



Pursuant to the foregoing notice a regular Representative Town Meeting of the Town of Greenwich was held in the Moderator's Hall of Central Middle School on Monday September 15, 2003 at 8:00P.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 166 present, 63 absent and no vacancies.

The Moderator announced that as all members had received a copy of the minutes of the June 9, 2003 meeting and the special July 14, 2003 meeting , the reading of the minutes would be omitted. He asked if there were any corrections or comments regarding the July minutes, there being none, the minutes were adopted by unanimous consent. The Moderator then asked if there were any corrections or comments regarding the June minutes.

Mary Ferry of District 5 noted that Item No. 4 on page 6 was not as it appeared on the June call (the underlining should be deleted; dashes and equal signs should be deleted; in Sec 21(a) line 2 the word "department" is crossed out, should be deleted. The technical corrections by the Legislative & Rules Committee should state they were adopted by unanimous consent.

The corrections to the June minutes were adopted by unanimous consent and Item No. 4 should now read as follows.

**Resolved, that Sections 21 and 91 of the Town of Greenwich Charter be and the same are hereby amended to read as follows:**

**Sec. 21. Annual Budget [reports] and Operations Plans.**

(a) **By Departments, Divisions and Officers.** The head[s] of [all] each department[s, officers or] and division[s] under the supervision and control of the Board of Education, the Board of Health, the Board of Social Services, [and] the Board of Estimate and Taxation **and the First Selectman and all other officers and boards of the Town** shall annually prepare and submit to **their supervising authority** [such boards, respectively,] **a proposed budget report and an operations plan** presenting the proposed financial **and operational** plans [of such departments, officers or divisions] for the ensuing fiscal year[, including detailed estimates]. **The proposed budgets shall be presented at such time, in such form and with such content as shall be prescribed by the Board of Estimate and Taxation and shall contain such additional information as is requested by the First Selectman or the Board of Estimate and Taxation. Such proposed budgets shall include a detailed estimate** of the amount of money which will be required to meet the obligations of the Town [in] for such **board, department[s], office[rs] or division[s]** and] to provide for [their] **its** expenses for the ensuing fiscal year,

shall list capital requests separately from operating expenses and shall identify capital items that are anticipated to be requested within at least the next five fiscal years but are not being requested at the present time. The operations plans shall set forth in such form as shall be prescribed by the First Selectman, a concise and comprehensive report of the administrative activities of the board, department, division or office showing services, activities and work accomplished during the current year and to be accomplished in the ensuing fiscal year. Such operations plans shall contain a table of organization for the agency preparing it and shall list any changes in personnel proposed in the budget request for the ensuing fiscal year. [The heads of all departments under the supervision and control of the First Selectman shall annually prepare the submit such reports to the First Selectman for review and revision by him. Such budget reports shall be made at the time and in the form prescribed by the Board of Estimate and Taxation.]

(b) **Review and Revision by First Selectman.** Upon completion of their review, and at such time as shall be prescribed by the First Selectman, such boards, departments, divisions and officers of the Town, shall submit such proposed budgets and operations plans to the First Selectman. The First Selectman shall review all proposed budgets received and shall make such revisions and modifications in such proposed budgets as the First Selectman deems necessary or appropriate, except for the operations budget submitted by the Board of Education, and, unless requested by the Board of Estimate and Taxation, except with respect to fixed charges as proposed by the Board of Estimate and Taxation. The First Selectman shall review all operations plans received and shall make such revisions and modifications in such operations plans as the First Selectman deems necessary or appropriate, except for those submitted by the Board of Education and the Board of Estimate and Taxation and, with respect to those plans submitted by departments, boards or officers not under the supervision and control of the First Selectman, only after consultation with such department, board or officer affected. Revisions and modifications to such proposed budgets or operations plans by the First Selectman shall not be such as to prevent any Town officer or board from performing or exercising any power, duty or obligation specified or mandated by Town Charter or state statute. In connection with such reviews, the First Selectman shall (1) develop goals and objectives and establish priorities for spending for the ensuing fiscal year; (2) establish priorities with respect to recommended capital spending for all Town agencies; and (3) develop a long range capital spending plan.

[(b)] [c] **Submission to the Board of Estimate.** On or before December 1 in each year, or at such other time as the Board of Estimate and Taxation shall prescribe, the First Selectman, for and on behalf of said boards, departments, divisions and offices [and the Board of Selectmen, the Board of Education, the Board of Health, the Board of Social Services, and all other officers and boards of the Town,] and the Board of Education, shall [prepare and] submit to the Board of Estimate and Taxation [a budget report] such proposed budgets, as revised, with such comments as are appropriate, presenting [their] the proposed financial plans for [the] said boards, departments [under their supervision and control], divisions and offices for the ensuing

fiscal year, including detailed estimates of the amount of money which [the Town] will [require] be required to [meet its obligations in such departments and] provide for [the] anticipated operating and capital expenses [of such departments] for the ensuing fiscal year[]; provided, for good cause shown, the Board of Estimate and Taxation may extend the above submission date for the Board of Education for a period not to exceed thirty days. Such budget report shall be made in the form prescribed by the Board of Estimate and Taxation]. **Such proposed budgets shall be in such form as the Board of Estimate and Taxation shall prescribe. Nothing in this section shall be construed as preventing any board or officer from submitting a request for addition to, or reinstatement of, any item omitted from, or deleted from its budget directly to the Board of Estimate and Taxation in accordance with procedures prescribed by said board.**

[(c)](d) **Publication of Estimates.** The Board of Estimate and Taxation shall, on or before April 10 in each year, cause to be published in a newspaper published in the Town, a summary of such estimates.

### **Sec. 91. Commission budget.**

On or before December 1 in each year, **or at such other time as the Board of Estimate shall prescribe**, the Commission shall prepare and submit [to the Board of Estimate and Taxation] a budget request presenting its requirements for the ensuing fiscal year **in accordance with Section 21.** [Such budget request shall be made in the form prescribed by the Board of Estimate and Taxation.] The Commission may accept gifts for its purposes, but all of its expenditures, exclusive of such gifts, shall be within the amounts appropriated for its purposes.

(additions **bold**; deletions [brackets])

The foregoing proposal for home rule action requires an affirmative vote of a majority of the entire membership of the Representative Town Meeting and approval at a referendum.

On page 14 of the June minutes, the Moderator noted that the Appointments Committee motion to postpone should have noted that the motion lost.

First Selectman Richard Bergstresser presented an update on the Town's web site and said that the town meeting would be taped for viewing at a later date on the government access channel 79.

Robert Richardson, chairman of the Health & Human Services Committee, gave an update on the subcommittee work on the Nathaniel Witherell Board.

The Moderator suggested a motion to suspend the rules and combine items 3,4,6,7 & 8 and to consider separately items 1,2 & 5.

Motion Carried

The Moderator announced that Item No. 1 on the call, postponed from the June meeting, was now before the meeting.

**Resolved, that Section 2 of the Town of Greenwich Charter be and the same is hereby amended to read as follows:**

**Sec. 2. Membership; qualification.**

(a) The Board of Estimate and Taxation shall consist of twelve (12) electors nominated and elected at large. Members shall be sworn, and shall hold office for two (2) years from January 1 following their election and until their successors shall be elected and shall have qualified.

(b) They shall hold no other elective office in the Town government and shall serve without pay.

**(c) Members of the Board of Selectmen shall be ex-officio members, without vote, of the Board of Estimate and Taxation.**

(Additions in **bold**).

The foregoing proposal for home rule action requires an affirmative vote of a majority of the entire membership of the Representative Town Meeting and approval at a referendum.

James Boutelle of District 8 made a motion to amend the item as follows:

Sec. B – delete the words “shall be taxpayers,” and the coma after the word “government”.

Franklin Bloomer, Jr. raised a point of order that the motion to amend should not be consider under FOA unless a motion to take it up was first adopted by two thirds majority vote. The Moderator ruled that an identical motion to amend this item was made at the June meeting and there was sufficient notice that such a motion would be raised when the item came up at the September meeting.

Accordingly,the Moderator ruled the point of order not well taken.

The vote was now on the Boutelle motion to amend Item No. 1.

In Favor	-	105
Against	-	59
Abstentions	-	1

Motion Carried

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

In Favor	-	147
Against	-	16

Abstentions - 1

Item Carried

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

Adrienne Singer, Assistant to the First Selectman, offered the following resolution, which was duly moved and seconded, regarding Item No. 2.

**RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed an alternate member of the Planning and Zoning Commission for a term expiring 3/31/05.**

**PAMELA M. FREDERICK**

The vote was now on Item No. 2

In Favor	-	36
Against	-	127
Abstentions	-	2

Item Lost

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

Adrienne Singer, Assistant to the First Selectman, offered the following resolution, which was duly moved and seconded, regarding Item No. 3.

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

**MARTIN KAGAN**

Thomas Greco of the Parks & Recreation Department offered the following resolution, which was duly moved and seconded, regarding Item No. 4.

**RESOLVED, that the Town of Greenwich and the Griffith E. Harris Golf Course accept a gift of scorecards valued at approximately \$3,500 from the "Friends of the Griffith E. Harris Golf Course".**

Adrienne Singer, Assistant to the First Selectman, offered the following substitute resolution, which was duly moved and seconded, regarding Item No. 6.

**RESOLVED, that the Town of Greenwich authorize the First Selectman to execute the agreements, together with all related documents, concerning the State grant of \$175,000.00 in connection with the Bruce Museum Expansion Project- Planning with (i) the State of Connecticut, Department of Economic Development and (ii) Bruce Museum, Inc. Said grant to become an appropriation to be added to Account No. F 801-57210 subject to disbursement pursuant to the terms of said agreements.**

Adrienne Singer, Assistant to the First Selectman, offered the following resolution, which was duly moved and seconded, regarding Item No. 7.

**RESOLVED that the Town of Greenwich continue to accept grants from the Area Nine Cable Council (ANCC), which provides the Town with funds to purchase and upgrade equipment and associated services necessary to communicate with its citizens over a government-access television channel. Grants are passed to Greenwich through the Area Nine Cable Council from SNET Personal Vision and Cablevision.**

Caroline Baisley, Director of Health, offered the following resolution, which was duly moved and seconded, regarding Item No. 8.

**RESOLVED, that the Town of Greenwich accept a gift of a piece of laboratory equipment, a microcentrifuge, from Time for Lyme, Inc., to be used solely for the Health Department Laboratory's tick testing program.**

The vote was now on the combined items.

In Favor	-	162
Against	-	2
Abstentions	-	1

Items Carried

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

Adrienne Singer, Assistant to the First Selectman, offered the following substitute resolution, which was duly moved and seconded, regarding Item No. 5.

**RESOLVED, that the following tax abatement relief for surviving spouses of Police and Firemen be approved and enacted by the Representative Town Meeting.**

#### **ARTICLE 5.**

#### **TAX ABATEMENT FOR SURVIVING SPOUSES OF POLICE OFFICERS AND FIREFIGHTERS**

The Representative Town Meeting ("RTM") of the Town of Greenwich ("the Town") finds and determines as follows:

- (1) The Greenwich police officers and firefighters provide a valuable service to the Town.
- (2) The Town wishes to honor those police officers and firefighters employed by the Town who die while performing their duties as police officers or firefighters during their scheduled working hours. Scheduled working hours shall include overtime.
- (3) Pursuant to Connecticut General Statutes Section 12-81x, the Town is authorized to provide for an abatement of real property taxes with respect to real property owned by the surviving spouse of a police officer or firefighter employed by the Town who dies while performing his duties for the Town during his scheduled working hours, which real property is occupied by the surviving spouse as his principal residence at the time of the police officer's or firefighter's death.

#### **Section 12-17 Tax Abatement for Surviving Spouse of Police Officers and Firefighters.**

- (a) In accordance with Connecticut General Statutes Section 12-81x, there is hereby established effective October 1, 2003, an abatement of 100% of municipal real property taxes due with respect to real property owned by the qualifying surviving spouse of a police officer or firefighter employed by the Town who dies on or after the date of approval of this Resolution by the RTM, while performing his duties for the Town during his scheduled working hours, which real property is occupied by the surviving spouse as his principal residence at the time of the death.
- (b) This tax abatement will remain in effect **as long as the property is occupied by the surviving spouse as his principal residence and** until the surviving spouse remarries or until the spouse conveys his interest in the subject residence.

- (c) A "qualifying surviving spouse" means the person who was married to the police officer or firefighter employed by the Town at the time of his death and who owns and occupies as his principal residence **real property in the Town** at the time of the police officer's or firefighter's death.
- (d) The Chiefs of the Greenwich Police Department and Greenwich Fire Department shall compile a list of all qualifying surviving spouses and submit this list to the Greenwich Tax Assessor no later than April 1 of each year.
- (e) Upon the death of any person entitled to tax relief pursuant to this Section, the tax relief hereunder shall end the following June 30.
- (f) If any person is entitled to a tax abatement hereunder conveys the property with respect to which the tax abatement hereunder has been granted, the tax relief shall be suspended as of the date of conveyance and the non-qualifying purchaser of such property shall pay the Town a prorated share of taxes thereby due and owing as provided by Connecticut General Statutes Section 12-81a.
- (g) The property tax relief provided for in this Section [may] **shall**, in any case where title to real property is recorded in the name of the qualifying surviving spouse and any other person or persons, be prorated to reflect the fractional portion of such qualifying spouse or, if such property is a multiple family dwelling, such relief [may] **shall** be prorated to reflect the fractional portion of such property occupied by the qualifying spouse.
- (h) Persons qualifying in accordance with this Section shall be eligible if they are unit owners and occupiers of a cooperative. The amount of annual property tax relief in accordance with this Section to any such person shall be determined in relation to an assumed amount of property tax liability applicable to the assessed value for the dwelling unit which such person owns and occupies as determined by the assessor which may be based on the number of cooperative shares attributable to the unit compared to the total number of shares in the cooperative. For purposes of this Section, the assessor shall determine the assumed value for the dwelling unit of each such person who is otherwise eligible under this Section, but such determination shall not constitute a tax bill for purposes of property taxation of such cooperative or any individual dwelling unit thereof. Annually not later than the 1st day of June, the assessor, upon receipt of an application for such relief, shall determine, with respect to the assessment list of the assessment year commencing October first immediately preceding, the portion of the assessed value of the entire cooperative, as included in such assessment list, attributable to the dwelling unit occupied by such person. The assumed property tax liability for purposes of determining the amount of such relief shall be the product of such assessed value and the mill rate in such municipality as determined for purposes of property tax imposed on said assessment list for the assessment year commencing October first immediately preceding. The amount of relief to which such person **shall be entitled** shall be equivalent to the amount of tax reduction for which such person would qualify, considering such assumed property tax liability to be the actual property tax application to such person's dwelling unit and such person as liable for the payment of such tax.



(i) The tax collector and tax assessor shall prescribe with regard to their respective duties under this Section, such forms and procedures as may be necessary to implement this Section. The assessor, in addition, shall take such steps necessary to satisfactorily establish the facts as to the qualifying surviving spouse's interest in the property, by requesting such documents as the assessor deems necessary. This documentation shall not be open to the public inspection.

(j) The tax collector of the Town shall maintain a record of all taxes abated in accordance with this Article

(k) This Article shall take effect and be applicable to taxes owing beginning with taxes on the Grand List of October 1, 2003.

**additions are in bold**

deletions are [underlined within brackets]

Mary Romeo , vice chairman of the Town Services Committee, made a motion, on behalf of the committee, to refer this item to a special committee, to be appointed by the Moderator, made up of members of the Town Services, Finance and Legislative & Rules Committees, to review this item and bring it back to the RTM in December.

The vote was now on the motion to refer.

Motion Carried

There being no further business, the Moderator adjourned the meeting, upon unanimous consent, at 9:50 P.M.

ATTEST:  
CARMELLA C. BUDKINS  
TOWN CLERK