

# Town of Greenwich

## Board of Selectmen Meeting

July 13, 2017

10:00 A.M.

Town Hall Meeting Room

### APPROVED MINUTES

#### **1. The meeting opened at 10:08 A.M. with the Pledge of Allegiance.**

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

The First Selectman greeted and welcomed attendees commenting that it was a Public Meeting of the Board of Selectmen who reserve the right to call on people to pose questions and make comments. Mr. Tesei also explained that the Board would hold a hearing on a proposed Municipal Improvement referral for construction of a bathroom at Greenwich Point, and that the review process involves holding a hearing at one meeting, followed by a vote at a subsequent meeting. Mr. Tesei said that he needed a motion to add to the agenda under Executive Session, discussion of Pending Litigation.

Mr. Toner made a motion to add Discussion of Pending Litigation to the Executive Session section of the agenda. Following a second by Mr. Marzullo, the motion was approved unanimously.

#### **2. Approval of Minutes**

- a. Minutes of the Regular Board of Selectmen meeting held on June 29, 2017 were moved for approval by Mr. Toner, seconded by Mr. Marzullo. The motion passed unanimously.

#### **3. First Selectman's Updates**

- a. Before presenting his updates, Mr. Tesei explained that the Board of Selectmen are required by Charter to meet once a month and that the First Selectman keep fellow Board members updated.
- b. Mr. Tesei said residents celebrated the Town's legacy as part of the celebration of Independence Day with the annual ceremony as planned by our Ambassador at large, Bea Crumbine. Hundreds of residents attended, including several descendants of the Town's founding families. After 13 years, Ms. Crumbine is stepping down as chair/organizer of the July 4 celebration. U.S. Senator Richard Blumenthal paid tribute to Bea's continuing contributions to the Town with the presentation of a flag that had been flown over the U.S. Capitol.
- c. Mr. Tesei met with several representatives of 'Bring Your Own Bag' – a local effort to promote the use of reusable bags and reduce the number of plastic bags in the waste stream. He said that the group's representatives will be giving a presentation later in the meeting.

- d. On July 8, Mr. Tesei and Selectman Marzullo were among hundreds of attendees at the Greenwich Point Conservancy's annual Beach Ball which raises money for the restoration of buildings at Greenwich Point Park.
- e. As the Town's Fire Commissioner, Mr. Tesei noted that Greenwich Fire Marshal Shawn McDonnell has notified him of his intent to retire Aug. 1, and thanked him for his service to the Town.
- f. Regarding the Eversource proposal to build a new substation, Mr. Tesei said that he, Deputy DPW Commissioner Jim Michel, and an outside consultant for the Town, met last week with Eversource executive Kathy Shea. Mr. Tesei said the Town remains very adamant in its opposition to Eversource's plan to run transmission lines along the Metro-North Railroad line, and that the Town is ready to spend money to fight the proposal in court.  
Mr. Tesei also said the CT Siting Council will be conducting a drive-thru along the proposed transmission line route later today (July 13). He also said the Town is advocating that the project using a Bruce Park route, be environmentally sensitive, not intrusive during construction, and that upon completion, the park be left in the condition it is now, if not better. Mr. Tesei also said that the Town has intervenor status on the project and that the subject of need is still out there and that there are alternative plans utilizing upgrades to distribution. He described the Town's efforts as Herculean that involves a number of people including DPW, the Greenwich Fire Department, Parks & Rec Department and the state Legislative delegation.
- g. Regarding the water situation, Mr. Tesei said reservoir levels are at about 91% - approximately the same level last year at this time. He said that conservation efforts must continue vis-à-vis, the regulations imposed by Aquarion Water Co., in order to ensure that Town residents have an adequate supply throughout the summer and fall season.
- h. Mr. Tesei said people are overlooking the reservoir capacity and water use. He said June rainfall is two inches below normal and 5 to 6 inches below normal for the year. He will be meeting on Friday with various stakeholders, primarily lead irrigation companies to reiterate the importance of conservation. Mr. Tesei said that the Board of Selectmen are fiduciaries of a public trust and that for-profit businesses are looking to micro-management a resource while the Town is looking at the macro-management to ensure there is adequate potable drinking water for all residents. Conservation Director Denise Savageau said that last year at this time, reservoir levels began dropping more quickly because there was not as much rain in the spring. Mr. Tesei said that enforcement of the water restrictions is being handled by Aquarion.
- i. Mr. Tesei also reminded attendees that Friday, July 14 is Bastille Day and the annual flag-raising ceremony will be held at 8 a.m. at Town Hall.

#### **4. Old Business**

- a. Chairman Bruce Angiolillo, Vice Chair Lile Gibbons and former Chair Frank Mazza of the Harbor Management Committee were attendance to present the draft for approval of the Harbor Management Plan. Mr. Angiolillo said this is the fourth year of the Committee's existence and that the process of drafting a Harbor Management Plan began more than two years ago and involved hearings from various constituencies including the Town, yacht clubs, schools, residents, the Conservation, Public Works and Parks & Recreation

departments. Last Thanksgiving, there was a hearing held to begin drafting a second plan, a plan that was submitted in January to the state Department of Energy and Environmental Protection (DEEP). The new draft Harbor Management Plan reflects changes made in agreement during meetings involving Ms. Gibbons, Mr. Angiolillo, consultant Jeff Stedman, the Army Corps of Engineers, the Connecticut Port Authority and DEEP, Mr. Angiolillo explained. The Harbor Management Committee unanimously approved the draft plan at its July 12, 2017 meeting and all nine members and alternate Committee members indicated support of the plan, Mr. Angiolillo said.

Areas of concern raised by DEEP involved:

- the Special Acts that provide the Board of Selectmen to have review authority of decisions made by the Harbor Management Commission;
- the regulation of docks and in-water structures along Greenwich's 26-miles of coastline. Mr. Angiolillo said that the Harbor Management Plan took that into consideration and developed a series of criteria for docks and in-water structures;
- Home Rule – DEEP voiced concern and ultimately accepted a compromise that allows for Home Rule and local authority to review/approve changes.

Mr. Marzullo questioned whether the Harbor Management Plan addressed the responsibility of the harbormaster, especially with the placement of moorings, etc. Mr. Angiolillo stated the question was effectively addressed, that the Greenwich Harbor Management Plan cannot tell a state official what to do and that if a job description is appropriate, the Harbor Management Commission outline them; that the law allows the Commission to adopt rules including mooring regulations that address the role of the harbormaster.

Mr. Tesei said that with the regulations and the management plan, the Harbor Management Commission will recommend three candidates for Harbormaster and the Governor must select from that field. Without a Harbor Management Plan, the Governor can make his own selection for the Harbormaster position.

Mr. Toner, who has served as the Board of Selectmen ex-officio member of the Harbor Management Committee, said the presentation of the final draft plan for approval was a high point. He said the plan is not perfect just the way the Constitution was not perfect when it was approved in 1789. Those imperfections immediately led to creation of amendments, Mr. Toner said. He added that the Town should see how the plan works, tweak it if necessary, and move forward.

Mr. Toner made a motion to approve the Harbor Management Plan draft. Following a second by Mr. Marzullo, the motion was approved unanimously.

The plan will now be forwarded to DEEP for final approval.

- b. The proposed 2018 Board of Selectmen meeting schedule.

Mr. Toner made a motion to approve the proposed meeting schedule. Following a second by Mr. Marzullo, the motion was approved unanimously.

- c. Greenwich Point Marina restroom. The Board agreed to hold a special meeting at 9 a.m. Wednesday, July 19 at the Chimes Building at Greenwich Point to review and discuss the proposed restroom facility.

## **5. New Business**

- a. Greenwich Fire Chief Peter Siecienski introduced Deputy Chief Brian Koczak and presented him with his certificate for successfully completing the four-year the U.S. Fire Administration's National Fire Academy Executive Fire Officer training. In addition to spending time at the Center, Deputy Chief Koczak conducted a 6-month project each year of the program. He joins two other Greenwich Fire Department staff members who have earned this certification that is achieved by less than 1% of all firefighters in the United States. Deputy Chief Koczak thanked Chief Siecienski, Assistant Chief Robert Kick and the Town for allowing him the time to complete the program, as well as his family, who was in attendance, for their patience during the four years of study.
- b. Mr. Tesei introduced what he described as another citizen driven project – Bring Your Own, a reusable bag initiative that is designed to phase out single-use plastic bags over a six-month period in town. The program and ordinance is modeled after a similar program adopted by the Town of Westport in 2009. Making the presentation were Meline Dickson, Maryshaw Marks, Claire Werner O'Brien, Carol deWaal, Urling Searle, Jeanine Getz.  
Plastic bags would be replaced by reusable bags sold for 25 cents each by local supermarkets. Mr. Marzullo asked if there would be provisions for families received WIC aid. The representatives said the bags would be distributed free of charge.  
The women also said there are approximately 150 municipalities across the country with similar ordinances including Rye and Mamaroneck, NY and that Town of New Canaan is considering it. Mr. Marzullo also asked why the State did not tax the use of plastic bags. State Rep. Livvy Floren the effort failed when the State could not agree upon which state agency should receive the money.  
Ms. Dickson asked the Selectmen for their support so they could present their initiative to the Representative Town Meeting in September. Mr. Tesei said the board can give an indication to be support and ask the Legal Department to assign an attorney to work them and RTM committees.

Mr. Tesei made a motion to advance the reusable bag ordinance that was seconded by Mr. Marzullo. It was unanimously approved.

## **6. Appointments and Nominations**

Mr. Toner made a motion to nominate Tom McGarrity to the Parks & Recreation Commission, for a term expiring March 31, 2019. The nomination was seconded by Mr. Marzullo and unanimously approved.

The Board then took a 10-minute recess.

## 7. Executive Session

Mr. Toner motioned to enter into executive session at 11:47 A.M., seconded by Mr. Marzullo, the Board voted 3-0 in favor.

Present in Executive Session were: J. Wayne Fox, Town Attorney; Assistant Town Attorneys John Wetmore and Gene McLaughlin; and Board of Education member Dr. Gaetane Francis.

Mr. Toner moved to exit Executive Session at 12:29 P.M., seconded by Mr. Marzullo, the Board voted 3-0 in favor.

- a. Settlement of Docket No. HHB CV 16-6034443S-Parcel No. 10-1337 v. Town of Greenwich for a tax credit of approximately \$12,198.

Upon a motion by Mr. Toner seconded by Mr. Marzullo, the Board voted 3-0-0 in favor of the settlement.

- b. Settlement of Docket No. HHB CV 16-603460S-Parcel No. 06-1631/S v. Town of Greenwich for a tax credit of approximately \$1,310.

Upon a motion by Mr. Toner seconded by Mr. Marzullo, the Board voted 3-0-0 in favor of the settlement.

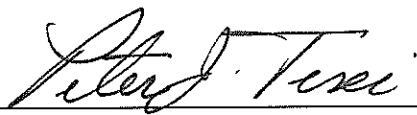
- c. Settlement of Docket No. FST CV 16-60290043S-Parcel No. 10-3160 v. Town of Greenwich for a tax credit of approximately \$3,137.

Upon a motion by Mr. Toner seconded by Mr. Marzullo, the Board voted 3-0-0 in favor of the settlement.

## 8. Adjournment

Mr. Toner motioned to adjourn at 12:32 P.M.; seconded by Mr. Marzullo, the Board voted 3-0 in favor.

The next Regular Meeting of the Board of Selectmen is scheduled on Thursday, July 27, 2017 at 10:00 A.M. in the Town Hall Meeting Room.

  
Peter J. Tesei First Selectman

  
Prepared by Barbara A. Heins  
Recording Secretary