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 and also via Zoom Webinar on Monday, October 25, 2021 at 8:00 P.M. (E.D.T.)

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

The members pledged allegiance to the flag.

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

Attendance cards were presented showing 210 present, 19 absent and 1 vacancy. District 3 & 11 had perfect attendance.

Those members attending In Person in District 2 – Katherine L. LoBalbo; District 4 – Robert J. McKnight, Jr., Lucy von Brachel; District 5 – Joseph H. Benoit, Jr., Edward T. Broadhurst,III; District 6 – Thomas J. Byrne, Alexis Voulgaris; District 7 – Lucia D. Jansen; District 8 – Hector E. Arzeno, Peter E. Berg, Mary M “Molly” Saleeby; District 10 – P. Jude Collins; District 11 – Ralph E. Penny, Michael Spilo; All other members present attended via Zoom.

Those absent in District 1 – Alanna M. Hynes; District 2 – Jessica B. DelGuercio; District 4 – Diego Sanchez, Josiane M. Schaffner-Parnell, Samarpana Tamm, J. Robert Tuthill; District 5 – Hale H. McSharry; District 6 – David P. Snyder; District 7 – Ellen M. Brennan-Galvin, William W. Galvin, III; District 8 – Jill M. Capalbo, Neil A. Caton, Linda A. Moshier, Cheryl A. Moss; District 9 – Lillian B. “Sharon” Shisler; District 10- John Mastracchio; District 12 – Miriam Mennin, Donald T. Whyko, Andrew S. Winston.

The Moderator announced that as all members had received a copy of the minutes of the June 14, 2021 meeting, the reading of the minutes would be omitted. He noted corrections to the minutes: Correction to Page 14: Legislative and Rules Committee Motion to amend Item 4: Correct Tally: – Votes in Favor – 73, Against – 130, Abstentions – 4; Correction to Page 18: Legislative and Rules Committee Motion to amend Item 8, Section 9.5 Correct Tally – Votes in Favor – 106, Against – 52, Abstentions – 0; Correction to Page 19: Finance Motion to amend Item 8, Section 9.5 Correct Tally: – Votes in Favor – 48, Against – 110, Abstentions – 0; Correction to Page 24: Vote on Item 9 as amended: Correct Tally – Votes in Favor – 158, Against – 2, Abstentions – 1; Correction to Page 25: Labor Contract’s Motion to Postpone Item 16 Indefinitely Correct Tally – Votes in Favor – 143, Against – 12, Abstentions – 2. He asked if there were any additional corrections or comments. There being none, the corrected minutes were adopted by unanimous consent.
Pursuant to the RTM Rules, the Moderator designated that the following items be placed on the consent calendar – 6, 7 & 9.

The items on the consent calendar are as follows:

6. RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed a Regular Member of the Board of Parks & Recreation (R1) for a term expiring June 30, 2024.
   
   TRACY FREEDMAN

7. RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed a Regular Member of The Nathaniel Witherell Board (R1) for a term expiring June 30, 2024.

   KATHRYN (Kate) TABNER

9. RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed an Alternate Member of the Planning & Zoning Board of Appeals (A3) for a term expiring October 31, 2025.

   J. ERIC IVESTER

The vote was now on the Consent Calendar.

   In Favor - 194
   Against - 0
   Abstentions - 2

   Items Carried

The Moderator suggested a motion, which was moved and seconded, to suspend the rules and combine Items No. 4, 5 & 8 for voting purposes.

   The Motion was adopted upon unanimous consent.

Robert J. McKnight, Jr., Chairman of Appointments Committee, offered the following resolutions, regarding Item Nos. 4, 5 & 8 which were duly moved and seconded.

4. RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed a Regular Member of the Inland Wetlands and Watercourses Agency (R6) for a term expiring October 31, 2022.

   NORMA KERLIN
5. RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed a Regular Member of the Inland Wetlands and Watercourses Agency (R4) for a term expiring October 31, 2025.

   PETER H. LINDEROTH

8. RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed an Alternate Member of the Historic District Commission (A4) for a term expiring October 31, 2026.

   MATTHEW BERNARD

Robert J. McKnight, Jr., Chairman of the Appointments Committee, made a motion to postpone Items No. 4, 5 & 8 to the December 2021 meeting.

The motion was adopted upon unanimous consent.

The Moderator announced that Item No. 1 on the Call that was from the September 2021 meeting due to RTM Rules section III.I.6 “Second Reading” was now before the meeting.

1. RESOLVED, that Sections 9-1 and 9-5 of Chapter 9, Waste and Litter, Article 1 – Waste Collection and Disposal of the Code of Ordinances of the Town of Greenwich are amended as follows:

Sec. 9-1. Definitions.

(a) As used in this article:

   (1) Acceptable solid waste shall mean unwanted or discarded materials, garbage and refuse that the Town is permitted by the State to collect, store and transport from the Town disposal area to resource recovery combustion facilities or landfills that are licensed to accept municipal solid waste but shall not include recyclable materials, bulky waste or hazardous waste.

   (2) Approved containers shall mean covered, watertight containers.

   (3) Approved vehicles shall mean a conveyance equipped with fully enclosed metal bodies of the type designed and maintained to promote the absence of leakage or spillage and approved by the Superintendent.

   (4) Bulky waste shall mean land clearing, demolition and construction debris, discarded machinery and equipment, and other unwanted materials that cannot be feasibly disposed of at resource recovery combustion facilities and landfills as acceptable solid waste because of size or noncombustibility but which can be disposed of at specially permitted and available landfills as determined by the Superintendent.

   (5) Commissioner shall mean the Commissioner of Public Works or, by the designation of the Commissioner, the Deputy Commissioner of Public Works.

   (6) Garbage shall mean every accumulation of animal, vegetable or other putrescible matter including that attending the preparation, consumption, decay, dealing in or storage of meats, fish, fowl, birds, fruit, vegetables, beverages or other edibles, including the nonrecyclable materials of containers or wrappers disposed of along with such materials.
(7) *Hazardous waste* shall mean pathological and biomedical discarded items, sewage sludge, gunpowder, dynamite, cartridges, shells, gasoline, naphtha, benzene, ether and other refuse materials that have flammable, explosive, corrosive, toxic, infectious or reactive characteristics that, when present in significant quantities, require special handling for collection, transport and disposal in accordance with applicable State or Federal law.

(8) *Recyclable materials* shall mean the materials defined in Sections 8A-2 and 8A-3 of the Code.

(9) *Superintendent* shall mean the Superintendent of the Department of Public Works Recycling, Waste Collection and Disposal Division.

(10) *Town disposal area* shall mean the Holly Hill Resource Recovery Facility.

(RTM, 9/21/2009; RTM, 9/20/2010; RTM _____2021.)

**Sec. 9-5. Transportation and disposal required; fees.**

All acceptable solid waste shall be transported to the Town disposal area. All bulky waste shall be loaded and transported to any place as directed and designated by the Superintendent.

Each licensed waste collector transporting acceptable solid waste to the Town disposal area shall pay a tipping fee on each ton of acceptable solid waste delivered by such licensed waste collector to the Town disposal area. The amount of such tipping fee and the method of payment shall be established by the Commissioner after consultation with and approval by the Board of Selectmen.

Town residents who wish to directly dispose of any waste or materials at the Town disposal area shall be subject to an annual permit fee of twenty-five dollars ($25.00) per household. Senior town residents (age 65+) will not be subject to the permit fee.

Town residents without a permit who wish to directly dispose of any material at the Town disposal area shall be subject to an entry fee of ten dollars ($10.00) for each time they wish to so enter the town disposal area. All other disposal fees will apply as appropriate.

All Town residential non-passenger vehicles entering the Town disposal area to directly dispose of bulky waste, yard waste, construction debris or scrap metal, will be required to be weighed and will be subject to fees for that material. The Board of Selectman, after consultation with the Commissioner, will set a fee structure for said waste materials, and a fee schedule, including the definition of resident non-passenger motor vehicles, to be posted on the town website.

Town residents directly disposing of select items such as refrigerators, air conditioners, etc., will be subject to a fixed fee per item. The Board of Selectman, after consultation with the Commissioner, will set a fee schedule for disposal of said select items, and the fee schedule will be posted on the town website.

The Commissioner is authorized to develop, operate, administer, and enforce the program established herein consistent with this section.

Adam A. Rothman, Chairman of District 3, made a motion to postpone Item No. 1 to the December 2021 meeting.

The vote announced at the meeting on this item was incorrect. The correct vote on the District 3 Motion was:

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Motion Failed

Francis “Kip” J. Burgweger, Jr., Chairman of Legislative & Rules Committee, made a motion to amend Item No. 1 Section 9-1 to insert a new paragraph (8) after paragraph (7) and renumber paragraphs (8), (9) and (10) to (9), (10) and (11) as follows:

Section 9-1 Definitions. -

(7) *Hazardous waste* shall mean pathological and biomedical discarded items, sewage sludge, gunpowder, dynamite, cartridges, shells, gasoline, naphtha, benzene, ether and other refuse materials that have flammable, explosive, corrosive, toxic, infectious or reactive characteristics that, when present in significant quantities, require special handling for collection, transport and disposal in accordance with applicable State or Federal law.

(8) *Non-passenger vehicle* shall mean a commercial or combination vehicle as identified on its license plate or registration, or a vehicle designed to carry cargo (e.g. a dump truck, rack body truck, box truck, cargo van, trailer, flat bed, etc.), or any vehicle with a trailer, or any vehicle contracted to transport material to the Town disposal area. It shall not include passenger vehicles (e.g. cars, motorcycles, SUVs, minivans, full-sized passenger vans, and pick-up trucks), no matter the seating configuration, unless it meets one of the other criteria listed in this definition.

(9) *Recyclable materials* shall mean the materials defined in Sections 8A-2 and 8A-3 of the Code.

(10) *Superintendent* shall mean the Superintendent of the Department of Public Works Recycling, Waste Collection and Disposal Division.

(11) *Town disposal area* shall mean the Holly Hill Resource Recovery Facility.

The vote announced at the meeting on this item was incorrect. The correct vote on the Legislative & Rules Committee Motion was:

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Motion Failed
Francis “Kip” J. Burgweger, Jr., Chairman of Legislative & Rules Committee, made a motion to amend Item No. 1 Section 9-5, Second paragraph as follows:

Each licensed waste collector transporting acceptable solid waste to the Town disposal area shall pay a tipping fee on each ton of acceptable solid waste delivered by such licensed waste collector to the Town disposal area. The amount of such tipping fee and the method of payment shall be established by the Board of Selectmen after consultation with and approval by the Commissioner.

The motion was adopted upon unanimous consent.

Michael Spilo, Chairman of Public Works Committee, made a motion on behalf of Public Works and Budget Overview Committees, to amend something previously adopted to reinstate senior fee.

Town residents who wish to directly dispose of any waste or materials at the Town disposal area shall be subject to an annual permit fee of twenty-five dollars ($25.00) per household. Senior town residents (age 65+) will not be subject to the permit fee.

Susan Fahey, Member of District 11, made a motion to limit two (2) minutes per speaker, per Call item for the duration of the meeting, which was duly moved and seconded.

On a vote by Raised Hands, the motion to limit debate carried by a 2/3rds vote in favor

The vote announced at the meeting on this item was incorrect. The correct vote on the Public Works/Budget Overview Committee’s Motion was:

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The motion to amend something previously adopted required either a 2/3rds vote in favor, or a majority of the membership (116 votes).

Motion Carried

Francis “Kip” J. Burgweger, Jr., Chairman of Legislative & Rules Committee, made a motion to amend Item No. 1 Section 9-5 paragraph four as follows:

Town residents without a permit who wish to directly dispose of any material at the Town disposal area shall be subject to an entry fee of ten dollars ($10.00) twenty-five ($25.00) for each time they wish to enter the town disposal area. All other disposal fees will apply as appropriate. A receipt for this entry fee may be applied as a credit in the same amount toward the annual permit fee for the same year.
The vote was now on the Legislative & Rules Committee Motion.

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Motion Failed

Francis “Kip” J. Burgweger, Jr., Chairman of Finance Committee, made a motion to amend Item No. 1 Section 9-5 paragraph four as follows:

Town residents without a permit who wish to directly dispose of any material at the Town disposal area shall be subject to an entry fee of ten dollars ($10.00) for each time they wish to enter the town disposal area. All other disposal fees will apply as appropriate. All other disposal fees shall apply as appropriate to any Town residents entering the Town disposal area via an annual permit, or single entry permit.

The motion was adopted upon unanimous consent.

Item No. 1 as amended.
RESOLVED, that Sections 9-1 and 9-5 of Chapter 9, Waste and Litter, Article 1 – Waste Collection and Disposal of the Code of Ordinances of the Town of Greenwich are amended as follows:

Sec. 9-1. Definitions.
(a) As used in this article:

1. Acceptable solid waste shall mean unwanted or discarded materials, garbage and refuse that the Town is permitted by the State to collect, store and transport from the Town disposal area to resource recovery combustion facilities or landfills that are licensed to accept municipal solid waste but shall not include recyclable materials, bulky waste or hazardous waste.

2. Approved containers shall mean covered, watertight containers.

3. Approved vehicles shall mean a conveyance equipped with fully enclosed metal bodies of the type designed and maintained to promote the absence of leakage or spillage and approved by the Superintendent.

4. Bulky waste shall mean land clearing, demolition and construction debris, discarded machinery and equipment, and other unwanted materials that cannot be feasibly disposed of at resource recovery combustion facilities and landfills as acceptable solid waste because of size or noncombustibility but which can be disposed of at specially permitted and available landfills as determined by the Superintendent.

5. Commissioner shall mean the Commissioner of Public Works or, by the designation of the Commissioner, the Deputy Commissioner of Public Works.

6. Garbage shall mean every accumulation of animal, vegetable or other putrescible matter including that attending the preparation, consumption, decay, dealing in or storage of meats, fish, fowl, birds, fruit, vegetables, beverages or other edibles, including the nonrecyclable materials of containers or wrappers disposed of along with such materials.
(7) **Hazardous waste** shall mean pathological and biomedical discarded items, sewage sludge, gunpowder, dynamite, cartridges, shells, gasoline, naphtha, benzene, ether and other refuse materials that have flammable, explosive, corrosive, toxic, infectious or reactive characteristics that, when present in significant quantities, require special handling for collection, transport and disposal in accordance with applicable State or Federal law.

(8) **Recyclable materials** shall mean the materials defined in Sections 8A-2 and 8A-3 of the Code.

(9) **Superintendent** shall mean the Superintendent of the Department of Public Works Recycling, Waste Collection and Disposal Division.

(10) **Town disposal area** shall mean the Holly Hill Resource Recovery Facility.

(RTM, 9/21/2009; RTM, 9/20/2010; RTM _____2021.)

**Sec. 9-5. Transportation and disposal required; fees.**

All acceptable solid waste shall be transported to the Town disposal area. All bulky waste shall be loaded and transported to any place as directed and designated by the Superintendent.

Each licensed waste collector transporting acceptable solid waste to the Town disposal area shall pay a tipping fee on each ton of acceptable solid waste delivered by such licensed waste collector to the Town disposal area. The amount of such tipping fee and the method of payment shall be established by the Board of Selectmen after consultation with and the Commissioner.

Town residents who wish to directly dispose of any waste or materials at the Town disposal area shall be subject to an annual permit fee of twenty-five dollars ($25.00) per household.

Town residents without a permit who wish to directly dispose of any material at the Town disposal area shall be subject to an entry fee of ten dollars ($10.00) for each time they wish to so enter the town disposal area. All other disposal fees shall apply as appropriate to any Town residents entering the Town disposal area via an annual permit, or single entry permit.

All Town residential non-passenger vehicles entering the Town disposal area to directly dispose of bulky waste, yard waste, construction debris or scrap metal, will be required to be weighed and will be subject to fees for that material. The Board of Selectman, after consultation with the Commissioner, will set a fee structure for said waste materials, and a fee schedule, including the definition of resident non-passenger motor vehicles, to be posted on the town website.

Town residents directly disposing of select items such as refrigerators, air conditioners, etc., will be subject to a fixed fee per item. The Board of Selectman, after consultation with the Commissioner, will set a fee schedule for disposal of said select items, and the fee schedule will be posted on the town website.

The Commissioner is authorized to develop, operate, administer, and enforce the program established herein consistent with this section.


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

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

Andy Fox, Vice Chairman of GEMS Board, offered the following resolution, regarding Item No. 2 which was duly moved and seconded.

2. **RESOLVED,** that the sum of $358,000 be and the same is hereby appropriated to be added to Account Number B440-59560-22351, GEMS Station 4.

The vote was now on Item No. 2.

| In Favor | 192 |
| Against | 2 |
| Abstentions | 0 |

Item Carried

The Moderator announced that Item No. 3 on the Call was now before the meeting.

Fred Camillo, First Selectman, offered the following resolution, regarding Item No. 3 which was duly moved and seconded.

3. **WHEREAS,** the Steven & Alexandra Cohen Foundation, Inc. (the “Foundation”) wishes to make a gift of $5,000,000 to the Town to support the replacement construction of the Eastern Greenwich Civic Center (the “EGCC”) located at 90 Harding Road, Old Greenwich, CT 06870. The Foundation agrees to pay the gift in four (4) installment payments according to the payment schedule in the proposed agreement.

NOW, THEREFORE, BE IT RESOLVED that the RTM accepts the gift from the Foundation of $5,000,000 to be applied for the purposes of replacing the EGCC; and

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

FURTHER RESOLVED, the RTM acknowledges with gratitude this gift by naming the EGCC the Cohen Eastern Greenwich Civic Center as specified in the proposed agreement.

Francis “Kip” J. Burgweger, Jr., Chairman of Legislative & Rules Committee, made a motion to postpone Item No. 3 to the December 2021 meeting.
The vote was now on the Legislative & Rules Committee Motion.

| In Favor | 53 |
| Against  | 139 |
| Abstentions | 0 |

Motion Failed

The vote was now on Item No. 3.

| In Favor | 164 |
| Against  | 18  |
| Abstentions | 9  |

Item Carried

Michael Mason, Labor Relations Negotiator, offered the following resolution, regarding Item No. 10 which was duly moved and seconded.

10. RESOLVED, that the Representative Town Meeting, in exercising its authority pursuant to Connecticut General Statutes, Section 7-474(b) and the FY 21-22 Budget Resolutions hereby rejects the use of the funds necessary to implement the terms of the Town-Teamsters Local 456 collective bargaining agreement covering FY 2020-2023; said funds having previously been appropriated in the adopted FY 2020, 2021 and 2022 budgets. In addition, thereto, the Representative Town Meeting rejects the funds necessary to implement the terms of the Town-Teamsters Local 456 collective bargaining agreement covering the period FY 2023, subject to the budgetary process as prescribed in the Town Charter.

BE IT FURTHER RESOLVED that the Representative Town Meeting rejects any terms of such agreement which may be in conflict with the Town Charter, special act, ordinance, rule or regulation adopted by the municipal employer or its agents of the Town.

Danyal Ozizmir, Chairman of Labor Contracts Committee, made a motion to postpone Item No. 10 indefinitely.

The vote was now on the Labor Contracts Motion.

| In Favor | 136 |
| Against  | 38  |
| Abstentions | 3  |

Motion Failed
The Moderator announced that Item No. 11 on the Call was now before the meeting.

Susan Fahey, Chairman of District 11, offered the following substitute resolution, regarding Item No. 11.

11. NOW THEREFORE BE IT RESOLVED that it is the sense of the Representative Town Meeting of the Town of Greenwich that the Board of Selectmen shall create a written policy for the Board of Selectmen to use when approving all art on Town of Greenwich public properties. This written policy and process should be in place prior to approving any public art in the future.

Richard Neuman, Chairman of Town Services Committee, made a motion to amend Item No. 11 as follows:

NOW THEREFORE BE IT RESOLVED that it is the sense of the Representative Town Meeting of the Town of Greenwich that the Board of Selectmen shall create a written policy for the Board of Selectmen to use when approving all art on Town of Greenwich public properties. This written policy and process should be in place prior to approving any public art in the future. The RTM requests the Board of Selectmen bring the written policy to the RTM.

The vote announced at the meeting on this item was incorrect. The correct vote on the Town Services Motion was:

| In Favor | - | 113 |
| Against  | - | 43  |
| Abstentions | - | 2   |

Motion Carried

Michael Spilo, Chairman of Public Works Committee, made a motion to amend Item No. 11 as follows:

NOW THEREFORE BE IT RESOLVED that it is the sense of the Representative Town Meeting of the Town of Greenwich that the Board of Selectmen shall create a written policy for the Board of Selectmen to use when approving all art on Town of Greenwich public properties. This written policy and process should be in place prior to approving any public art in the future. The RTM requests the Board of Selectmen bring the written policy to the RTM. The RTM shall have final approval of all such public art.
The vote was now on the Public Works Committee Motion.

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<td>In Favor</td>
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<td>Against</td>
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<td>Abstentions</td>
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Motion Failed

**Item No. 11 as amended.**

NOW THEREFORE BE IT RESOLVED that it is the sense of the Representative Town Meeting of the Town of Greenwich that the Board of Selectmen shall create a written policy for the Board of Selectmen to use when approving all art on Town of Greenwich public properties. This written policy and process should be in place prior to approving any public art in the future. The RTM requests the Board of Selectmen bring the written policy to the RTM.

The vote announced at the meeting on this item was incorrect. The correct vote on Item No. 11 as amended was:

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Item Carried

There being no further business, the Moderator adjourned the meeting, upon unanimous consent, at 12:20A.M.

ATTEST:
CARMELLA C. BUDKINS
TOWN CLERK