

# Town of Greenwich

## Board of Selectmen

Meeting September 22, 2016

10:00 A.M.

Town Hall Meeting Room

### APPROVED MINUTES

#### **1. The meeting opened at 10:09 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 the second monthly meeting of the Board of Selectmen and explained that it was a Public Meeting of the Board of Selectmen who reserve the right to call on people to propose questions and make comments.

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

- a. Minutes of the Regular Board of Selectmen meeting held on Sept. 8, 2016 were moved for approval by Mr. Toner, seconded by Mr. Marzullo. The motion passed unanimously.
- b. Minutes of the Special Meeting of the Board of Selectmen held on Sept. 19 were moved for approval by Mr. Toner, seconded by Mr. Marzullo. The motion passed unanimously.

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

Mr. Tesei explained that the Board is required to hold one monthly meeting and that he provide updates regarding the Town's business, to the Selectmen at the meeting.

- a. Mr. Tesei said he was pleased with the show of community support on Sept. 11 with the ceremony held at Cos Cob Park and the Glenville Fire Company's commemoration for first-responders.
- b. On Sept. 20, Mr. Tesei issued a proclamation to the Sons and Daughters of the American Revolution of the 239<sup>th</sup> anniversary of the Constitution for celebration of Constitution Week from Sept. 16 – 22, 2016.
- c. On Sept. 8, Mr. Toner presented a proclamation honoring the Romaniello family who received the Greenwich Preservation Trusts's Neighborhood Historic Building Award. The award recognized the work the Romaniello family undertook to restore and renovate Ada's store which has served as a community hub for many years on Riverside Avenue in Riverside.
- d. On Sept. 21, Mr. Tesei attended the formal opening of JLofts, a new apartment rental complex on Old Track Road. Members of the Planning and Zoning, and Conservation commissions were among several town officials to attend. The complex feature rooftop amenities including a putting green. Forty-seven of the 59 units have been rented and there are units set aside for affordable housing.

- e. The Greenwich United Way kicked off its annual campaign on Sept. 21. Mr. Tesei said the agency conducted a Needs Assessment to identify needs in the community. He said there are more than 25 community agencies that have been financially squeezed by the availability of grants and the diminution of contributions.
- f. Upcoming events include the Pemberwick Glenville Day on Saturday, Sept. 24; the Greenwich Food + Wine Fest on Friday and Saturday, and the Greenwich Land Trust's Go Wild event on Sept. 25.
- g. Mr. Tesei also noted that the Employee Recognition Day was held on Sept. 16. He thanked Cicile Brown and Tiffany Navarro for organizing the program and the day's festivities that honored the Employee of the Year for the Town and for the Board of Education, the Team of the Year that went to the Registrars of Voters for the exemplary customer service, and the Safety Award that was given to Darrin Wigglesworth.
- h. The First Selectman's Youth Services Partnership held its quarterly meeting on Sept. 21, as required by state law because the partnership is funded by state money
- i. Mr. Tesei also announced that Senators Richard Blumenthal and Chris Murphy were scheduled to visit Greenwich Point Park on Friday, Sept. 23 where they would meet with the Greenwich Shellfish Commission to discuss the impact of the Long Island Sound project
- j. Mr. Tesei also announced that there would be an informational meeting concerning the soil conditions at Western Middle School on Wednesday, Sept. 28. He said that information/data reviewed by the state Department of Public Health indicates that there is no urgent public health emergency at the location. The meeting will be held at 7 p.m.

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

#### **5. New Business**

- a. Imposition of Town-wide Water Conservation Mandates – Conservation Director Denise Savageau.

Mr. Tesei read a Sept. 22 memo from Ms. Savageau regarding the imposition of water use restrictions because of the continuing drought. He also noted that Ms. Savageau is continuing to monitor reservoir levels – as she does year-round, and that there were several representatives from Aquarion Water Co. in attendance.

Mr. Tesei also explained that through a Town ordinance adopted in the early 1980s, there is a phased-in approach to water use bans. The bans would apply not only to Aquarion customers, but to residents who rely upon wells for their water supply. He said that the proliferation of outdoor irrigation systems is the primary cause for the continued water demand in Town.

Greenwich Police Sgt. John Slusarz explained the fee structure that would be imposed for those issued a summons for violating the water use restrictions. The fine would be a total of \$90 \* – a \$50 Town fine; a \$35 State surcharge and a \$5 processing fee. (Please note that after further review it was

determined the total fine is actually \$91 – state surcharge and processing fee actually totally \$41.) Sgt. Slusarz also explained that the public has been notified of the ordinance and water use restrictions through meetings, electronic signs, Connecticut Department of Transportation highway signs and a press release issued by the Town and the Greenwich Police Department. He also explained that the Police Department will participate in a public education/awareness campaign before issuing the summons to repeat offenders.

Mr. Tesei also noted that notification of the water use restrictions was sent to the Greenwich Public Schools for inclusion in their weekly parental notifications. A recorded message regarding the water use restrictions also would be distributed to all Town residents on Friday, Sept. 23 using the reverse 911 system, Mr. Tesei said.

Ms. Savageau identified the members of the Water Supply Team. In addition to herself, the First Selectman, the Emergency Operations Director and the Fire Chief serve. Additionally, guidance is sought from the Parks & Recreation Department, the Department of Public Works and the Police Department. She said that although the Town received 1.2 inches of rain on Sept. 19, it was not enough to recharge the underground water supply and the Greenwich reservoir system.

Mr. Tesei introduced Aquarion officials Bruce Silverstone, John Walsh, Jeff Ulrich. Mr. Silverstone said that Greenwich is the only city or town in Connecticut that has an ordinance regarding water use restrictions. Mr. Marzullo questioned how enforcement will be handled and what other towns are doing. Mr. Silverstone explained that Stamford and Darien have issued Code Red messages and that the State has empowered the utility with the authority to shut off water service to customers who continue to use irrigation systems.

Mr. Marzullo also questioned how long the ban would remain effective. Mr. Walsh advised it would be in place through the season. He said reservoir levels were at 34 percent capacity instead of the usual 60 to 65 percent capacity.

Mr. Toner questioned Aquarion's relationship with neighboring Westchester County. Mr. Walsh explained that the towns of Port Chester, Rye and Rye Brook are serviced by Aquarion via a private water company, Suez. He also said his company is working with the county and New York State in an attempt to get Suez to reduce its customers' water usage.

Mr. Tesei made a motion to enact Phase I of the water use ordinance as outlined in Ms. Savageau's Sept. 22 memo. Mr. Toner seconded the motion which was adopted by a 3-0-0 vote.

Mr. Tesei noted that a legal notice publicizing the enactment of Phase 1 would be published in the Greenwich Time newspaper on Sept. 23, 2016.

**b. Public Hearing – Proposed Town acquisition of abandoned cemeteries - Byram Cemetery, the Lyon Cemetery and the African-American Cemetery on Byram Shore Road and Byram Dock Street.**

The public hearing opened at 11:06 a.m. with a reading of the legal notice of the hearing by Mr. Tesei.

Ms. Savageau, the Conservation Director, noted that two members of the Cemeteries Subcommittee of the Conservation Commission – Janice Dickinson and Eric Brower were in attendance.

Mr. Tesei read letters in support of the acquisition that were submitted by descendants of families buried there – Julie Grey Pollock and Dr. Charles Boetsch.

Ms. Savageau reviewed the history of the request as well as the process for the Town to initiate the acquisition of the cemeteries, and how the cemeteries were previously maintained. Mr. Marzullo questioned how it was determined the cemeteries were abandoned. Ms. Savageau explained the process which includes there has not been a burial within 40 years.

Ms. Teresa Vega introduced herself as well as several members of her family, whom she described as descendants of African Americans and the Lyon family who are buried in the cemeteries. She read a statement describing her family's history in the Town and of her family's support of the Town's effort to preserve the cemeteries and their histories. She also read additional letters from three other relatives in support of the acquisition. Ms. Vega submitted her statement and the letters as part of the meeting record.

Resident Laureen Taylor spoke of her family's history to the Lyon family and stated she objected to the Town acquisition. She stated she is continuing research into the cemetery and her family history and that she is interested in becoming the owner/caretaker of the Lyon part of the cemetery.

Ceci Saunders, president of Historical Perspectives, spoke in favor the proposal.

Jo Conboy, president of the Greenwich Preservation Trust, also spoke in favor of the proposal.

Anne Young, a staff member of the Historic District Commission, said the Byram Cemetery is the third oldest cemetery in Town.

Attorney Philip Russell spoke on behalf of his clients, Jeffrey and Andrea Stewart, who own property at 11 Byram Dock St., adjacent to the African-American cemetery. Mr. Russell submitted documents and stated while his clients are not categorically against the acquisition, they are seeking that

the African-American cemetery not be included in the request because there is a presumption that the land is burial grounds. He said previous construction work and surveys of the site have not revealed evidence of a burial ground.

Mr. Brower said that any work or surveys conducted for the Stewart family were evidence of trespass.

Ms. Savageau said the Town will acquire the whole parcel, that it cannot be split. She also explained that the Board of Selectmen previously approved a Municipal Improvement project designation and now the Conservation Commission will formalize map so that the acquisition can go before the Representative Town Meeting.

The hearing was closed at 12:33 p.m, following a unanimous vote on a motion by Mr. Toner and seconded by Mr. Marzullo.

Mr. Marzullo made a motion, seconded by Mr. Toner, to recess at 12:33 p.m. The vote was 3-0-0.

The meeting resumed at 12:52 p.m.

## **6. Appointments and Nominations**

### **7. Executive Session**

Mr. Toner motioned to enter into executive session at 12:53 P.M., and was seconded by Mr. Marzullo. The Board voted 3-0-0 in favor.

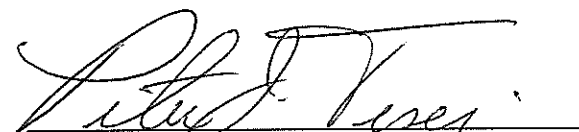
Also present in Executive Session were Town Administrator Ben Branyan; J. Wayne Fox, Town Attorney; Assistant Town Attorneys Valerie Maze Keeney and Fred deArango; attorney Peg Sheehan and Human Resources Director Mary Pepe.

Mr. Toner moved to exit Executive Session at 2:11 P.M., seconded by Mr. Marzullo. The Board voted 3-0 in favor.

### **8. Adjournment**

Mr. Toner motioned to adjourn at 2:12 P.M.; seconded by Mr. Marzullo, the Board voted 3-0 in favor.

Next regular meeting of the Board of Selectmen is scheduled on Thursday, Oct. 13, 2016 at 10:00 A.M. in the Town Hall Meeting Room.

  
Peter J. Tesei, First Selectman

*Barbara A. Heins*

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Prepared by Barbara Heins  
Recording Secretary