Pursuant to the foregoing notice a regular Representative Town Meeting of the Town of Greenwich was held in the Moderator’s Hall of the Central Middle School on Monday June 12, 2000 at 8:00 P.M. (E.D.T.)

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

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

The members pledged allegiance to the flag.

Attendance cards were presented showing 180 present, 48 absent and 2 vacancies. The Moderator announced that as all members had received a copy of the minutes of the May 8, 2000 meeting, the reading of the minutes would be omitted. He asked if there were any corrections or comments, there being none the minutes were adopted as submitted.

Town Clerk Carmella C. Budkins swore in Jill Winningham, a new member in District 6 and the new members, Joseph Robinson and Melinda May, in District 12 were sworn in at their district meeting.

Alice Melly, chairman of the Board of Estimate and Taxation, introduced Edward Gomeau, the newly appointed comptroller.

The Moderator suggested a motion to suspend the rules and combine Items 3-6, 8, 9, 11-16, & 18 and to consider separately Items 1, 2, 7 & 17. The Moderator announced that Item No. 10 had been withdrawn.

Motion Carried

The Moderator introduced Lina Musayev, a student at Greenwich High School and one of thirteen representatives from Greenwich to the Boys and Girls State Program run by the American Legion.

Ms. Musayev took over the chair to handle the first item on the call.

Ms. Musayev announced that Item No. 1 on the call was now before the meeting.

Clifford Frost, chairman of the Board of Assessment Appeals, offered the following resolution, which was duly moved and seconded, regarding Item No. 2.

RESOLVED, that the sum of $7500 is hereby appropriated to be added to Board of Assessment Appeals Account 136-149, and also the sum of $200 is hereby appropriated to be added to Board of Assessment Appeals account 136-211.
The vote was now on Item No. 1.

In Favor - 165
Against - 2
Abstentions - 2

Item Carried

After the vote on Item No. 1 was announced Ms. Masayev turned the chair back to Mr. Byrne.

The Moderator announced that Item No. 2 on the call was now before the meeting.

Louis C. Caravella, Tax Collector, offered the following resolution, which was duly moved and seconded, regarding Item No. 2.

Resolved, that the following Article 3 Collections §§12-8 through 12-13 be added to the Town Code as follows:

CHAPTER 12. TAXATION.
ARTICLE 3. COLLECTIONS.

Sec.12-8. Withholding of Licenses and Permits for Failure to Pay Personal Property Taxes.

As authorized by 12-146a, any department or official of the town, including the department of health, shall withhold or revoke any license or permit, issued by such official or department, to operate a business enterprise if any taxes levied by the town against personal property used in such business enterprise are delinquent and have been so delinquent for a period of not less than one year, as certified by the tax collector to such department or official

Sec.12-9. Withholding of Municipal Payments for Failure to Pay Property Taxes.
As authorized by General Statutes §12-146b, the comptroller shall withhold any payment, or portion hereof, due to any business enterprise pursuant to any contract with the town, if any taxes levied by the town against any property owned by such business enterprise are delinquent and have been so delinquent for a period of not less than one year, provided no such amount withheld shall exceed the amount of tax, plus penalty and interest, certified by the tax collector to the comptroller to be outstanding at the time of withholding.

Sec. 12-10. Withholding Approval of Building Application.
As authorized by General Statutes §7-148(c)(2)(B), the building official shall withhold approval of a building application when taxes, sewer charges or assessments are delinquent for the property for which an application was made, as certified by the tax collector to the building official.

Sec. 12-11. Assignment of Liens.
As authorized by General Statutes §12-195h the tax collector may submit to the Board of Estimate and Taxation, for approval and recommendation to the Representative Town Meeting, assignments of liens, that have been filed by the tax collector to secure unpaid taxes on real property, for consideration negotiated by the tax collector. Upon approval by resolution of the Representative Town Meeting, the assignee shall have the powers, precedence, priority and rights to enforce the lien as are provided therefore in the General Statutes.

Sec. 12-12. Property Tax Under Five Dollars; Waiver.
As authorized by General Statutes §12-144c, the tax collector shall waive any property tax due in an amount less than five dollars. All refunds of property taxes less than five dollars shall be waived unless demand therefore is made in writing on the tax collector within one year of being due.

As authorized by the general provisions of General Statutes §7-148(c)(2)(B), the only acceptable forms of payment of delinquent taxes on motor vehicles shall be by cash, certified check or money order.

Joshua Brown, chairman of the Finance Committee, made a motion, on behalf of the committee, to amend the resolution in Sec 12-12 by inserting the word “deemed” in the third line just before the word “waived”.

The motion was approved by unanimous consent.

James Bouelle of District 10 made a motion, which was duly moved and seconded, to limit debate to three minutes per speaker except for the proponent and principal opponent of the motion (the latter to be determined by the Moderator) who shall be entitled to speak for ten minutes.
Motion Carried

Dr. Carl G. Carlson of District 1 raised a point of order that he should be recognized as the “principal opponent” of Item 2 for the purpose of being able to speak for ten minutes.

The Moderator ruled that the Point of Order was not well taken.

The vote was now on Item No. 2 as amended.

In Favor - 150
Against - 21
Abstentions - 4

Item Carried

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

Marcos Madrid, Commissioner of Public Works, offered the following resolution, which was duly moved and seconded, regarding Item No. 3.

Whereas the Representative Town Meeting, at a meeting held June 10, 1996, approved an appropriation of $999,000 for Public Works – Sewer Improvement Fund Account Number 591-100-9002 “Sewer Line Infiltration Inflow Identification Program”, and at a meeting held May 11, 1998 approved a resolution authorizing the First Selectman to apply for and accept grants from the State’s Clean Water Fund to finance the cost of the appropriation; and

Whereas the Board of Estimate and Taxation approved the use of the appropriation for the sewer infiltration/inflow reduction project, including feasibility studies and design and construction of remediation measures including the rehabilitation of sewers and manholes in the Byram, Willowmere, Keoeffe, Husted areas and the Bruce Park Pump Station and portions of Old Greenwich in the Town of Greenwich, and has approved borrowing from the State to finance part of the appropriation; and

Whereas the State is willing to provide an aggregate $880,845 grant and low interest 2% loan to reimburse the Sewer Improvement Fund for a portion of the program’s costs; and

RESOLVED

That the appropriation of $999,000 for the sewer infiltration/inflow reduction program approved by the Board of Estimate and Taxation is confirmed and ratified.
a. That the appropriation shall be funded by grants and loans from the State in an aggregate amount up to $880,845 and the remainder from the Sewer Improvement Fund.

b. That the issuance of sewer bonds in an amount not exceeding $880,845 is authorized; all details of the sewer bonds shall be determined by the Board of Estimate and Taxation or those persons to whom the Board delegates such powers; such sewer bonds shall be issued in accordance with, and subject to, the provisions of the Town's Charter and the General Statutes of Connecticut, as amended, and the proceeds of any such sewer bonds be used, first to retire any sewer notes issued under the authorization contained in Section (d) below, and to pay interest thereon.

c. That the issuance and renewal of sewer notes in an amount not exceeding $880,845 is authorized; all details of the sewer notes shall be determined by the Board of Estimate and Taxation or those persons to whom the Board delegates such powers; such sewer notes shall be issued in accordance with, and subject to, the provisions of the Town's Charter and the General Statutes of Connecticut, as amended.

d. That the determination of the Board of Estimate and Taxation that the net cost of the Project be reimbursed 50% from a tax to be levied upon property in the Town's Sewer District upon the basis of the assessed valuation of the land and improvements thereon and 50% from the Town's General Fund, is hereby approved.

e. That under the provisions of the General Statutes of Connecticut, Chapter 446k, Water Pollution Control, the First Selectman is authorized to apply for and accept grants and low interest loans from the Connecticut State Department of Environmental Protection for purposes of the sewer project and to execute agreements with the State of Connecticut for grants and low interest loans to finance the costs of the project.

f. That this resolution shall not lapse, but shall remain in full force and effect until the project is completed, all payments made and all borrowings and grant requirements completed.

The vote was now on Item No. 3.

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Item Carried
James Boutelle of District 10 made a motion, which was duly moved and seconded, to suspend the rules and take up Item No. 17 out of order before the rest of the combined items.

Motion Carried

The Moderator announced that Item No. 17 on the call was now before the meeting.

Fire Chief Daniel Warzoha offered the following substitute resolution, which was duly moved and seconded, regarding Item No. 17.

RESOLVED, that the proposed Tax Abatement for Volunteer Firefighters Ordinance, submitted herewith is adopted and made a part of the Town of Greenwich Municipal Code.

TAX ABATEMENT FOR VOLUNTEER FIREFIGHTERS

Sec._____. Findings.

The Representative Town Meeting of the Town of Greenwich finds and determines as follows:

(a) The Volunteer Firefighters of the Amogerone, Volunteer, Cos Cob, Byram, Glenville, Sound Beach, Round Hill Volunteer, and Banksville Independent volunteer fire companies provide an invaluable service to the Town of Greenwich (hereinafter "the Town").

(b) The Town wishes to show its appreciation to the volunteer firefighters for their dedication to performance of their duties.

(c) The Town is authorized, pursuant to Public Act 99-272, Section 6, to provide for an abatement of property taxes for its volunteer firefighters.

(d) This tax abatement, coupled with the Town’s current incentive programs, will serve as an additional tool for attracting new volunteers to the fire service.

(e) This tax abatement will also play an instrumental part in the retention of volunteers, since their continued participation in the volunteer fire service has a direct financial impact on them.

(f) This tax abatement will also serve to establish a performance-standard benchmark, since volunteers will be required to participate at a certain level in order to benefit from the program.

Sec._____. Tax Abatement for Volunteer Firefighters.

(a) In accordance with Public Act 99-272, Section 6, there is hereby established an abatement of municipal property taxes of one thousand ($1,000.00) dollars per fiscal year
for qualifying members of the Amogerone, Volunteer, Cos Cob, Byram, Glenville, Sound Beach, Round Hill Volunteer and Banksville Independent volunteer fire companies.

(b) A qualifying member is herewith defined as a volunteer firefighter in good standing as determined by the Chief of the Greenwich Fire Department, pursuant to the accountability criteria established by the Greenwich Fire Department (excluding honorary members), who is a resident of the Town, and has submitted a written statement, certified to by the Volunteer District Chiefs, which includes the name and address of the firefighter, and states that he/she has served as a volunteer firefighter for the immediately preceding calendar year, (not including departmental leave, military service, or injury under workers' compensation) so as to qualify said member for said abatement for each fiscal year.

(c) The Chief of the Greenwich Fire Department shall compile a list of all qualifying members and submit said list to the Greenwich Tax Assessor by April 1 of each year.

(d) Any real and/or personal property taxes owed to the Town by such volunteer firefighter shall be abated in an amount equal to the lesser of one thousand ($1,000.00) dollars or the total amount of real and/or personal property taxes owed to the Town for such fiscal year.

(e) The tax abatement shall be applied first to real property taxes owed by the qualifying member, or if there is no real property, or if it is not of sufficient value to accommodate the full allowable credit, then to any other personal property taxes owed by the qualifying member. Failure to make use of this tax abatement because of Grand List property of insufficient value shall not be construed so as to create any carry-over Tax Abatement credit for use in subsequent fiscal years. This tax abatement shall terminate at the end of the fiscal year in which a qualifying member dies. The sale or transfer of any Grand List property by a qualifying member shall disqualify said property from abatement application for the remainder of the then fiscal year, on a pro-rata basis.

(f) The tax abatement under this ordinance shall be applicable for any real property and/or personal property of a volunteer firefighter eligible for such abatement whether such property is owned individually, jointly or as tenant in common with one or more persons.

(g) The Tax Collector of the Town shall maintain a record of all taxes abated in accordance with this ordinance.

(h) This ordinance shall take effect and shall be applicable to taxes owing beginning with taxes on the Grand List of October 1, 2009.

FURTHER RESOLVED, that such Ordinance become effective thirty (30) days after publication thereof.

M. Richard Meyers, vice chairman of the Legislative & Rules Committee, made a motion, on behalf of the committee, to amend the resolution, in the last section, paragraph f, third line after the word "individually" delete the coma and the rest of the sentence and insert the words "or jointly with a spouse or domestic partner."

The vote was now on the Legislative & Rules Committee amendment.
In Favor  -  13
Against   -  161
Abstentions -  1

Amendment Lost

Nicholas Fortunato of District 12 raised a Point of Order that he should be recognized as the "principal opponent" of Item 17 for the purpose of speaking for ten minutes. The Moderator ruled that the Point of Order as not well taken. The Moderator explained the interpreted "principal opponent" to be that individual or department representative against whom the resolution or motion was directed, because Mr. Fortunato has no special status other than as a general taxpayer, the Moderator ruled he did not qualify as the "principal opponent" as the Moderator interpreted that term.

The vote was now on Item No 17 as it appeared on the call.

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Item Carried

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

Marcos Madrid, Commissioner of Public Works, offered the following resolutions, which were duly moved and seconded, regarding Items 4, 5 & 6.

RESOLVED, that the sum of $232,000 be and the same is hereby appropriated to be added to Public Works' Account No. 345-999-9901, known as "Underground Fuel Tank Removal Program."

RESOLVED, that the sum of $65,000 be and the same is hereby appropriated to be added to Public Works' Account No. 317-956-2001 Parking Fund, known as "Greenwich Plaza Lighting Replacement."
RESOLVED, that the sum of $15,000 be and the same is hereby appropriated to be added to Public Works’ Account No. 345-956-2015, known as “Police Administration Building — Air — Conditioning Unit.”

Carol Shattuck, Assistant to the First Selectman, offered the following resolutions, which were duly moved and seconded, regarding Items 8, 9 & 11.

RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed a member of the Alarms Appeals Board for a term expiring 3/31/04.

DOMENICK De FRANCO

RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed an alternate member of the Planning and Zoning Board of Appeals for a term expiring 3/31/01.

BARBARA T. McKELVEY

Substitute resolution:

RESOLVED, pursuant to Public Act No. 95-268, An Act concerning Neighborhood Assistance, the programs set out in the Explanatory Comments and complete applications filed in the Town Clerk’s office are hereby approved for the purpose of encouraging business investments.

Comptroller Edward Gomeau offered the following resolutions, which were duly moved and seconded, regarding Items 12 & 13.

RESOLVED, that the sum of $17,075.35 be and the same is hereby appropriated to be added to accounts identified below:

130-117

Finance Department Payment for Accumulated Vacation Leave $17,075.35
RESOLVED, that the sum of $8,841.79 be and the same is hereby appropriated to be added to accounts identified below:

130-117
Finance Department Payment for Accumulated Vacation Leave $3,951.64
130-123
Finance Department Payment for Accumulated Sick Leave $4,891.15

$8,841.79

Peter Madden, Administrator of Nathaniel Witherell offered the following resolutions, which were duly moved and seconded, regarding Items No. 14 & 15.

RESOLVED, that the sum of $131,302 be and the same is hereby appropriated to be added to Account Numbers identified below:

450-117 Nathaniel Witherell-Payment for Accumulated Vacation Leave $ 51,815.
450-123 Nathaniel Witherell-Payment for Accumulated Sick Leave $ 78,714.
450-125 Nathaniel Witherell-Injury Leave $ 773.

Total $131,302.

RESOLVED, that the sum of $36,000 be and the same is hereby appropriated to the "Maintenance of Building" – 450-405 Account Number.

Fire Chief Daniel Warzhoa offered the following resolution, which was duly moved and seconded, regarding Item No. 16.

RESOLVED, that the sum $10,000 be and the same is hereby appropriated to be added to Account Number identified below:

205-142 Fire Department – Professional Medical & Dental $10,000.00
Carol Shattuck, Assistant to the First Selectman, offered the following resolution, which was duly moved and seconded, regarding Item No. 18.

RESOLVED, that the First Selectman be authorized to execute an agreement on behalf of the Town of Greenwich with The WorkPlace, Inc., concerning the State's regional Workforce Development Board.

The vote was now on the combined items.

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Items Carried.

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

First Selectman Lolly Prince offered the following resolution, which was duly moved and seconded, regarding Item No. 7.

RESOLVED, that the sum of $7000 be appropriated to Account 105-101 - Regular Salaries, to meet payrolls through June 30th.

The vote was now on Item No. 7.

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Item Carried.

There being no further business, The Moderator adjourned the meeting, upon unanimous consent, at 10:05 P.M.

ATTEST:
CARMELLA C. BUDKINS
TOWN CLERK

MINUTES OF June 12, 2006 MEETING