



Pursuant to the foregoing notice a regular Representative Town Meeting of the Town of Greenwich was held on Monday June 11, 2012 at 8:00 P.M. (E.D.T.) in the Moderator's Hall of Central Middle School.

The meeting was called to order by the Moderator Thomas J. Byrne.

The members pledged allegiance to the flag, led by Midshipman Second Class Kristina Byrne, daughter of Moderator Thomas Byrne and Megan Byrne.

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, 29 absent and 3 vacancies. District 3 had perfect attendance. The members who were absent in District 1 – Edward D. Dadakis, Mary R. George, Ennala Ramcharandas, Elizabeth Sanders; District 2 – Duncan G. Burke, Wilma Nacinovich; District 4- James M. Bonney, William J. Clark, Maria M. Popp, Josiane M Schaffner-Parnell; John J. Thompson; District 5- Edward T. Broadhurst, III; Scott J. Harrington, Sr.; District 6 – Marilyn R Cahn, John E. Norrgard; District 7 – Gerrit Argentio; District 8- Stephen Ng; District 9 – George R Finn, Jr., Adrian L. Pasternak, Lauren Rabin; District 10- Robert M. Byrnes, Frank Denicola, Maureen A Freder, Swan Grant, Lloyd N. Hull, John Mastracchio, Mark Pruner; District 11- William C. Hambleton; District 12- Robert H. Stafford, III.

The Moderator announced that as all members had received a copy of the minutes of the May 14, 2012 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 suggested a motion, which was moved and seconded, to suspend the rules and place items 1, 2, 3, 10, 11, 13 & 14 on the combined items calendar and consider separately items 4, 5, 6, 7, 8, 9 & 12.

Motion Carried

Genevieve Krob, Chairman of District 8, recognized and thanked district member Blair Murphy for his 12 years of service on the RTM, especially his work on Treetops and land use and water issues.

The membership gave Mr. Murphy a standing ovation.

The Moderator announced that the combined items were now before the meeting.

Item No. 1 – postponed from the April meeting.

RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed a regular member of the Nathaniel Witherell Board for a term expiring 3/31/15.

FRANCIS J. SCARPA

Item No. 2 – postponed from the April meeting.

RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed a regular member of the Inland Wetlands and Watercourses Agency for a term expiring 3/31/16.

JAMES CARR

Item No. 3 – postponed from the April meeting.

RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed a regular member of the Inland Wetlands and Watercourses Agency for a term expiring 3/31/16.

WILLIAM W. GALVIN III

Christopher VonKeyserling, Chairman of the Appointments Committee, offered the following resolution regarding Item No. 10.

RESOLVED, that the following named person, nominated by the Appointments Committee, be appointed a member of the Claims Committee for the term expiring 12/31/13.

RICHARD J. MARGENOT

David N. Theis, Selectman, offered the following resolution, which was duly moved and seconded, regarding Item No. 11.

RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed an alternate member of the Inland Wetlands and Watercourses Agency for a term expiring 3/31/13.

SCOTT SALISBURY

Drew Marzullo, Selectman, offered the following resolution, which was duly moved and seconded, regarding Item No. 13.

RESOLVED, that the following named person, nominated by the Board of Selectmen, be reappointed a regular member of the Board of Health for a term expiring 3/31/16.

MICHAEL J. FRANCO

Drew Marzullo, Selectman, offered the following resolution, which was duly moved and seconded, regarding Item No. 14.

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

The vote was now on the combined items.

In Favor	-	184
Against	-	1
Abstentions	-	2

Items Carried

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

Al Cava, Director of Labor Relations, offered the following resolution regarding Item No. 4.

RESOLVED, that the Representative Town Meeting, in exercising its authority pursuant to Connecticut General Statutes, Section 7-474(b) hereby approves the funds necessary to implement the terms of the Town-Local 456 IBT collective bargaining agreement covering the periods FY 11/12 and FY 12/13; said funds having previously been appropriated in the adopted FY 11/12 and FY 12/13 budgets. In addition thereto the Representative Town Meeting approves the funds necessary to implement the terms of the Town-Local 456 IBT collective bargaining agreement covering the period FY 13/14 subject to the budgetary process as prescribed in the Town Charter.

BE IT FURTHER RESOLVED that the Representative Town Meeting approves any terms of such agreement which may be in conflict with the Town Charter, special act, ordinance, rule or regulation adopted by the municipal employer or its agents.

J. Robert Tuthull, Member of District 4, made the following motion, which was seconded.

RESOLVED, that the time to speak 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 .

Motion Carried

The vote was now on Item No. 4.

In Favor	-	145
Against	-	36
Abstentions	-	10

Item Carried

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

Peter Berg, Chairman of the Land Use Committee, offered the following resolution.

“RESOLVED, that it is the sense of this meeting that the Board of Selectmen should direct the Town of Greenwich, which has been named as a defendant in the lawsuit brought by Richard Kosinski, Susan C. Kosinski, Lee W. Higgins, Kaori O. Higgins, Peter B. Janis and Elizabeth D. Janis against Aquarion Water Company of Connecticut and New Cingular Wireless PCS, LLC a/k/a AT&T, to join such lawsuit as a plaintiff to oppose the construction of a cell tower at 455 Valley Road and to uphold the terms of the deed dated September 22, 1953, whereby the Town sold the property to the Greenwich Water Company with a restriction that it be used for water works purposes.”

Douglas Wells, Chairman of the Legislative & Rules Committee, made a motion, on behalf of the committee, to amend the resolution in lines 5 and 6 by deleting the words “such law suit as the plaintiff”.

The motion was adopted by unanimous consent.

The vote was now on Item No. 5.

In Favor	-	150
Against	-	33
Abstentions	-	10

Item Carried

The Moderator announced that Item No. 6 on the call was now before the meeting.

Peter J. Tesei, First Selectman, offered the following resolution, which was duly moved and seconded, regarding Item No. 6.

RESOLVED, that the RTM accept a gift in an amount equal to the actual cost, not to exceed \$850,000, from the Greenwich Point Conservancy to complete a full renovation of the interior and exterior space of the Greenwich Point North Concession building (“Old Barn”).

Coline Jenkins, Chairman of District 6, offered the following amendment to the resolution, on behalf of the district regarding Item No. 6.

Further resolve that a thorough review of the traffic and pedestrian patterns connecting the Innis Arden Cottage and Old Barn buildings be conducted, including third party professional review and a public hearing held by the Commissioner of Public Works and the Directors of Parks and Recreation, before the final traffic and walkway plans are approved by the town authorities.

The vote was on the District 6 resolution.

In Favor	-	19
Against	-	168
Abstentions	-	2

Item Lost

The vote was now on Item No. 6.

In Favor	-	178
Against	-	0
Abstentions	-	1

Item Carried

The Moderator announced that Item No. 7 on the call was now before the meeting.

Drew Marzullo, Selectman, offered the following resolution, which was duly moved and seconded, regarding Item No. 7.

RESOLVED, that the Representative Town Meeting consider enacting an ordinance prohibiting the use of gasoline powered leaf blowers in the Town of Greenwich during the month of August.

FURTHER RESOLVED, that the ordinance shall automatically expire on the one (1) year anniversary of its date of adoption unless otherwise readopted by the Representative Town Meeting.

NOW, THEREFORE, BE IT HEREBY ORDAINED, that the Representative Town Meeting of the Town of Greenwich hereby approves the ordinance attached hereto and made a part hereof.

CHAPTER ____ . LEAF BLOWERS

Sec. ____ . Declaration of policy.

It is the policy of the Town of Greenwich to minimize noise created by leaf blowers. The following rules are intended to help accomplish that goal. In addition to these restrictions, operators should exercise courtesy and take reasonable steps to minimize the noise created at all times.

Sec. __. Prohibited activity.

(a) No person or entity shall operate within the Town of Greenwich any gasoline-powered leaf blower during the month of August. As used in this Chapter, "gasoline-powered leaf blower" shall be defined as a home or commercial tool, powered by a gasoline engine, that is used primarily for, but not limited to, accumulating leaves, grass clippings, cleaning gutters, and other related tasks. For purposes of this Chapter, the term gasoline-powered leaf blower shall include an electric-powered leaf blower powered by a gasoline-powered generator.

(c) All terms and conditions of Chapter 6B of this Code as they pertain to the use of gasoline-powered leaf blowers shall remain in effect.

Sec. __. Exclusions.

This Chapter shall not apply to the following

(a) entities: (1) municipal entities, (2) schools, (3) religious institutions, (4) membership clubs, (5) golf courses, (6) hospitals, (7) retirement communities and (8) cemeteries, and

(b) activities: (1) construction (as defined in Section 6B-29(c) of this Code including driveway/road paving and sealing activities, drying mortar and roof repairs), (2) emergency repairs and (3) storm clean-up;

except that any gasoline-powered leaf blower use shall be minimized to the maximum extent practicable in proximity to residences.

Sec. __. Penalties & Enforcement.

The penalties for violating this ordinance shall be as follows:

(a) First offense: Warning and education concerning the provisions of this ordinance;

(b) Second offense: One Hundred (\$100.00) Dollars;

(c) Each subsequent offense: Two Hundred Forty Nine (\$249.00) Dollars.

The Police Department shall be charged with the enforcement of this ordinance. It shall be the responsibility of the offender to abate the violation.

Sec. __. Expiration of Ordinance.

This ordinance shall automatically expire on the one (1) year anniversary of its date of adoption unless otherwise readopted by the Town of Greenwich.

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

In the Section entitled Prohibited Activity, the lettering of the second paragraph should be changed from (c) to (b);

In the Section entitled Exclusions, in clause (b) change “section 6B-29(c) of this Code” to “Section 6B-2 (c) of this Code” by deleting the “9” and

In the Section entitled Expiration of Ordinance, delete the word “otherwise” from the second line.

The motion to amend was adopted by unanimous consent.

Genevieve Krob, Chairman of District 8, made a motion on behalf of the district, to amend the resolution as follows:

In Sec. – Exclusions- delete section “(a)” entities.

The vote was now on the District 8 motion to amend.

In Favor	-	60
Against	-	116
Abstentions	-	1

Motion Lost

The vote was now on Item No. 7

In Favor	-	76
Against	-	93
Abstentions	-	4

Item Lost

The Moderator announced that Item No. 8 on the call was now before the meeting.

Lucy Krasnor, Vice Chairman of the Appointments Committee, offered the following resolution, which was duly moved and seconded, regarding Item No. 8.

RESOLVED, that the following named persons, nominated by the Appointments Committee, be appointed members of the Condemnation Commission for the term expiring 12/31/13.

**DONALD. R. CONWAY
JACKIE HAMMOCK
PAUL C. SETTELMAYER
DAVID SIMS
CHRISTOPHER VON KEYSERLING**

The vote was now on Item No. 8.

In Favor	-	148
Against	-	6
Abstentions	-	7

Item Carried

The Moderator announced that Item No. 9 on the call was now before the meeting.

Christopher VonKeyserling, Chairman of the Appointments Committee, offered the following resolution, which was duly moved and seconded, regarding Item No. 9.

RESOLVED, that the following named persons, nominated by the Appointments Committee, be appointed regular and alternate members of the Labor Contracts Committee for the term expiring 12/31/13.

**DAVID W. DETJEN
JOAN M. CALDWELL
ROBERT M. BYRNES
MICHAEL WACEK
JILL K. OBERLANDER
Alternates
M. MICHAEL WARNER
STEVEN RUBIN**

Betsey Frumin, Chairman of District 9, made a motion, on behalf of the district, to refer this item back to the Appointments Committee in order to present the nominees as individuals to vote on as opposed to a single slate.

The vote was now on the District 9 motion to refer.

In Favor	-	87
Against	-	57
Abstentions	-	2

Motion Carried

The Moderator announced that Item No. 12 on the call was now before the meeting.

David N. Theis, Selectman, offered the following resolution, which was duly moved and seconded, regarding Item No. 12.

RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed a regular member of the Inland Wetlands and Watercourses Agency for a term expiring 3/31/16.

BRIAN HARRIS

Christopher VonKeyserling, Chairman of Appointments Committee, made a motion, on behalf of the committee, to postpone this item until the September meeting.

J. Robert Tuthill of District 4 moved the previous question.

Motion Carried

The Motion to postpone Item No. 12 was carried upon a voice vote.

There being no further business, the Moderator adjourned the meeting, upon unanimous consent at 11:54P.M.

ATTEST:
CARMELLA C. BUDKINS
TOWN CLERK