Pursuant to the foregoing notice a regular Representative Town Meeting of the Town of Greenwich was held in the Moderators’ Hall of Central Middle School on Monday, October 22, 2001 at 8:00 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 169 present, 59 absent and 2 vacancies.

The Moderator announced that as all members had received a copy of the minutes of the September 19, 2001 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.

The Moderator announced that items 1 and 5 were withdrawn.

The Moderator suggested a motion to suspend the rules and combine items 2, 3, 4, 8 & 9 and consider separately items 6 & 7.

Motion Carried

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

Nancy Brown, Director of Community Development, offered the following resolutions, which were duly moved and seconded, regarding items 2 & 3.

Substitute Resolution:

WHEREAS, the Policy of the Town of Greenwich requires that the Board of Estimate and Taxation shall annually make and file in the Office of the Town Clerk a Detailed Statement of Appropriations, with its reasons for said Appropriations which it deems necessary to meet the expenses and to conduct the affairs of the Community Development Block Grant Program of the Town of Greenwich for the ensuing Fiscal Year, that is to say, for the Year January 1, 2002 to December 31, 2002 inclusive; and

WHEREAS, the said Board has so filed in the Office of Town Clerk a Detailed Statement of such Appropriations contained in a document designated as the Community Block Grant Proposed 2002 One Year Action Plan pages 2 through 34 and pages 73 through 77, will also forward a copy of this resolution indicating approval of the Community Development Block Grant Plan and Budget for the Fiscal Year January 1, 2002 – December 31, 2002 by the Board of Estimate and Taxation; and

WHEREAS, the said Policy provides that the Board of Estimate and Taxation shall submit proposed Appropriations and make such Appropriations as may appear advisable,
except that no Appropriations shall be made exceeding an amount for the same purpose recommended by the said Board; and

WHEREAS, said 2002 Proposed Community Block Grant Budget was forwarded to the members of the Representative Town Meeting on or about September 29, 2001 for action by the Representative Town Meeting at its Meeting to be held October 22, 2001.

NOW, THEREFORE, BE IT RESOLVED, that the recommendations of the Board of Estimate and Taxation as contained in the said Proposed Community Development Block Grant Budget filed, as stated, in the Office of the Town Clerk and submitted at the meeting of the Representative Town Meeting be and the same hereby are approved as the Appropriations for the ensuing Year 2002.

FURTHER RESOLVED, that the Appropriations of $1,301,748 set forth, are hereby approved, made and adopted for the Fiscal Year January 1, 2002 to December 2002, inclusive and conditioned on the U.S. Department of Housing and Urban Development approval of the projected entitlement of approximately $1,163,030 more or less; and

FURTHER RESOLVED, that in the event the entitlement amount should be more than anticipated, the additional funds will be appropriated to a contingency line item, or if the entitlement is less than the projected $1,163,030, the priority for funding, after the staff salaries, will be in the order listed by the Community Development Block Grant Proposed 2002 One Year Action plan on page 4 entitled “First Selectman’s Funding Recommendations CDBG FY 2002” and

FURTHER RESOLVED, that the First Selectman, under the provisions of Title 8 of the Connecticut General Statutes, Chapter 130, Part VI, Community Development and Title 1 of the Housing and Community Development Act of 1974 (42 U.S.C. §5301 et seq.), the Department of Housing and Urban Development Act (42 U.S.C. §5331 et seq.), be hereby authorized to accept grants for the purpose of carrying out an approved Community Development Block Grant Program for the Town of Greenwich; and

FURTHER RESOLVED that the Department of Community Development of the Town of Greenwich, for purposes set forth in this Budget is authorized to accept grants or funds made available through the Community Development Block Grant Fund.

Item No. 3

RESOLVED, that the Representative Town Meeting does hereby approve and adopt the Proposed Annual One Year Action Plan (January 1, 2002 – December 31, 2002) for the Town of Greenwich, Connecticut as on file in the Office of the Town Clerk, and as it may be modified by adoption of the Resolution of the Board of Estimate and Taxation; and that the Representative Town Meeting does hereby authorize the First Selectman to prepare the Final Annual One Year Action Plan (January 1, 2002 – December 31, 2002) for the Town of Greenwich and to apply for
and accept funds for the purpose of carrying out housing and community development programs, as approved for fiscal year 2002 (January 1, 2002 - December 31, 2002); and

RESOLVED, that in approving and adopting said Proposed Annual One Year Action Plan (January 1, 2002 - December 31, 2002), to become the Final Plan, the Representative Town Meeting finds and determines that the Community Development Block Grant program will be conducted and administered in compliance with Title 8 of the Connecticut General Statutes, Chapter 130, Part VI, Community Development and Title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) the Department of Housing and Urban Development Act 42 (U.S.C 3531 et. seq.)

FURTHER RESOLVED, that the First Selectman, under the provisions of Title 8 of the Connecticut General Statutes, Chapter 130 Part VI, Community Development and Title I of the Housing and Community Development Act of 1974 (42 U.S.C. §5301, et. seq.) the Department of Housing and Urban Development Act (42 U.S.C. §3531, et. seq.), be hereby authorized to accept grants for the purpose of carrying out an approved Community Development Block Grant program for the Town of Greenwich.

Certifications

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

Affirmatively Further Fair Housing — The jurisdiction will affirmatively further fair housing, which means it will conduct an analysis of impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

Anti-displacement and Relocation Plan — It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR 24; and it has in effect and is following a residential anti-displacement and relocation assistance plan required under section 104(d) of the Housing and Community Development Act of 1974, as amended, in connection with any activity assisted with funding under the CDBG or HOME programs.

Drug Free Workplace — It will or will continue to provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

2. Establishing an ongoing drug-free awareness program to inform employees about -
The dangers of drug abuse in the workplace;
(b) The grantee's policy of maintaining a drug-free workplace;
(c) Any available drug counseling, rehabilitation, and employee assistance programs; and
(d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph 1;

4. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will -
(a) Abide by the terms of the statement; and
(b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph 4(b), with respect to any employee who is so convicted -
(a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
(b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1, 2, 3, 4, 5 and 6.

Anti-Lobbying – To the best of the jurisdiction’s knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal contract, or the awarding of any Federal contract.
loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its Instructions; and

3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

Authority of Jurisdiction — The consolidated plan is authorized under State and local law (as applicable and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

Consistency with plan — The housing activities to be undertaken with CDBG, HOME, ESG, and HOPWA funds are consistent with the strategic plan.

Section 3 — It will comply with section 3 of the Housing and Urban Development Act of 1968, and implementing regulations at 24 CFR Part 135.

Signature/Authorized Official

Title

Specific CDBG Certifications

The Entitlement Community certifies that:

Citizen Participation — It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.103.

Community Development Plan — Its consolidated housing and community development plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that provide decent housing, expand economic opportunities primarily for persons of low and moderate income. (See CFR 24 570.2 and CFR 24 part 570).

Following a Plan — It is following a current consolidated plan (or Comprehensive Housing Affordability Strategy) that has been approved by HUD.

MINUTES FOR OCTOBER 12, 2021 MEETING
TOWN OF GAINESVILLE

REPRESENTATIVE TOWN MEETING
Use of Funds – It has complied with the following criteria:

1. **Maximum Feasible Priority.** With respect to activities expected to be assisted with CDBG funds, it certifies that it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low and moderate income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available;

2. **Overall Benefit.** The aggregate use of CDBG funds including section 108 guaranteed loans during program year(s) 2002 (1 year) (a period specified by the grantee consisting of one, two, or three specific consecutive program years), shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period;

3. **Special Assessments.** It will not attempt to recover any capital costs of public improvements assisted with CDBG funds including Section 108 loan guaranteed funds by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108, unless CDBG funds are used to pay the proportion of fee or assessment attributable to the capital costs of public improvements financed from other revenue sources. In this case, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. Also, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

**Excessive Force – It has adopted and is enforcing:**

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction;

Compliance With Anti-discrimination laws — The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 USC 2000d), the Fair Housing Act (42 USC 3601-3619), and implementing regulations.

Lead-Based Paint — Its notification, inspection, testing and abatement procedures concerning lead-based paint will comply with the requirements of 24 CFR §570.608;

Compliance with Laws — It will comply with applicable laws.

Signature/Authorized Official        Date

Title

APPENDIX TO CERTIFICATIONS

Instructions Concerning Lobby and Drug-Free Workplace Requirements:

A. Lobbying Certification

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

B. Drug-Free Workplace Certification

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification.

2. The certification is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, HUD, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.

3. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is
no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.

4. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio stations).

5. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph three).

6. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

______________________________________________________________

Check ___ if there are workplaces on file that are not identified here.

The certification with regard to the drug-free workplace is required by 24 CFR part 24, subpart F.

7. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

"Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

"Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;
"Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

"Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All "direct charge" employees unless their impact or involvement is insignificant to the performance of the grant; and (iii) temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

The Moderator announced that the public hearing regarding Items 2 & 3 was opened at 8:15 P.M.

Carol Shattuck, Assistant to the First Selectman, offered the following resolution, which was duly moved and seconded, regarding Item No. 4.

RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed a member of the Board of Parks and Recreation for a term expiring 3/31/02.

DONALD R. CONWAY

Carol Shattuck, Assistant to the First Selectman, offered the following resolution, which was duly moved and seconded, regarding Item No. 8

RESOLVED, that the lease between the Town of Greenwich and Greenwich Adult Day Care, Inc., to operate an adult day care center in the administration building at Nathaniel Witherell Skilled Nursing Center is hereby approved.

FURTHER RESOLVED, that the First Selectmen be and is hereby authorized to execute said lease for and on behalf of the Town.

Robert Kalm, Deputy Commissioner of Public Works, offered the following resolution, which was duly moved and seconded, regarding Item No. 9.
WHEREAS, in 1997 a Public Works facility inspection identified the Western Greenwich Civic Center as a building that required significant repair work; and

WHEREAS, future concerns about the Western Greenwich Civic Center prompted the formation of a citizen’s group to address the disrepair of the facility. By 1999, this citizen’s group had organized into the “Western Greenwich Civic Center Foundation, Inc.” a Connecticut not for profit entity. Their stated purpose is to solicit funds and charitable donations for the renovation and rehabilitation of the Western Greenwich Civic Center; and

WHEREAS, through its efforts the Western Greenwich Civic Center Foundations has been offered a grant of $2.5 million from the Leon Lowenstein Foundation to partially fund renovation and rehabilitation of the Western Greenwich Civic Center; and

WHEREAS, subject to the execution of the proposed agreement between the Town of Greenwich and the Western Greenwich Civic Center Foundation said grant payments will be made to the Western Greenwich Civic Center Foundation in $500,000 installments; the first installment will be during the fall of 2001; the second installment will be during the first quarter of 2002; the third installment will be by the end of 2002; the fourth installment will be by the end of 2003; and the fifth and final installment will be by the end of 2004; and

WHEREAS, such installments will be and thereafter gifted to the Town Of Greenwich by the Western Greenwich Civic Center Foundation in accordance with the terms of said agreement.

NOW, THEREFORE, BE IT RESOLVED that the RTM accepts the gift from the Western Greenwich Civic Center Foundation of $2.5 million to be applied for the purposes of renovating the Western Greenwich Civic Center; and

FURTHER RESOLVED, that the RTM authorizes the First Selectman to execute the proposed agreement required to accept said gift; and

FURTHER RESOLVED, that subject to receipt of the first installment from the Western Greenwich Civic Center Foundation the sum of $500,000 be and the same is hereby appropriated to be added to Public Works Account No. 345-59350-22226 known as “Building Construction and Maintenance – Western Greenwich Civic Center Design & Renovation.”

Douglas Wells, chairman of the Legislative & Rules Committee, offered the following amendment, on behalf of the committee, regarding Item No. 9.
In the sixth paragraph, second line, delete the wording $2.5 million, and insert the wording $500,000, the first installment.

The vote was now on the Legislative & Rules Committee's amendment.

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Amendment Lost

The Moderator announced that the public hearing was closed at 9:05 P.M.

The vote was now on the combined items.

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Items Carried

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

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

RESOLVED, that the lease between the Town of Greenwich and the Greenwich Chamber of Commerce for temporary seasonal use of the Elm Street Parking lot, is hereby approved. The terms and conditions of said lease are attached to the explanatory comments for this item.

FURTHER RESOLVED, that the First Selectman be and is hereby authorized to execute said lease for and on behalf of the Town.

Spencer Schedler, chairman of Budget Overview Committee, offered the following amendment, on behalf of the committee, to Item No. 6.

In paragraph 5 in section 4 of the lease, delete the paragraph and insert the following:
The Town agrees to waive the revenue from the parking meters at the leased premises during the term of the lease. The Chamber and the Town agree that the revenue generated from the Chamber’s operation of the leased premises shall first go to cover the expenses of the Chamber. After those expenses have been satisfied, the remaining revenue shall go to the Town to cover its lost revenue from the meters at the leased premises. After those costs have been satisfied the remaining revenue shall be divided 50-50 between the Chamber and the Town. A statement by the Chamber of its expenses and a statement of the revenue received shall be made to the Town no later than April 30, 2002. Prior to March 30, 2002, the Town will advise the Chamber of its lost revenue from the meters at the leased premises. Payment to the Town of any money due shall be made on April 30, 2002.

The vote was now on the Budget Overview Committee amendment.

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Amendment Lost

James Innes, of District 5, moved the previous question, which was seconded.

The vote was now on Item No. 6.

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Item Carried

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

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

RESOLVED, that the following named persons, nominated by the Board of Selectmen, be appointed members of the Nathaniel Witherell Building Committee:

- Wynne Delmhorst
- Mary Michaels
- Bridget Saydr
- Nancy Mettler
- Robert Curtis

Minutes for October 12, 2001 Meeting

TOWN OF GREENWICH
David Ball, chairman of the Public Works Committee, offered the following amendment, on behalf of the committee, regarding Item No. 7.

In the resolution, add the following wording at the end of the sentence, following the word committee – "solely to oversee the Greenwich Adult Day Care project."

The amendment was adopted by unanimous consent.

The vote was now on Item No. 7 as amended.

| In Favor | 134 |
| Against  | 1   |
| Abstentions | 0 |

Item Carried

There being now further business, the Moderator adjourned the meeting, upon unanimous consent, at 10:25 P.M.

ATTEST:
CARMELLA C. BUDKINS
TOWN CLERK