



Pursuant to the foregoing notice a regular Representative Town Meeting of the Town of Greenwich was held on Monday May 14, 2007 at 7:00 P.M. (E.D.T.).

The meeting was called to order by the Moderator Thomas J. Byrne. The members pledged allegiance to the flag.

The Moderator announced that as all members had received a copy of the call for the meeting, the reading of the call would be omitted.

Attendance cards were presented showing 198 present, 30 absent and 1 vacancy. Districts 5, 6 and 8 had perfect attendance.

The members who were absent in District 1 – Mary Ambrogio, George F. Chelwick, Hans Helbig, Richard P. Holleran, Najm Q. Shams; District 2 – Donald Conway, Mimi Relyea; District 3 – Murray S Paroly; District 4 – Linda R DeSeife, Susan McCabe, David C. Rupert; District 7 – Susan M. Morton Elliott; District 9 - Frank P. Petise, James C. Reilly, Adele Rota, Frank Woei; District 10- Carol Caroll, David W. Detjen, Swan Grant; District 11- Kevin B. Coyner, Joseph Fahys, Joseph S Huley, Joseph J. Kaliko, Joseph L. Pellegrino, Nicholas P. Skeadas; District 12 – Thomas Bancroft, David J. Norton, Hope Polidoro, Gerald Porricelli, Charles E Thivierge.

The Moderator announced that as all members had received a copy of the minutes of the April 9, 2007 meeting, the reading of the minutes would be omitted. He asked if there were any corrections or comments. There being none, the minutes were approved as submitted by unanimous consent.

The Moderator announced that Item No. 2 had been withdrawn. He announced that Item No. 1 on the call was now before the meeting.

Douglas Wells, chairman of the Legislative & Rules Committee, offered the following resolution, which was moved and seconded, regarding Item No. 1.

RESOLVED, that the time to speak at the May RTM be limited to three minutes per speaker for each motion, except that the proponent and principal opponent for the motion (the latter to be determined by the Moderator) shall be entitled to speak for ten minutes each.

Mr. Wells made a motion, which was seconded, to amend the resolution, by adding that the committee reports shall also be limited to 10 minutes each.

The amendment was adopted by unanimous consent.

The vote was now on Item No. 1 as amended.

Item Carried, by unanimous consent.

The Moderator announced that Item 3 on the call, which had been referred to the Legislative and Rules Committee at the April meeting, was now before the meeting.

RESOLVED, that the Town of Greenwich, acting through its First Selectman, enter into a lease agreement with Childrens Day School, Inc of Greenwich, Connecticut for space at the Western Greenwich Civic Center. Said lease is attached hereto and made a part hereof.

Douglas Wells, chairman of the Legislative & Rules Committee, made a motion on behalf of the committee, to amend the item as follows:

On page 11 of the lease – second full paragraph, after the word “premises” add The word “reasonably”. (Section will now read “ reasonably clear of leaves”)

In the next line – change “is” to “its”.

On page 6 – section 16 – end of fourth sentence, delete the words “and/or the” and Insert “by its”. (line will now read “shall at the option of the TOWN or its Board of Selectmen,”)

The amendments were adopted by unanimous consent.

Marilyn Cahn of District 6 made a motion, which was seconded, to amend Item No. 3 On page 4 of the lease, section 4, last line of paragraph after the word “color” insert the word “religion”.

The amendment was adopted by unanimous consent.

The vote was now on Item No. 3.

| | | |
|-------------|---|-----|
| In Favor | - | 172 |
| Against | - | 0 |
| Abstentions | - | 3 |

Item Carried

The Moderator announced that Item No. 4 on the call was now before the meeting.

Alfred Cava, Director of Labor Relations, offered the following resolution, which was duly moved and seconded, regarding Item No. 4.

RESOLVED, that the Representative Town Meeting of the Town of Greenwich hereby approves such provisions, if any, of the negotiated two-year memorandum of agreement between the Town of Greenwich and the Local 456 International Brotherhood of Teamsters covering employees assigned to Nathaniel Witherell, which may be in conflict with any charter provisions, special act, ordinance, rule, or

regulation of the Town of Greenwich with the meaning of Connecticut General Statutes, Section 7-474.

The vote was now on Item No. 4.

| | | |
|-------------|---|-----|
| In Favor | - | 175 |
| Against | - | 0 |
| Abstentions | - | 0 |

Item Carried

The Moderator announced that Item No. 5 on the call was now before the meeting.

Peter Tesei, chairman of the Board of Estimate and Taxation, presented his budget message and offered a substitute resolution for the budget.

To act upon the appropriations recommended by the Board of Estimate and Taxation for the expenses and conduct of the affairs of the Town of Greenwich, Connecticut for the fiscal year 2007-08; i.e. July 1, 2007 to June 30, 2008 inclusive as follows:

| | |
|-----------------------|--|
| \$ 373,685,288 | General Fund and Capital Projects of the Town |
| \$ 6,393,678 | for the Sewer Maintenance Fund of the Town |
| \$ 13,807,000 | for the Sewer Improvement Fund of the Town |
| \$ 5,862,122 | for the Parking Fund of the Town |
| \$ 363,100 | for the Parking Fund – State Portion |
| \$ 4,035,636 | for the Public School Program Revolving Fund of the Town |
| \$ 3,398,138 | for the Griffith E. Harris Golf Course Revolving Fund of the Town |
| \$ 6,000,000 | for the Other Post Employment Benefits Fund of the Town |

WHEREAS, the Charter of the Town of Greenwich (the “Charter”) requires that on or before the 15th day of May in each fiscal year, the Board of Estimate and Taxation shall make and file in the Office of the Town Clerk a Detailed Statement of Appropriations, with its reasons for said Appropriations, which it deems necessary: (a) to meet the expenses and to conduct the affairs of the Town of Greenwich for the ensuing Fiscal Year, that is to say, for the Fiscal Year July 1, 2007 to June 30, 2008 inclusive; (b) for the operation, maintenance and repair of the Sewers and Sewer Systems of the Town of Greenwich for said period; (c) for the operation, maintenance and repair of on-street and off-street parking facilities for the Town of Greenwich for said period; (d) for the operation of the Public School Lunch Program Revolving Fund; (e) for the reserve fund for Capital and Non-Recurring Expenditures ; (f) for the operation, maintenance and repair of the golf course facility; and (g) for the Other Post Employment Retirement Benefits Fund; and

WHEREAS, the said Board has filed on or about May 1, 2007 in the Office of the Town Clerk a Detailed Statement of such Appropriations contained in a document designated as "2007-08 Proposed Budget"; and

WHEREAS, the Charter provides that the Board of Estimate and Taxation shall submit proposed Appropriations to a Representative Town Meeting to be held on or before May 15 in each year, which meeting shall take action upon such proposed Appropriations and make such Appropriations as may appear advisable, except that no Appropriations shall be made exceeding in amount that for the same purpose recommended by said Board, and no Appropriations shall be made for any purpose not recommended by said Board; and

WHEREAS, the said 2007-08 Proposed Budget was forwarded to the members of the Representative Town Meeting on or about April 5, 2007, and submitted to the Representative Town Meeting at its meeting held on May 14, 2007;

NOW, THEREFORE, BE IT RESOLVED, that the recommendations of the Board of Estimate and Taxation as contained in the said Proposed Budget filed, as above stated, in the Office of the Town Clerk and submitted at this meeting of the Representative Town Meeting be and the same hereby are approved as the Appropriations for the ensuing Fiscal Year 2007-08, except that the following items shall be Decreased or Omitted as follows:

| Department | Code Number | Appropriations Recommended | | | Reason |
|-------------------|---------------|----------------------------|--------|------------|---------|
| | | By Board | By RTM | Decrease | |
| DPW | 312-960-28040 | | X | \$ 350,000 | deleted |
| DPW | 312-921-28091 | | X | \$ 560,000 | deleted |
| Total Decrease(-) | | | | \$ 910,000 | |

FURTHER RESOLVED, that the attached Resolutions Concerning Grants and Other Receipts, [Bonding Resolutions--to be supplied], and Conditions and Other Provisions be and the same hereby are approved.

**RESOLUTIONS OF BOARD OF ESTIMATE AND TAXATION AND
REPRESENTATIVE TOWN MEETING ON PROPOSED 2007-08 BUDGET**

GRANTS AND OTHER RECEIPTS

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

The following Officers and Departments of the Town of Greenwich are hereby authorized to apply for and accept grants, and to accept receipts from Town activities, for the period from July 1, 2007 through June 30, 2008, as provided below.

General Government: Office of the First Selectman

1. The First Selectman is authorized to apply for and accept grants from the Federal Department of Homeland Security and the Connecticut Department of Emergency Management Homeland Security Grants Program, and such grants shall become appropriations upon approval by the Board of Estimate and Taxation and the Representative Town Meeting if necessary under Section 30(c) of the Charter.

2. The First Selectman is authorized to accept receipts resulting from the activities of the Griffith E. Harris Golf Course, and such receipts shall become appropriations upon recommendation of the First Selectman and approval of the Board of Estimate and Taxation and the Representative Town Meeting if necessary under Section 30(c) of the Charter and be added to the appropriate accounts within the Griffith E. Harris Golf Course Revolving Fund. For establishing funding for the appropriation accounts, the Policy of the Department of Parks and Recreation for the Griffith E. Harris Golf Course Revolving Fund is hereby endorsed.

3. Funding for the construction of a new administration and pro shop building at the Griffith E. Harris Golf Course in account M 824 956 for \$1,560,000 is appropriated. Funding is appropriated as a non-interest bearing loan of \$1,500,000 from the Unreserved Fund Balance of the Reserve Fund for Capital and Non-Recurring Expenditures and the acceptance of a gift of \$60,000 from the Parks and Recreation Foundation to the Griffith E. Harris Revolving Fund. Said loan of \$1,500,000 will be repaid in ten equal installments of \$150,000 to the Reserve Fund for Capital and Non-Recurring Expenditures from the Griffith E. Harris Golf Course Revolving Fund over the ten-year fiscal period, 2008-2009 through 2017-2018. The annual loan payment shall be made to the Reserve Fund for Capital Non-Recurring Expenditures prior to the close of each fiscal year on June 30th with first payment due June 30, 2009.

4. The First Selectman is authorized to accept receipts from Area Nine Cable Council, and such receipts shall become appropriations to account A134 53070 upon approval of the Board of Estimate and Taxation.

5. The First Selectman is authorized to apply for and accept funds or grants from the State of Connecticut Department of Transportation, under the Connecticut General Statutes, Section 13b-38bb, and such receipts shall become appropriations to the Department of Social Services' code A501 57210 known as Contributions to External Entities.

General Government: Finance

6. The Comptroller is authorized to accept insurance proceeds and reserves, including interest thereon, to become appropriations that the Comptroller may add to the appropriate account for the purpose of paying for damage to property of the Town.

7. The Comptroller is authorized to accept medical premium payments from former employees under “Consolidated Omnibus Budget Reconciliation Act” (COBRA), and such amounts shall become appropriations to the Department of Human Resources’ Code No. N109 57100, known as “Other Post Employment Benefits (OPEB) Healthcare costs”.

General Government: Assessor

8. The Assessor is authorized to accept proceeds from the sales of the Grand List books, field cards, and maps, and such proceeds shall become appropriations that the Comptroller may add to the appropriate account for the purpose of reimbursing the costs of printing and supplying the public with said items.

General Government: Town Clerk

9. The Town Clerk is authorized to apply for and accept grants made by the Archivist of the United States in accordance with Title 44, Chapter 25, §2504 of the United States Code (U.S.C.) and the State of Connecticut under Public Act 00-145 in accordance with C.G.S. §§11-8l and 11-8m, which grants shall become appropriations that the Comptroller may add to the appropriate account for the purpose of preserving Town records.

General Government: Planning & Zoning

10. The Planning and Zoning Commission is authorized to accept proceeds from the sale of the Plan of Conservation and Development and the Building Zone Regulations of the Town of Greenwich, and such proceeds shall become appropriations to an account to be designated by the Board of Estimate and Taxation, to be used for the purpose of reimbursing the cost of printing such documents, pursuant to C.G.S. §8-2a.

General Government: Conservation Commission

11. The Conservation Commission is authorized to accept donation of monies and to collect proceeds from the sales of its publications, and such funds shall become appropriations upon approval by the Board of Estimate and Taxation and the Representative Town Meeting, if necessary under Section 30 of the Charter, to be used by the Commission to publish natural resource books, maps, reports, and pamphlets, to erect bird nest boxes, to manage nesting habitats of endangered and threatened species, and to undertake other appropriate habitat management pursuant to C.G.S. §7-131 a(b).

General Government: Inland Wetlands & Water Courses

12. The Inland Wetlands and Watercourses Agency is authorized to accept compliance receipts for the purpose of holding said receipts until an applicant has completed work required by the Inland Wetlands and Watercourses Agency.

General Government: Shellfish Commission

13. The Shellfish Commission is authorized to collect proceeds from licenses and fees for the taking of shellfish under its control, and such proceeds shall become appropriations upon approval by the Board of Estimate and Taxation, to be used by the Commission for the protection and propagation of shellfish under its control, pursuant to C.G.S. §26-257a(b).

General Government: Commission on Aging

14. The Commission on Aging is authorized to accept donations of monies and to collect proceeds from the sales of its publications and all such donations and proceeds shall become an appropriation that the Comptroller may add to the appropriate account for the purpose of funding the cost of printing and mailing a newsletter to the elderly in Greenwich.

Fire Department

15. The Fire Department is authorized to collect proceeds from outside parties for the taking of fire training courses under its control, and such proceeds shall become an appropriation that the Comptroller may add to the appropriate account for the purpose of defraying the costs of such courses.

Police Department

16. The Police Department is authorized to make application to the State and Federal authorities to share with other law enforcement agencies in tangible property and monies seized and forfeited pursuant to state or federal law as a result of criminal defendants' illegal activities, subject to the following:

(a) The acceptance of tangible property and monies on behalf of the Town of Greenwich, which have been approved by the Board of Selectmen and the Board of Estimate and Taxation, including the placement of said tangible property in the inventory of the Police Department and the disbursement of said monies as an appropriation to the budget account of the Police Department for an increase of law enforcement resources, is hereby approved in the amount of monies or value of property up to a total of \$500,000 for the fiscal year (any unappropriated expenses that may be incurred thereby, that have been approved by the Board of Selectmen and the Board of Estimate and Taxation, are hereby approved up to a total of \$20,000 for the fiscal year);

(b) Monies accepted from federal or state authorities as a result of said forfeitures shall be deposited with the Treasurer of the Town of Greenwich for the budget account of the Police Department in accordance with state and federal statutory and regulatory requirements;

(c) The disposition of said accepted forfeited tangible property and monies shall be in accordance with state and federal statutory or regulatory requirements and that the tangible property and monies will be credited to the inventory or budget of the Police

Department, in accordance with Town accounting policies resulting in an increase of law enforcement resources for the Police Department;

(d) The First Selectman is authorized to execute all papers and forms required for the acceptance, establishing of title, registration and whatever other documentation is required to complete the transfer to and utilization of the tangible property and cash by the Police Department;

(e) The Town Attorney is authorized to certify to the federal and state authorities (i) that the First Selectman has the authority to accept the forfeited tangible property and is the official to whom transfer documents should be delivered; (ii) that the Treasurer is the proper fiscal officer to whom disbursement of forfeited monies is to be made; (iii) that there is no state or local law prohibiting the transfer of the tangible property and monies to the Town of Greenwich; and (iv) whatever other legal certification is required to accomplish the transfer to and utilization of the tangible property and monies by the Police Department;

(f) The Chief of Police, on July 1 and January 2, shall submit a written report to the RTM Moderator and Chairman of the RTM Town Services Committee, which report shall detail the sums of money received, and shall describe and provide an estimated value of the tangible property received, in the preceding six months.

17. The Police Department is authorized to apply for and accept National Highway Safety Grants, and such grants shall become appropriations that the Police Department may add to the appropriate accounts upon approval by the Board of Estimate and Taxation.

18. The Police Department is authorized to apply for and accept grants from the State of Connecticut Office of Policy and Management (OPM) as authorized under C.G.S. §21a-274a, Drug Enforcement Grant Program, and other OPM grants pertaining to law enforcement activities, and such grants shall become appropriations that the Police Department may add to the appropriate accounts upon approval by the Board of Estimate and Taxation.

19. The Police Department is authorized to apply for and accept grants from the United States Department of Justice, and such grants shall become appropriations that the Police Department may add to the appropriate accounts upon approval by the Board of Estimate and Taxation.

20. The Police Department is authorized to apply for and accept grants from the State of Connecticut Department of Health, and such grants shall become appropriations that the Police Department may add to the appropriate accounts upon approval by the Board of Estimate and Taxation.

Public Works

21. The First Selectman is authorized to apply for and accept grants made by the Connecticut State Department of Environmental Protection and/or the Federal Government under the provisions of Title 22a of the Connecticut General Statutes Chapter 446k, Water Pollution Control, and Chapter 26, Title 33 of the United States Code, for the purposes of rebuilding, expanding or acquiring a pollution abatement facility and for interim improvements for nitrification/denitrification at the Greenwich Waste Water Treatment Facility, and grants from the State's Clean Water Fund, in connection with the planning, development and construction of sewer projects, to mitigate the effects of inflow on treatment processes and on the Long Island Sound.

22. The First Selectman is authorized to apply for and accept grants made by the State of Connecticut Office of Policy and Management under its Local Capital Improvement Program in accordance with C.G.S. §7-536.

23. The First Selectman is authorized to apply for and accept grants and to execute agreements regarding said grants, made by the State of Connecticut Department of Transportation, under its Local Bridge Program in accordance with C.G.S. §13a-175p-pu.

24. The First Selectman is authorized to apply for and accept grants made by the Connecticut State Department of Transportation under the provisions of C.G.S. Section §13b-38a for the purpose of developing or administering any transportation management plan which complies with the objectives and requirements of said statute.

25. The First Selectman is authorized to accept grants made by the State of Connecticut, Department of Transportation, under the Town Aid Grant for Roads and Public Transportation Services, and such grants shall become appropriations to the Department of Public Works' Code No. Z314-59600, known as "Highway -- State Town Aid Grant."

26. The First Selectman is authorized to apply for and accept funds or grants from the State of Connecticut Department of Transportation, under the Federal Transportation Equity Act for the 21st century (TEA 21), and subsequent acts.

Vehicle Maintenance

27. The Comptroller is authorized to accept proceeds from the sale of vehicles and equipment, and such proceeds shall become appropriations that the Comptroller may add to the appropriate account for the purpose of acquiring replacement vehicles and equipment.

Health Department

28. The Department of Health is authorized to apply for and accept grants made by the Department of Public Health, Department of Environmental Protection, other departments and agencies of the State of Connecticut, and the Federal Government and non-profit corporations and foundations for the purpose of conducting public health programs in prevention, health promotion and related areas, and such grants shall become appropriations that the Department of Health may add to the appropriate accounts upon approval by the Board of Estimate and Taxation.

Social Services

29. The Department of Social Services is authorized to accept grants and enter into contracts with the Departments of Labor, Social Services, Children and Families, other departments and agencies of the State of Connecticut, the Federal Government, and non-profit corporations and foundations, for the purpose of meeting its goals to strengthen self-sufficiency and self-reliance, promote positive development and emotional adjustment, and maintain residents' economic and emotional well-being, and to reduce or defray existing or potential future costs to the Town for providing social services to residents; and such grants shall become appropriations that the Department of Social Services may add to the appropriate account upon approval by the Board of Estimate and Taxation.

30. The First Selectman is authorized to execute and file applications with the State Commissioner of Social Services and the State Commissioner of Economic and Community Development, pursuant to Chapters 128, 129, 130 and 133 of the Connecticut General Statutes, and to act as the authorized representative of the Town of Greenwich in taking the necessary steps to implement day care programs and a program for payment in lieu of taxes.

31. The Department of Social Services is authorized, under Connecticut General Statutes Section 8-266 through 8-282 (the Uniform Relocation Assistance Act), to accept and use reimbursement from property owners for expenses related to the Department's administration of a Relocation Assistance Advisory Plan for households displaced by Town action.

Board of Education

32. The Board of Education is authorized to accept grants made by the Federal Government and/or the State of Connecticut, under the following programs:

(a) Title 20 of the United States Code including Improving America's Schools Act of 1994, 20 U.S.C. §6301 et seq., Safe and Drug-Free Schools and Communities Act of 1994, 20 U.S.C. §7101 et seq., (including grants being referred by the State as Improving Basic Programs, Eisenhower Professional Development Program, Innovative Education Strategies, Safe and Drug Free Schools), Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990, 20 U.S.C. §2301 et seq., Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §1400 et seq., (including

grants referred to by the State as “IDEA Part B Sections 611”, Entitlement Grant, Pre-School Entitlement Grant and Silver Grant); and

(b) Connecticut General Statutes: C.G.S. §10-20d (School to Career Opportunities), C.G.S. §10-262l (Grants for Improvement in Student Achievement), C.G.S. and §21a-274a (Drug Enforcement Grant Program); PL 103-382 Foreign Language Assistance Act of 1994.

(c) Each grant shall become an appropriation that the Board of Education may add to the appropriate accounts.

33. The Board of Education is authorized to accept receipts resulting from the following activities:

(a) The School Lunch Program, including, but not limited to, the sale of food and any Federal and/or State aid received from the program, these receipts to become appropriations that the Board of Education may add to the School Lunch Revolving Fund;

(b) The Continuing Education Program, these receipts to become appropriations that the Board of Education add to the appropriate accounts;

(c) The Summer School Program, these receipts to become appropriations that the Board of Education may add to the appropriate accounts;

(d) The purchase of services from the District print shop by the Greenwich PTA and other Town departments, these receipts to become appropriations that the Board of Education may add to the appropriate print shop accounts;

(e) The rental of school buildings, these receipts to become appropriations that the Comptroller may add to the appropriate accounts for the purpose of reimbursing the approved costs related to the rental of school buildings, such costs not to exceed receipts in any fiscal year;

(f) Receipts from the Greenwich Education Association, these receipts to become appropriations to cover all personnel costs of release time for an officer beyond that which is provided for in the collective bargaining agreement.

Libraries

34. Pursuant to the Agreement Between The Greenwich Library and the Town of Greenwich concerning the Funding for Staffing and Operations of the Peterson Wing of The Greenwich Library, the Town accepts a gift of private funds from The Greenwich Library for said purposes in an amount equal to the appropriations authorized in the Code 702 appropriation accounts, and the First Selectman is empowered to execute such

amendments to the agreement as are necessary to reflect changes in positions as are approved in the Code 702 appropriation accounts.

35. Pursuant to the Agreement Between The Greenwich Library and the Town of Greenwich concerning the Operations of the Peterson Wing of The Greenwich Library, the Town accepts gifts of private funds from The Greenwich Library, to be distributed to the appropriate Code 702 appropriation accounts and used by The Greenwich Library for the purpose of paying additional expenditures related to the operations of the Peterson Wing.

Parks & Recreation

36. The Department of Parks and Recreation is authorized to accept receipts resulting from the rental of Town facilities, and these receipts shall become appropriations that the Comptroller may add to the appropriate accounts for the purpose of reimbursing the approved costs related the rental of Town facilities, such costs not to exceed receipts in any fiscal year.

37. The Tree Warden of the Department of Parks and Recreation is authorized under chapter 451, section 23-65 of the Connecticut General Statutes to levy fines for the appraised value of Town of Greenwich trees destroyed by any person, firm or corporation, and said fine receipts shall become appropriations that the Department may add to appropriate accounts as approved by the Board of Estimate and Taxation.

38. The Comptroller is authorized to accept a gift of up to \$750,000 from the Bruce Museum, Inc, for the construction of an Animal Control Shelter on North Street. Receipts from said gift shall be deposited into Account A998 49010, Gifts. Said gift will be paid to the town in five equal installments commencing on December 1, 2007 with the final payment on December 1, 2011. In the event the cost of the shelter is less than \$750,000 the final payment due on December 1, 2011 will be reduced by the actual cost amount that is less that the \$750,000.

39. The Department of Parks and Recreation, Tree Division, is authorized to accept gifts of trees and plantings from the Greenwich Tree Conservancy.

RESOLUTIONS OF BOARD OF ESTIMATE AND TAXATION AND REPRESENTATIVE TOWN MEETING ON PROPOSED 2007-2008 BUDGET

CONDITIONS AND ADDITIONAL PROVISIONS

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. At the end of the 2007-08 fiscal year, any uncommitted balances of the Capital Project Fund shall lapse and, with the approval of the Board of Estimate and Taxation, shall become an appropriation into the Capital and Non Recurring Fund and become available for future capital expenditures.

2. The Representative Town Meeting of the Town of Greenwich in accordance with C.G.S. §7-450a(b) hereby requests a qualified cost estimate from the enrolled actuary, as defined in said statute, for any ordinance or act altering the retirement system of the Town of Greenwich and receipt of same, as specified in subsection (d) of said statute, shall be accomplished through the Comptroller filing a certified copy of same with the Town Clerk as the Clerk of the Representative Town Meeting.

3. The Greenwich Classification and Pay Plan prepared by the Board of Estimate and Taxation is hereby approved and adopted.

4. WHEREAS:

(a) The Board of Estimate and Taxation is responsible for the proper administration of the financial affairs of the Town; and

(b) For the purposes of salary and benefits no appropriation for one object shall be used for any other object, except that the Board of Estimate and Taxation shall have the power to transfer uncommitted balances from one appropriation to another appropriation;

(c) All appropriations for salary and benefit accounts for the fiscal year 2007-2008 are based on the Town's current Table of Organization, as incorporated in the proposed budget submitted by the First Selectmen as modified by the Board of Estimate and Taxation; and

(d) Any net additions to the total number of positions in the Town's Table of Organization will result in fiscal/budgetary consequences and the use of appropriated funds for objects other than the funding of the positions reviewed and approved by the Board of Estimate and Taxation and part of the budgetary process;

IT IS RESOLVED that the appropriations for the salary and benefits accounts in fiscal year 2007-2008 may only be used to fund the total number of positions as contained in the approved Table of Organization, which are the objects of the appropriations, and may not be used to fund any net addition of positions to the Table of Organization, without

approval of the Board of Estimate and Taxation and the transfer of such funds for a purpose approved by the Board of Estimate and Taxation.

Conditions

5. The following General Conditions and the Special Conditions attached to specific appropriations and designated in a schedule of conditions are hereby approved and shall be considered as and shall be a part of the Appropriations hereby approved and adopted:

Appropriations within each department and activity shall be made on the basis of the following major object accounts with no further subdivision except for equipment and improvements:

- 100 - Personal Services
- 200 - Services Other Than Personal
- 300 - Supplies and Materials
- 400 - Maintenance
- 500 - Social Services
- 600 - Insurance
- 700 - Grants, Subsidies, Debt Service and Other Fixed Charges
- 800 - Refunds and Non-Expense Items
- 900 - Equipment and Improvements

The detailed object classifications supporting each one of the above appropriations within each department as shown in the detailed budget recommendations, are set forth for informative purposes only. However:

1. Payments of salaries and wages from any appropriation for Personal Services must be in conformity with the salary and wage rates as shown in negotiated collective bargaining agreements with employee organizations and approved by the Representative Town Meeting or in accordance with approved salary rates for non-represented positions.
2. Any new regular employee must be employed at the minimum pay rate for the class of position he or she is to fill. This shall not apply to teachers and other "Certified" personnel in the school system, except that written notice to the Comptroller shall be given when such personnel are employed, promoted or transferred.
3. If a department or board wishes to employ a person (other than certified personnel) at a pay rate above the minimum of the wage range, the salary for such position shall be approved by the Board of Estimate and Taxation except that the Director of Personnel may

approve a pay rate above the minimum to the midpoint of the wage range and shall approve pay rates for temporary, seasonal and part-time employees. This does not apply to persons paid on a fee basis for professional services.

4. Expenditures for miscellaneous equipment not fully itemized shall be substantially for the object shown.

All appropriations shall be committed by and payable upon the order of the Head of the Department, Chairman or Secretary of the Board, Official, or person designated by the Board or by Statute for which or for whom the respective appropriations are made, except as may be, from time to time, determined by the Board of Estimate and Taxation.

RESOLUTION AUTHORIZING BORROWINGS IN THE AGGREGATE AMOUNT OF \$24,124,000 TO MEET A PORTION OF THE CAPITAL BUDGET APPROPRIATIONS IN THE CAPITAL PLAN FOR FISCAL YEAR 2007-2008

WHEREAS, the Board of Estimate and Taxation and the Representative Town Meeting have approved specific appropriations for the various capital projects in the Town's Capital Plan for the fiscal year ending June 30, 2008, for the purposes and in the amounts appearing under "General Fund" in said Capital Plan;

BE AND IT IS HEREBY RESOLVED BY THE REPRESENTATIVE TOWN MEETING:

Section 1. To meet the portion of the approved capital budget appropriations for general public improvement and school projects to be met from borrowings in fiscal year 2007-2008, \$24,124,000 general obligation notesbonds are authorized to be issued in one or more series, as determined by the Comptroller ("Notes") maturing in substantially equal annual installments of principal, provided the final installment shall be due not later than five years from date. The Notesbonds shall be in the denomination of \$1,000 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, 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 Robinson & Cole LLP, nationally recognized bond counsel. The Notesbonds shall be general obligations of the Town and each of the Notesbonds shall recite that every requirement of law relating to its issue has been duly complied with, that such Notebond 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. The aggregate principal amount of the Notesbonds of each series to be issued, and the manner of issue and sale shall be determined by the Comptroller, provided the Notesbonds 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 Notesbonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing

and legal costs of issuing the Notesbonds. 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 Notesbonds, including approval of the rate or rates of interest payable thereon, shall be determined by the Comptroller, in accordance with the General Statutes of the State of Connecticut, as amended.

Section 2. 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 ~~23~~. The Comptroller is authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said Notesbonds. ~~Such borrowings shall be evidenced by notes which~~ Notes evidencing such borrowings shall be signed by the Chairman of the Board of Estimate and Taxation and 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 ~~Robinson & Cole LLP~~ 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 General Statutes of Connecticut, as amended. They shall be issued with maturity dates which comply with the provisions of the 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 projects. Upon the sale of the ~~Notes authorized in Section 1~~ 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 ~~34~~. 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 anytime after the date of passage of this resolution in the maximum amount and for the capital projects specified herein with the proceeds of Notesbonds or other obligations authorized to be issued by the Town. The Notesbonds or other 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 project, or

such later date 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 reimbursement Notesbonds or other obligations, and to amend this declaration.

Section 45. The Comptroller is hereby authorized, on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of noteholdersbondholders to provide information on an annual or other periodic basis to nationally recognized municipal securities information repositories or state based information repositories (the "Repositories") and to provide notices to the Repositories 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 Notesbonds or other obligations authorized by this resolution. Any agreements or representations to provide information to Repositories made prior hereto are hereby confirmed, ratified and approved.

Section 56. The time for the issuance of Notesbonds 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 projects financed by such Notesbonds or other obligations.

RESOLUTION APPROPRIATINGAUTHORIZING THE ISSUANCE OF
\$22,700,000 BONDS FOR THE PLANNING, DESIGN, ACQUISITION
AND CONSTRUCTION OF RENOVATIONS AND IMPROVEMENTS
TO GLENVILLE SCHOOL AND AUTHORIZING THE ISSUANCE OF
\$22,700,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION
AND PENDING THE ISSUE THEREOF THE MAKING OF
TEMPORARY BORROWINGS FOR SUCH PURPOSE

~~BE IT RESOLVED BY THE REPRESENTATIVE TOWN MEETING:~~

~~Section 1. The sum~~WHEREAS, the Board of Estimate and Taxation and the
Representative Town Meeting have approved an appropriation of \$22,700,000 ~~is
appropriated~~ for the planning, design, acquisition and construction of ~~renovations and
improvements to Glenville School, and for administrative, printing, legal and financing
costs related thereto, said appropriation to be inclusive of any and all State and Federal
grants in aid thereof.~~improvements to the Glenville School in the budget for the fiscal
year ending June 30, 2008;

BE AND IT IS HEREBY RESOLVED BY THE REPRESENTATIVE TOWN
MEETING:

Section 2.1. To meet said appropriation \$22,700,000 bonds of the Town or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the fifth year after their date. Said bonds may be issued in one or more series as

determined by the Comptroller in the amount necessary to meet the Town's share of the cost of the project determined after considering the estimated amount of the State and Federal grants-in-aid of the project, or the actual amount thereof if this be ascertainable, and the anticipated times of the receipt of the proceeds thereof, provided that the total amount of bonds to be issued shall not be less than an amount 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 administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$1,000 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, and the Treasurer, and shall be 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 ~~Robinson & Cole LLP~~ [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. The aggregate principal amount of the bonds of each series to be issued, 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 the approval of the rate or rates of interest, shall be determined by the Comptroller, in accordance with the General Statutes of the State of Connecticut, as amended.

Section ~~3.2~~. 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 ~~4.3~~. 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, the Treasurer and shall be countersigned by the Comptroller, have the seal of the Town affixed and attested by the Town Clerk, be payable at a bank or trust company designated by the Comptroller, be approved as to their legality by ~~Robinson & Cole LLP~~ [nationally recognized bond counsel](#), and be certified by a bank or trust company designated by the Comptroller, pursuant to Section 7-373 of the General Statutes of Connecticut, as amended. They shall be issued with maturity dates which comply with the provisions of the 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 cost of the 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 such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section ~~5.4~~. 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 of the project described in ~~Section 1. these resolutions.~~

Section ~~6.5~~. 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 anytime after the date of passage of this resolution in the maximum amount and for the capital project defined herein with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Town. The Bonds 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 project, or such later date 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 reimbursement bonds, and to amend this declaration.

Section ~~7.6~~. 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 nationally recognized municipal securities information repositories or state based information repositories (the "Repositories") and to provide notices to the Repositories 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 and notes authorized by this resolution. Any agreements or representations to provide information to Repositories made prior hereto are hereby confirmed, ratified and approved.

Section ~~8.7~~. The time for the issuance of bonds or notes authorized hereunder shall not be limited but shall remain in full force and effect until the project is completed, all payments made and all borrowings completed.

SEWERAGE SYSTEM IMPROVEMENTS ~~AND AUTHORIZING THE
ISSUANCE OF \$9,130,000 BONDS OF THE TOWN TO MEET SAID
APPROPRIATIONS~~ AND PENDING THE ISSUE THEREOF THE
MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

BE IT RESOLVED BY THE REPRESENTATIVE TOWN MEETING:

~~Section 1. The sums set opposite the sewerage system improvements hereinafter listed are hereby appropriated to meet the costs thereof, respectively, and for administrative, printing, legal and financing costs related thereto, said appropriation to be inclusive of any and all State and Federal grants in aid thereof:~~

WHEREAS, the Board of Estimate and Taxation and the Representative Town Meeting have approved appropriations aggregating \$9,130,000 for various sewerage system improvements as follows:

| | |
|--|---------------------|
| UV Disinfection System, Grass Island Wastewater Treatment Plant | \$ 2,700,000 |
| Grass Island Headworks Rehabilitation | 3,000,000 |
| Force Main Reconstruction, in compliance with a consent agreement between the State of Connecticut Department of Environmental Protection, the United States Environmental Protection Agency and the Town of Greenwich (the "Consent Agreement") | 1,500,000 |
| John F. Kennedy Highway Facility Sewer Construction | 330,000 |
| SSES Cross Connection and Storm Drain Improvements Phase I and Phase 2, in compliance with the Consent Agreement | 1,500,000 |
| Grass Island Wastewater Treatment Plan Asset Management Plan | <u>100,000</u> |
| Total | \$ <u>9,130,000</u> |

BE AND IT IS HEREBY RESOLVED BY THE REPRESENTATIVE TOWN MEETING:

Section ~~2.1~~ To meet said appropriations:

(i) bonds of the Town may be issued, maturing not later than the twentieth year after their date. Said bonds may be issued in one or more series as determined by the Comptroller in the amount necessary to meet the Town's share of the cost of the project determined after considering the estimated amount of Federal and State grants-in-

aid of the project or the actual amount thereof if this be ascertainable, and the anticipated times of the receipt of the proceeds thereof, provided that the total amount of bonds to be issued shall not be less than an amount 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 administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, be issued in bearer form or 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, and the Treasurer, and shall be countersigned by the Comptroller, have the seal of the Town affixed and be attested by the Town Clerk, be certified by a bank or trust company, and be approved as to their legality by [Robinson & Cole LLP 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. The aggregate principal amount of the bonds of each series to be issued, the annual installments of principal, redemption provisions, if any, the certifying, registrar and transfer agent, and the paying agent, the date, time of issue and sale and other terms, details and particulars of such bonds, including the approval of the rate or rates of interest, shall be determined by the Comptroller in accordance with the General Statutes of the State of Connecticut, as amended; or

(ii) temporary notes of the Town may be issued pursuant to Section 7-264a of the General Statutes of Connecticut, as amended. The amount of such notes to be issued, if any, shall be determined by the Comptroller, and he is hereby authorized to determine the date, maturity, interest rate, form and other details and particulars of such notes, and to sell, execute and deliver the same. Said notes shall be secured by the full faith and credit of the Town and may be further secured in any other manner set forth in Section 7-264a, aforesaid, as determined by the Comptroller; or

(iii) any combination of bonds or temporary notes may be issued, provided that the total, aggregate principal amount thereof outstanding at any time shall not exceed \$9,130,000.

Section ~~3.2~~2. 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 ~~4.3~~. The Comptroller is authorized to make temporary borrowings in anticipation of the receipt of the proceeds of any series of bonds or notes. Notes evidencing such borrowings shall be signed by the Chairman of the Board of Estimate and Taxation, the Treasurer and shall be countersigned by the Comptroller, have the seal of the Town affixed and attested by the Town Clerk, be payable at a bank or trust company designated by the Comptroller, be approved as to their legality by ~~Robinson & Cole LLP nationally recognized bond counsel~~, and be certified by a bank or trust company designated by the Comptroller, pursuant to Section 7-373 of the General Statutes of Connecticut, as amended. They shall be issued with maturity dates which comply with the provisions of the 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 cost of the project. Upon the sale of said bonds or notes, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section ~~5.4~~. The balance of any appropriation not needed to meet the cost of any improvement included in Section 1, or the proceeds of any bonds not needed to meet the cost of any such improvement may be transferred by resolution of the Board of Estimate and Taxation to meet the additional cost of any other improvement included in Section 1. Proceeds of borrowings shall be deposited into the Town's Sewer Improvement Fund to be used for the purposes set forth in ~~Section 4~~ [these resolutions](#).

Section ~~6.5~~. The First Selectman is authorized in the name and on behalf of the Town to apply for and accept any and all Federal and State loans and/or grants-in-aid of the improvements included in Section 1 and is further authorized to expend said funds in accordance with the terms hereof and in connection therewith to contract in the name of the Town with engineers, contractors and others. To meet any portion of the costs of the improvements included in Section 1 determined by the State of Connecticut Department of Environmental Protection to be eligible for funding under Section 22a-475 et seq. of the Connecticut General Statutes, as the same may be amended from time to time (the "Clean Water Fund Program"), the Town may issue interim funding obligations in anticipation of project loan obligations and project loan obligations in such denominations as the Comptroller shall determine. The Comptroller is hereby authorized to determine the amount, date, maturity, interest rate, form and other details and particulars of such interim funding obligations and project loan obligations, subject to the provisions of the Clean Water Fund Program, and the Chairman of the Board of Estimate and Taxation and the Treasurer are authorized to execute and deliver the same. Said obligations 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

obligation 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 First Selectman is hereby authorized to execute and deliver to the State in the name of and on behalf of the Town Project Loan and Project Grant Agreements under the Clean Water Fund Program.

Section ~~7.6~~. 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 anytime after the date of passage of this resolution in the maximum amount and for the capital project defined herein with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Town. The Bonds 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 project, or such later date 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 reimbursement bonds, and to amend this declaration.

Section ~~8.7~~. 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 nationally recognized municipal securities information repositories or state based information repositories (the "Repositories") and to provide notices to the Repositories 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 and notes authorized by this resolution. Any agreements or representations to provide information to Repositories made prior hereto are hereby confirmed, ratified and approved.

Section ~~9.8~~. The time for the issuance of bonds or notes authorized hereunder shall not be limited but shall remain in full force and effect until the project is completed, all payments made and all borrowings completed.

RESOLUTION MAKING APPROPRIATIONS AGGREGATING \$7,300,000 FOR THE PLANNING, DESIGN AND IMPROVEMENTS TO THE NATHANIEL WITHERELL NURSING FACILITY AND AUTHORIZING THE ISSUANCE OF \$7,300,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATIONS AND PENDING THE ISSUE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

BE AND IT IS HEREBY RESOLVED BY THE REPRESENTATIVE TOWN MEETING:

Section 1. The aggregate sum of \$7,300,000 is appropriated for the planning, design and improvements to the Nathaniel Witherell Nursing Facility including an appropriation of \$3,600,000 for construction manager and architects' and other preliminary costs and \$3,700,000 for construction of recommended priority items, as set forth below (the "Project"), including administrative, printing, legal and financing costs related thereto:

| | |
|--|---------------------|
| Construction manager and architects' fees | |
| And other preliminary costs | \$3,600,000 |
| Implementation of recommended priority items | 3,700,000 |
| Total | <u>\$ 7,300,000</u> |

The Project shall be generally administered by the Nathaniel Witherell Building Committee established under the provisions of Section 57.1 of the Town Charter and the Committee shall determine those items to be implemented pursuant to the appropriation.

Section 2. To meet said appropriations \$7,300,000 bonds of the Town or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the twentieth year after their date. Said bonds may be issued in one or more series as determined by the Comptroller provided that the total amount of bonds to be issued shall not be less than an amount 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 administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$1,000 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, and the Treasurer, and shall be 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 ~~Robinson & Cole LLP~~ 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. The aggregate principal amount of the bonds of each series to be issued, 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 the approval of the rate or rates of interest, shall be determined by the Comptroller, in accordance with the General Statutes of the State of Connecticut, as amended.

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, the Treasurer and shall be countersigned by the Comptroller, have the seal of the Town affixed and attested by the Town Clerk, be payable at a bank or trust company designated by the Comptroller, be approved as to their legality by [Robinson & Cole LLP nationally recognized bond counsel](#), and be certified by a bank or trust company designated by the Comptroller, pursuant to Section 7-373 of the General Statutes of Connecticut, as amended. They shall be issued with maturity dates which comply with the provisions of the 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 cost of the 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 such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. 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 anytime after the date of passage of this resolution in the maximum amount and for the capital project defined herein with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Town. The Bonds 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 project, or such later date 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 reimbursement bonds, and to amend this declaration.

Section 6. 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 nationally recognized municipal securities information repositories or state based information repositories (the

"Repositories") and to provide notices to the Repositories 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 and notes authorized by this resolution. Any agreements or representations to provide information to Repositories made prior hereto are hereby confirmed, ratified and approved.

Section 7. The time for the issuance of bonds or notes authorized hereunder shall not be limited but shall remain in full force and effect until the project is completed, all payments made and all borrowings completed.

Carl G. R. Carlson, Jr. of District 1 made a motion, which was moved and seconded, to reduce code 600-100 – Board of Education by \$50,000.

The vote was on Mr. Carlson’s motion.

| | | |
|-------------|---|-----|
| In Favor | - | 69 |
| Against | - | 118 |
| Abstentions | - | 3 |

Motion Lost

Franklin Bloomer, chairman of the Land Use Committee, made a motion, on behalf of the committee, to delete \$350,000 from Account No. 312-960-28040 – DPW-Highway Streets and Bridges- Greenwich Town Center Master Plan.

Kevin Brogan of District 2 moved the previous question, which was seconded.

Motion Carried

The vote was now on the Land Use Committee motion to delete.

| | | |
|-------------|---|-----|
| In Favor | - | 159 |
| Against | - | 29 |
| Abstentions | - | 4 |

Motion Carried

Franklin Bloomer, chairman of the Land Use Committee, made a motion, on behalf of the committee, to reduce Account 345-956-28021- DPW Bldg Construction & Maintenance- BOE Central Office & Senior Center by \$75,000.

The vote was now on the Land Use Committee motion to reduce.

| | | |
|----------|---|----|
| In Favor | - | 58 |
|----------|---|----|

| | | |
|-------------|---|-----|
| Against | - | 125 |
| Abstentions | - | 5 |

Motion Lost

Vincent DiMarco, chairman of the Transportation Committee, made a motion, on behalf of the committee, to reduce the Parking Fund Account 318-DPW Highway-Traffic Engineering to \$525,000.

The vote was now on the Transportation Committee motion to reduce.

| | | |
|-------------|---|-----|
| In Favor | - | 69 |
| Against | - | 113 |
| Abstentions | - | 5 |

Motion Lost

Richard Kral of District 8 made a motion to reduce Parking Fund Account 318-DPW – Highway-Traffic Engineering by \$1,699,000 (which was all the items in Code 318-900 Capital account)

The vote was now on Mr. Kral’s motion.

| | | |
|-------------|---|-----|
| In Favor | - | 40 |
| Against | - | 146 |
| Abstentions | - | 0 |

Motion Lost

Randall Huffman, chairman of the Budget Overview Committee, made a motion, on behalf of the committee, to delete Parking Fund Account 318-921-28091 – Greenwich Avenue Traffic Signals by \$560,000.

The vote was now on the Budget Overview Committee motion.

| | | |
|-------------|---|-----|
| In Favor | - | 154 |
| Against | - | 34 |
| Abstentions | - | 0 |

Motion Carried

Douglas Wells, chairman of the Legislative & Rules Committee, made a motion , on behalf of the committee, to amend the budget resolutions as follows:

On page 3 of the call (page 21 of the RTM section of the budget book) – delete the “Further Resolved” paragraph and insert the following:

“FURTHER RESOLVED, that the Attached Resolutions concerning Grants and Other Receipts, Resolutoon Authorizing Borrowings of \$24,124,000 for Capital Appropriations, Resolution Authorizing Issuance of \$22,700,000 Bonds for Glenville School Renovation, Resolution Authoring Issuance of \$9,130,000 Bonds for Sewerage System Improvements, Resolution Authorizing Issuance of \$7,300,000 Bonds for Imporvements to the Nathaneial Witherell Nursing Facility, and Conditions and Additional Provisions be and the same hereby are approved.

On page 7 of the call (page 25 of the RTM section of the budget book) – paragraph “c”, third line – delete the word “that”.

On page 11 of the call (page 30 of the RTM section of the budget book)- section 38 – last line delete all the words following “reduced” and add “accordingly”.

On page 12 of the call (page 31 of the RTM section of the budget book) – paragraph “b”, third line - delete all the words after the word “ one” and add “ appropriation for a department to another appropriation for the same department.

The amendments were adopted by unanimous consent.

Robert Richardson, chairman of the RTM Special Committee on Nathaniel Witherell, made a motion to amend the resolution regarding Nathaniel Witherell on page 22 of the call (page 44 of the RTM section of the budget book) in Section 1, third line, insert the word “fees” after architects’.

The amendment was adopted by unanimous consent.

Douglas Wells of District 2 made a motion , which was seconded, to delete \$3,600,000 from Nathaniel Witherell for the construction manager and architects’ fee and other preliminary costs.

The vote was now on the Wells motion.

| | | |
|-------------|---|-----|
| In Favor | - | 25 |
| Against | - | 155 |
| Abstentions | - | 3 |

Motion Lost

Paul Curtis of District 9 made a motion, which was seconded, to amend the budget resolutions on page 4 of the call (page 22 of the RTM section of the budget book) Under the General Government: Office of the First Selectman, paragraph 4 the account code should be changed to 105.

The amendment was adopted by unanimous consent.

Mary Ferry of District 5 made a motion, which was seconded, to delete from the substitute sewer resolutions- Section 4 – the references to “in section 1” and replace each with “herein”.

The amendment was adopted by unanimous consent.

Peter Basilevsky of District 8 made a motion, which was seconded, to amend the substitute resolution for bonding of capital projects in Section 2, last sentence after the word “comptroller” add the wording “subject to the approval of the Board of Estimate and Taxation.

Peter Tesei, chairman of the Board of Estimate and Taxation, stated that the Treasurer and Comptroller both sign off on the bonding and the Comptroller does not act unilaterally. He also stated that it was the regular practice of the BET to subject all changes in the bond offering documents proposed by the Comptroller to review and to require the BET’s prior approval to effect such changes.

With the explanation from Mr. Tesei, Mr. Basilvesky withdrew his motion.

The vote was now on the budget, as amended below and by the changes to the resolutions as described above.

| Department | Code Number | By Board | By RTM | Decrease | Reason |
|-------------------|---------------|----------|--------|------------|---------|
| DPW | 312-960-28040 | | X | \$ 350,000 | deleted |
| DPW | 312-921-28091 | | X | \$ 560,000 | deleted |
| Total Decrease(-) | | | | \$ 910,000 | |

| | | |
|-------------|---|-----|
| In Favor | - | 175 |
| Against | - | 3 |
| Abstentions | - | 3 |

Budget, as amended. was adopted

A copy of the budget and amended resolutions will be inserted in the official minutes.

There being no further business, the Moderator adjourned the meeting, upon unanimous consent, at 11:40 P.M.

DOROTHEA E. MEILINGGAARD
ASSISTANT TOWN CLERK