



Pursuant to the foregoing notice, a regular Representative Town Meeting of the Town of Greenwich was held on Monday, September 19, 2011 at 8:00 P.M. (E.D.S.T.) in the Moderator's Hall of Central Middle School.

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

William Sadock, a student at Greenwich High School and delegate to the 2011 Boys' and Girls' State program, led the members in the pledge of allegiance to the flag.

Town Clerk Carmella C. Budkins swore in Michael L. Spilo a new member in District 11.

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

Attendance cards were presented showing 192 present, 32 absent and 6 vacancies. The members absent in District 1 – Dean L. Goss, Timothy R. Graham, Frederick Lee, Jr., Ennala Ramcharandas, Christine M. Rossi; District 2 – Meredith Relyea; District 3 – Mercedes Blackson, Claudia Velez; District 4 – William J. Clark, Alexander J. Popp, Jr., Maria M. Popp, Samarpana Tamm; District 5 – Ronald Lenihan, Timothy D. Oberweger; District 6 – Charlene M. Barnes, Coline Jenkins; District 7 – Amy H. Bibb, Timothy P Harkness; District 8 – Jennifer M. Danzi, Steven A. Gordon, Steven D. Gross, Martin G. Mattler, Stephen Ng; District 9 – Andrew H. Bernstein, Robert V. Lichtenfeld; District 12 – Karl W. Bylciw, Anthony R. D'Ascoli, David L. DeMilhau, Robert C. Liflander, Edward M. Manganiello, Gregory W. Schulte, Robert H. Stafford, III. District 10 and District 11 had perfect attendance

The Moderator recognized Erford E. Porter, II, who introduced the delegates to the Boys and Girls State program, a week long "learn by doing program" in civics and government held in Hartford. The delegates were selected by the American Legion and the co-chairmen for Greenwich were Mr. Porter and Livvy Floren, State Representative for the 149<sup>th</sup> District. The delegates for 2011 were Michael Chronert, Luke Cochran, Luke Cofer, Patrick Dillon, Emma Freeman, Alicia King, James O'Sullivan, Gwen Pfetsch, Andrew Reynolds, William Sadock and Michelle Socher.

The Moderator announced that as all members had received a copy of the minutes of the June 13, 2011 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 by unanimous consent.

Mary Ferry, Chairman of District 5, offered the following recognizing the contributions and service of the late Dr. James Innes.

District 5 asks that you join us in celebrating the life of Dr. James W. Innes, who died on August 29<sup>th</sup>.

Jim was elected to RTM in 1976 and served for 30 years. At various times he was a member of the Education Committee, of the original Cost Containment Committee which became the Budget Overview Committee, and of the Public Works Committee, of which he was a chairman for a number of years.

In addition to his RTM service, Jim was Chairman of the Sidewalk Committee, which is now the Pedestrian Safety Committee, and served on the Board of Ethics, the Community Development Committee, on the Riverside Association Board of Governors for over ten years, on the Board of Education, and on the vestry of St. Paul's Episcopal Church. He was a popular volunteer at the Riverside Elementary School, where he helped children learn to read. All of this in addition to having had a full time medical practice.

According to his obituary in the Greenwich Time, "Dr. Innes practiced Internal Medicine and Gastroenterology in Greenwich from 1964 to 1997. During those years he held multiple leadership positions in local, state and national medical organizations, as well as being active in medical education".

On January 20, 2011 Jim was honored by the Riverside Association and the Town of Greenwich at the Riverside Association's Annual Meeting, where First Selectman Peter Tesei presented Jim with a Proclamation saying that January 20, 2011 was "Dr. James Innes Day".

Jim was a very talented and giving person who will be missed by his family, his friends and his colleagues.

Mr. Moderator, we ask that these remarks be included in the minutes and that a copy be sent to his wife, Ellie.

The members stood for a moment of silence in memory of Dr. Innes.

Valerie Stauffer, Chairman of District 7, offered the following honoring Roger Lourie for his contributions and service.

My very special friend, Roger H. Lourie has served as a member of District 7 for twenty-five years and now is stepping down. During his tenure, he has contributed dedication, sound judgment, and leadership to our Representative Town Meeting.

During the past eight years, he has been the Vice Chair of our district. Many of our newer RTM members may not realize that Roger held the position of Moderator Pro Tempore for four years when David Tobin was the Moderator. In 1994-95 Roger chaired the Special Committee to evaluate the RTM. From that committee came the recommendation to eliminate the Building Committee and the combining of the Health and Social Services committees. Not one to take the easy path regarding RTM activities and organization, he served again on the 2010 Special Committee.

Roger contributed his business skills and experience to both the Budget Overview and to the Finance Committee, on which he served as vice chair. He also worked behind the scenes on a variety of district and RTM initiatives.

He brought up four children in Greenwich and had a successful career in publishing and financial management while simultaneously serving on volunteer organizations. Roger has had a special interest and leadership role in the organization now known as Abilis.

While not sailing or spending time at his vacation home in Sharon, Roger has generously hosted our famous District 7 parties. In fact, last evening, our district

members and guests exchanged political views while enjoying scenic views of District 7 from the balcony of the home of Roger and his lovely wife Claude.

I will miss Roger's astute wisdom dealing with the expertise and egos of our members; I will miss Roger's gentle nudge during a district meeting to remind me that a speaker has droned on too many minutes; and I will miss Roger's perennial good cheer.

The value of the RTM can be measured by the quality of the members, and Roger has been the gold standard.

I now would like to ask Bill Galvin, the recently elected vice chair of District 7, to escort Roger to the front of the auditorium so that all of us can recognize his contributions to District 7, the Representative Town Meeting and to Greenwich.

The members gave Roger a standing ovation.

Pursuant to the RTM rules, the Moderator designated that the following items be placed on the consent calendar - 2-3-4.

The items on the consent calendar are as follows:

**2. RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed as a regular member of the Alarm Appeals Board for a term expiring 3/31/12.**

**JOHN A. SLUSARZ**

**3. RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed a regular member of the Historic District Commission for a term expiring 3/31/12.**

**STEPHEN L. BISHOP**

**4. RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed an alternate member of the Historic District Commission for a term expiring 3/31/16.**

**DARIUS TORABY**

The vote was now on the consent calendar.

In Favor	-	186
Against	-	0
Abstentions	-	0

Items Carried

The Moderator suggested a motion, which was moved and seconded, to suspend the rules and combine items 9 and 10 and to consider separately items 1, 5, 6, 7, 8 and 11.

Motion Carried

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

Christopher vonKeyserling, Chairman of the Appointments Committee, offered the following substitute resolutions regarding Items 9 and 10.

**9. RESOLVED, that the following named person, nominated by the Appointments Committee, be appointed an alternate member of the Flood and Erosion Control Board for a term expiring 3/31/13.**

**PETER J. FINKBEINER**

**10. RESOLVED, that the following named person, nominated by the Appointments Committee, be appointed an alternate member of the Flood and Erosion Control Board for a term expiring 3/31/15.**

**JOHN STANKUNAS**

The vote was now on the combined items.

In Favor	-	187
Against	-	2
Abstentions	-	0

Items Carried

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

Christopher vonKeyserling, Chairman of the Appointments Committee, offered the following resolution, regarding Item No. 1.

**1. RESOLVED, that the following named person, nominated by the Board of Selectmen, be re-appointed a regular member of the Planning and Zoning Commission for a term expiring 3/31/14.**

**PAUL S. MARCHESE**

The vote was now on Item No. 1.

In Favor	-	153
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Against - 30  
Against - 5

Item Carried

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

John Crary, Town Administrator offered the following resolution, which was duly moved and seconded, regarding Item No. 5.

**5. RESOLVED, that the First Selectman is authorized to accept a Homeland Security Grant from the Federal Government for the purchase of a Multi Purpose Public Safety Boat at a cost of \$600,000 and to approve the appropriation of these funds to Fund F, Department 2138 (Police), Object 59250 and Project 12199.**

The vote was now on Item No. 5.

In Favor - 166  
Against - 19  
Abstentions - 3

Item Carried

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

J. Wayne Fox, Town Attorney offered the following substitute resolution, which was duly moved and seconded, regarding Item No. 6.

**6. WHEREAS an application per Section 99 of the Town of Greenwich Charter having been filed by Alan Monelli, Superintendent of the BC&M Division, authorized agent for the Town of Greenwich, to demolish the existing fire station and construct a new fire station at 15 Havemeyer Place;**

**WHEREAS under Section 100 of the Town of Greenwich Charter such application has been referred to the Representative Town Meeting;**

**IT IS HEREBY RESOLVED that the application per Section 99 for a Municipal Improvement to demolish the existing fire station and to construct a new fire station on a 19,165 square foot property located at 15 Havemeyer Place is hereby approved.**

The vote was now on Item No. 6.

In Favor - 165  
Against - 20  
Abstentions - 5

Item Carried

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

Diane Fox, Town Planner offered the following resolution, which was duly moved and seconded, regarding Item No. 7.

**7. RESOLVED, that the additional appropriation of \$24,835 for FY 2011-12 be and the same is hereby appropriated to be added to the account number A161 51300 and A90157050 known as Zoning Enforcement/Board of Appeals- Permanent Part Time Salaries and Social Security Services**

The vote was now on Item No. 7.

In Favor	-	170
Against	-	7
Abstentions	-	3

Item Carried

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

David W. Detjen, Member of the Labor Contracts Committee offered the following resolution, which was moved, regarding Item No. 8.

**8. WHEREAS, the Municipal Employees Relations Act (MERA), as enacted by the Connecticut state legislature, covers municipal employees except certified teachers who are covered under the Connecticut Teacher Negotiation Act and certain part-time and seasonal employees and elected officials; and**

**WHEREAS, as it pertains to the Town of Greenwich, MERA covers employees employed by the Town and non-certified employees employed by the school board, and**

**WHEREAS, MERA at Sec. 7-474 (b) reserves to the Representative Town Meeting the authority to approve the funds necessary to implement the terms of written collective bargaining agreements between the Town and its municipal employees and to approve any provisions of such collective bargaining agreements which are in conflict with any charter, special act, ordinance, rule or regulation adopted by the municipal employer; and**

**WHEREAS, despite the provisions of such Section 7-474(b), MERA at Sec. 7-474 (d) provides that, if the municipal employer is a school board, the approval of the Representative Town Meeting is not required for a collective bargaining agreement between the school board and its non-certified employees to become effective; and**

**WHEREAS, the Greenwich Representative Town Meeting believes that it should retain the authority to approve the funding for the provisions of all collective bargaining agreements other than those regulated by the Teacher Negotiation Act, including those covering non-certified employees employed by the school board,**

**NOW THEREFORE BE IT RESOLVED, that the Representative Town Meeting requests the elected officials in the Connecticut state legislature representing voters in the Town of Greenwich to submit proposed legislation to amend Sec. 7-474 (d) of MERA, as well as other appropriate provisions of MERA, to provide that any collective bargaining agreement between a school board and its non-certified employees may only become effective if the Representative Town Meeting approves such collective bargaining agreement in the same manner as required under Sec. 7-474 (b).**

The vote was now on Item No. 8.

In Favor	-	132
Against	-	36
Abstentions	-	11

Item Carried

The Moderator announced that Item No. 11 on the call was now before the meeting.

Amy Seibert, Commissioner of Public Works offered the following resolution, which was duly moved and seconded, regarding Item No. 11.

**11. RESOLVED, that the sum of \$1,165,000 be and the same is hereby appropriated to be added to Capital Account Number Z315-59830-12xxx, known as “GHS Soils Program”.**

The vote was now on Item No. 11.

In Favor	-	152
Against	-	13
Abstentions	-	4

Item Carried

There being no further business, the Moderator adjourned the meeting, upon unanimous consent, at 10:20 P.M.

ATTEST:

CARMELLA C. BUDKINS  
TOWN CLERK

DRAFT SUBJECT TO APPROVAL