessary to make such accommodations reasonably livable for the occupants.
 - (7) **Landlord's Costs.** Increases or decreases in landlord costs and the amortized costs of capital improvements.

- (8) **Rate of Return.** Landlord's rate of return of the landlord's investment.
 - (9) **Health and Safety.** Whether the accommodations are in compliance with the ordinances of the Town and the state statutes relating to health and safety.
 - (10) **Income and Availability.** The income of the petitioner and the availability of accommodations.
 - (11) **Utilities.** The availability of utilities.
 - (12) **Tenant caused Damage.** Damages done to the premises by the tenant, caused by other than ordinary wear and tear.
 - (13) **History of rent increases.** The amount and frequency of increases in rental charges.
 - (14) **Property reinvestment.** Whether, and the extent to which, the income from an increase in rental charges has been or will be reinvested in improvements to the accommodations.
- (b) Nothing set forth in subsection (a) shall preclude the Commission from considering other relevant circumstances.

SECTION 2-134. PROCEDURES AND HEARING ON COMPLAINTS

- (a) Within five (5) business days of receipt of the tenant's complaint on a form prescribed by the Commission available from the Department of Human Services, the Commission shall notify both parties by first class mail, and by electronic mail if the parties' electronic mail addresses are available, acknowledging receipt of the complaint and forwarding a copy of the complaint to the landlord. Such notification shall also inform the parties that the landlord is prohibited from taking any retaliatory actions against the tenant due to the filing of the complaint. It shall also inform the parties that, until a decision on the complaint is made by the Commission, the tenant is obligated to continue to pay the landlord the last agreed upon rent, and that an eviction by the landlord based upon non-payment of rent cannot be initiated against a tenant who continues to pay the last agreed upon rent during the pendency of the fair rent commission proceeding.
- (b) Prior to a hearing being scheduled on the complaint, both parties shall attempt to reach a mutually satisfactory resolution of the complaint by engaging in an informal mediation in good faith with a staff member of the Department of Human Services, or its designee within thirty (30) days of the filing of the complaint. If informal mediation does not resolve the complaint, a hearing on the complaint shall be scheduled before the Commission no later than thirty (30) days thereafter, unless impracticable. Written notice of the date, time, and place of the hearing shall be given to the parties to the complaint at least ten (10) days prior to the hearing by first class and certified mail, and by electronic mail if electronic email addresses are available.
- (c) The Commission shall render its decision at the same meeting at which the hearing on the complaint is completed, or within thirty (30) days following such date, unless impracticable. If there is insufficient time to complete a hearing or for other cause, the Commission shall have the power to adjourn the hearing to another time and date.

SECTION 2-135. ORDERS AND REPAIRS

- (a) If the Commission determines after a hearing that the rental charge or proposed increase in the rental charge for any housing accommodation is so excessive, based on the standards and criteria set forth in § 2-133 subsections (a) and (b) of this chapter, as to be harsh and unconscionable, it may order that the rent be limited to such an amount as it determines to be fair and equitable, effective the month in which the tenant filed the complaint. The Commission's orders may include a reduction in a rental charge or proposed rent increase; a delay in an increased rental; or a phase-in of an increase in a rental charge not to exceed a fair and equitable rent, in stages over a period of time. Commission orders shall be effective for at least one (1) year from the date of issuance, unless the Commission otherwise orders. The Commission may also make such orders to redress any retaliatory action taken by the landlord against the tenant pursuant to C.G.S. §7-148d and §47a-20. Nothing herein shall preclude a landlord from seeking a modification of the Commission's orders sooner based on a change of circumstances.

- (b) If the Commission determines after a hearing that a housing accommodation fails to comply with any ordinance of the Town of Greenwich, or state statute or regulation, relating to health and safety, the Commission may order the suspension of further payment of rent by the tenant, or a reduction in rent, until such time as the landlord makes the necessary changes, repairs or installations so as to bring the housing accommodation into compliance with such ordinance, statute, or regulation. If the Commission's order constitutes a suspension or reduction of rent, the full amount of rent during such period shall be paid to the Landlord to be held in escrow, or another designated third party to be held in escrow. Upon the landlord's full compliance with such ordinance, statute or regulation for which payments were made into such escrow, the Commission shall determine after hearing such distribution of the escrowed funds as it deems appropriate.

- (c) If the Commission determines after a hearing that the rental charge or proposed increase in the rental charge for any housing accommodation is not so excessive, based on the standards and criteria set forth in § 2-133 subsections (a) and (b) of this chapter, as to be harsh and unconscionable, it shall order that the rental charge increase be paid by tenant to landlord retroactively effective the month in which the tenant filed the complaint.

SECTION 2-136. APPEALS

Any person aggrieved by any order of the Commission may appeal to the Superior Court of Stamford/Norwalk at Stamford within thirty (30) days of the issuance of the written notice of the decision to the parties. Any such appeal shall be considered a privileged matter with respect to the order of trial as provided in C.G.S. § 7-148e.

SECTION 2-137. PENALTIES FOR OFFENSES

Any person who violates any order of rent reduction or rent suspension by demanding, accepting or receiving an amount in excess thereof while such order remains in effect, and no appeal pursuant to § 2-136 of this chapter is pending, or who violates any other provision of this chapter or C.G.S. § 47a-20 or who refuses to obey any subpoena, order or decision of the Commission shall be fined not less than \$25 nor more than \$100 for each offense. If such

offense continues for more than five (5) days, it shall constitute a new offense for each day it continues to exist thereafter.

**Referred to Health & Human Services Committee
Referred to Land Use Committee
Referred to Legislative & Rules Committee**

28. To consider and act upon the following resolution, requested by the Members of District 1 of the Representative Town Meeting.

To Consider and Act upon the following resolution, requested by Members of District 1.

WHEREAS, The Office of Registrar of Voters should be independent from any outside influence in order to ensure the integrity of the election process and prevent any appearance of impropriety,

RESOLVED, that the Representative Town Meeting approve and adopt as authority granted by the Greenwich Town Charter, Article 7, Section 71, an Ordinance prohibiting outside funding of the Office Of Registrars Of Voters as follows:

**CHAPTER 2 ADMINISTRATION, ARTICLE 18 (NEW)
“AN ORDINANCE PROHIBITING OUTSIDE FUNDING OF THE OFFICE OF REGISTRAR OF VOTERS”**

Section 2-136. Definitions.

For purposes of this Section, the following terms shall have the following meanings:

- (a) "Outside funding" means any grant, donation, contribution, or other form of financial assistance from any source other than the Town of Greenwich general fund, State of Connecticut, or Federal Entities.**
- (b) "Office of Registrar of Voters" means the office established by Section 9-190 of the Connecticut General Statutes and any successor office.**

Section 2-137. Prohibition.

No outside funding shall be accepted or used by the Voters Registrar Office for any purpose related to its functions and duties unless expressly approved by the Town of Greenwich Board of Estimate & Taxation (BET) and Representative Town Meeting (RTM).

Section 2-138. Effective Date.

This Ordinance shall take effect upon its passage and publication as required by law.

Section 2-139. Severability.

If any section of this Ordinance is held to be invalid, the remainder of this Ordinance shall remain in full force and effect.

**Referred to Finance Committee
Referred to Legislative & Rules Committee
Referred to Town Services Committee**

29. To consider and act upon the following resolution, requested by 20 Registered Voters of the Town of Greenwich.

RESOLVED, that the Town of Greenwich hereby adopts by ordinance the provisions of Connecticut General Statutes Section 9-204b.

**Referred to Education Committee
Referred to Legislative & Rules Committee**

Dated at Greenwich, CT
August 30, 2023

ALEXIS VOULGARIS
MODERATOR
JACQUELINE A. BUDKINS
TOWN CLERK