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 26, 1998, at 8:00 P.M. (E.S.T.)

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

Attendance card were presented showing 192 present, 36 absent and 2 vacancies.

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.

Town Clerk Carmella C. Budkins swore in three new members - Thomas Waurishuk in District 4, Robert Stone in District 6 and George Patterson in District 8.

The Moderator announced that as all members had received a copy of the minutes of the September 23, 1998 meeting, the reading of the minutes would be omitted. He asked if there were any corrections or comments, there being none, the minutes were approved as submitted by unanimous consent.

The Moderator suggested a motion to suspend the rules and combine items l, 2, 3, 4, 5, 6, 11, l3, l4, l5, l6 and 18 and consider separately items 7, 8, 9, 10, 12 and 17. The motion was duly moved and seconded.

Motion Carried

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

Item No. 1 was postponed from the September 26, 1998 meeting.

RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed a member of the Board of Health for a term expiring 3/31/02:

DR. NAOMI G. TAMERIN

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

Item No. 2:

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 the 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, 1999 to December 31, 1999 inclusive; and

WHEREAS, the said Board has so filed in the Office of the Town Clerk a Detailed Statement of such Appropriations contained in a document designated as the Community Development Block Grant Proposed 1999 One Year Action Plan pages 2 through 46, and pages 48 through 54, 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, 1999 - December 31, 1999 by the Board of Estimate and Taxation; and

WHEREAS, the said Policy provides that the Board of Estimate and Taxation shall submit proposed Appropriations to a Representative Town Meeting in each year, which Meeting shall take action upon such 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 said Board; and no Appropriations shall be made for any purpose not recommended by said Board; and

WHEREAS, said 1999 Proposed Community Development Block Grant Budget was forwarded to the members of the Representative Town Meeting on or about September 28, 1998 for action by the Representative Town Meeting at its Meeting to be held on October 26, 1998.

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 above 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 1999.

FURTHER RESOLVED, that the said Appropriations of $1,098,718 set forth, are hereby approved, made and adopted for the Fiscal Year January 1, 1999 to December 31, 1999,
inclusive and conditioned on U.S. Department of Housing and Urban Development approval of the projected entitlement of approximately $1,060,000 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 $1,060,000, the priority for funding, after allotment for staff salaries, will be in the order listed in the Community Development Block Grant Proposed 1999 One Year Action Plan on page "2" entitled "First Selectman’s Funding Recommendations CDBG FY 1999;" and
FURTHER RESOLVED, that the First Selectman of the Town of Greenwich under the provisions of Title 8 of the General Statutes of the State of Connecticut, Chapter 130, Part VI, Community Development and Chapter V, Title 42 of the United States Code, and Title I of the Housing and Community Development Act of 1974, (42 U.S.C. 5301-20); and Sec. 7(d), Department of Housing and Urban Development Act (42 U.S.C. 3535(d)), be hereby authorized to accept grants for the purpose of carrying out an approved Community Development Program; and
FURTHER RESOLVED, that the Department of Community Development of the Town of Greenwich, for the 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 Consolidated One Year Action Plan FY 1999 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 Consolidated One Year Action Plan FY 1999 for the Town of Greenwich to apply for and accept funds for the purpose of carrying out housing and community development programs, as approved for fiscal year 1999 (January 1, 1999 through December 31, 1999) (program year 25), and to provide such additional information as may be required; and
FURTHER RESOLVED, that in approving and adopting said Proposed Consolidated One Year Action Plan FY 1999 (which shall then become the Final Consolidated One Year Action Plan FY 1999) the Representative Town Meeting finds and determines that the Community Development Block Grant program will be conducted and administered in compliance with the Housing and Community Development Act of 1974 (P.L. 93-383) and subsequent amendments, and regulations at 24 CFR Part 91, et. al., for Consolidated Submission for Community Development Programs, and that the Town of Greenwich shall comply with the following Certifications:

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 the 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 that it has in effect and is following a residential antidisplacement 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-
   (a) 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 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 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 paragraphs 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 authorities 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 with and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

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.

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) 199__, ______ (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 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 improvement financed by a source other than CDBG funds.

The jurisdiction will not attempt to recover any capital costs of public improvements assisted 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**

The Moderator declared the public hearing opened at 8:18 P.M. regarding Item Nos. 2 and 3. Marcos Madrid, Commissioner of Public Works, offered the following resolution, which was duly moved and seconded, regarding Item No. 4.

**RESOLVED,** that the sum of $120,594 be and the same is hereby appropriated to be added to Public Works’ Account No. 314-960-99.

Michael Aurelia, Director of Inland Wetlands Agency, offered the following resolution, which was duly moved and seconded, regarding Item No. 5.

**RESOLVED,** that the total sum of $36,500 be and the same is hereby appropriated to be added to the Inland Wetlands and Watercourses Account No. 173-130, $29,000 (temporary services) and 173-144, $7,500 (research & surveys).

Marcos Madrid, Commissioner of Public Works, offered the following substitute resolution, which was duly moved and seconded, regarding Item No. 6.
RESOLVED, that the sum of $50,000 be and the same is hereby appropriated to be added to Public Works’ Account No. 345-995-9902 known as "Cos Cob Power Plant Demolition Study."

Richard Holleran of District I made a motion, which was seconded, to insert the remarks of the Land Use Committee chairman regarding this item into the minutes.

Motion Carried

H. Franklin Bloomer, Jr., chairman of the Land Use Committee, reported in part as follows on Item No. 6:

"It is understood by the Land Use Committee through comments made by Alan Monelli that the information obtained in a proposed "Cos Cob Power Plant Demolition Study" will also be useful in the event that the plant is retained and partial demolitions were in order."

Charles Graves, Assistant to the First Selectman, offered the following resolution, which was duly moved and seconded, regarding Item No. 11.

RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed a member of the Nathaniel Witherell Board for a term expiring 3/31/01:

MARGOT M. O’MARA

Frederic Sibley, chairman of the Appointments Committee, offered the following resolutions on behalf of the Committee regarding Item Nos. 13, 14, 15 and 16.

Item No. 13:

RESOLVED, that the following named person, nominated by the Appointments Committee, be re-appointed a member of the Flood and Erosion Control Board for a term expiring 12/31/01:

ANTHONY M. MACLEOD

Item No. 14:

RESOLVED, that the following named person, nominated by the Appointments Committee, be re-appointed a member of the Flood and Erosion Control Board for a term expiring 12/31/99:

EDWARD J. SCHMELTZ

Item No. 15:

RESOLVED, that the following named person, nominated by the Appointments Committee, be appointed a member of the Flood and Erosion Control Board for a term expiring 12/31/01:

LEONARD E. VAN HOUTEN

Marcos Madrid, Commissioner of Public Works, offered the following resolution, which was duly moved and seconded, regarding Item No. 18.

RESOLVED, that the sum of $750,000 be and the same is hereby appropriated to be added to Public Works’ Account No. 591-100-9901, Sewer Improvement Fund, known as "Central Business District Sewer Rehabilitation."

The Moderator declared the public hearing closed at 8:55 P.M.

The vote was now on the combined items.

In Favor - 187
Against - 3
Abstentions - 0

Combined Items Carried

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

Joseph Siciliano, Director of Parks & Recreation, offered the following resolution, which was duly moved and seconded, regarding Item No. 7.

RESOLVED, that the sum of $150,000 be and the same is hereby appropriated to Code No. M-824-984 known as Bruce Memorial Golf Course.

The vote was now on Item No. 7.

In Favor - 149
Against - 40
The Moderator announced that Item No. 8 on the call was now before the meeting.

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

**RESOLVED, that it is the sense of this meeting that the Town of Greenwich cease leaf composting at the Holly Hill Resource Recovery Facility.**

R. John Wilcox, II, chairman of the Budget Overview Committee, made a motion, on behalf of the committee, to refer Item No. 8 to a special committee consisting of 8 members, 2 each from the Budget Overview, Finance, Health & Human Services and Public Works Committees, the members to be selected by the chairmen of the respective committees, to study the composting issue and report back to the RTM not later than the March 1999 meeting.

S. Dean Busetti of District 6 moved the previous question, which was duly seconded.

**Motion Carried**

The vote was now on the motion to refer Item No. 8 to the special committee.

**Motion Lost**

John Gerli of District 11 moved the previous question, which was duly moved and seconded.

**Motion Carried**

The vote was now on Item No. 8.

**In Favor - 30**

**Against - 156**

**Abstentions - 2**

The Moderator announced that Item No. 9 on the call was now before the meeting.

Eric Amundsen of District 5 offered the following resolution, which was moved and seconded, regarding Item No. 9.

**WHEREAS the Budget Overview Committee has studied the operations of the Bruce Golf Course Revolving Fund, and the report of the Committee has found that fund unable to complete essential capital improvements within the existing organizational structure, it is the sense of this meeting of the RTM that a Golf Commission be established to manage the Bruce Golf Course. The Golf Commission must have sufficient authority to set budgets, define job descriptions, perform long-range planning, set fees, and perform negotiations with vendors, lessors, concessions, and other professionals. The Commission will make a public report annually on the operations and financial status of the Bruce Golf Course and the Bruce Golf Course Revolving Fund.**

The Commission will submit its budget to the Board of Estimate and Taxation, and its membership will be approved by the RTM.

**FURTHER, it is the sense of this meeting that a request be put forth to the Board of Selectmen to initiate a change to the Town Charter before December 1, 1998 to establish this Golf Commission.**

Kevin Brogan of District 2 moved the previous question, which was duly moved and seconded.

**Motion Carried**

The vote was now on Item No. 9.

**In Favor - 105**

**Against - 58**

**Abstentions - 3**

The Moderator announced that Item No. 10 on the call was now before the meeting.

Charles Graves, Assistant to the First Selectman, offered the following resolution, which was duly moved and seconded, regarding Item No. 10.

**RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed a member of the Planning and Zoning Commission for a term expiring 3/31/99:**

MARY COLOMBO
H. Franklin Bloomer, Jr., chairman of the Land Use Committee, made a motion, on behalf of the committee, to postpone this item until the December 1998 meeting.

Motion Carried

The Moderator announced that Item No. 12 on the call was now before the meeting.

Frederic Sibley, chairman of the Appointments Committee, offered the following resolution, regarding Item No. 12.

RESOLVED, that the following named person, nominated by the Appointments Committee, be re-appointed a member of the Building Code Board of Standards and Appeals for a five year term expiring 3/31/01:

THOMAS CHOLNOKY

David Ball, chairman of the Public Works Committee, made a motion, on behalf of the committee, to postpone this item until the December 1998 meeting.

Motion Carried.

The Moderator announced that Item No. 17 on the call was now before the meeting.

Edward Dadakis of District 1 offered the following resolution, which was duly moved and seconded, regarding Item No. 17.

WHEREAS, by majority vote, the District 1 delegation to the Greenwich Representative Town Meeting is opposed to the proposed massive construction on LeGrande Avenue known as Quarry Ridge, and:
WHEREAS, the Greenwich Housing Authority has bypassed the approval process of the Town of Greenwich for such a project by suing the Town in state court for approval under public law 8-30G(formerly 89-311), and;
WHEREAS, the Greenwich Housing Authority in so doing refuses to work with the people of Greenwich and their elected and appointed officials to develop a consensus plan acceptable to the community for this site.

NOW THEREFORE, BE IT RESOLVED, that the undersigned express their shock, dismay and disappointment in the Greenwich Housing Authority, an organization created to assist the people of Greenwich, that they would fail to work with the very community they were charged to assist, and;

BE IT FURTHER RESOLVED, that the Greenwich Housing Authority is strongly encouraged to cease all court action and work with the governmental structure of the Town of Greenwich and its citizens to develop and finalize reasonable plans for the use of the site.

By signature of at least 25 registered voters below, it is requested that this resolution appear on the next call of the Greenwich Representative Town Meeting for adoption by said body.

John F. K. Cassidy, a member of the Legislative & Rules Committee, made a motion, on behalf of the committee, to amend the item as follows:

1. in the second paragraph, third line, 8-30G, the uppercase G should be a lowercase g;
2. in the third paragraph, second line, delete the word "people" and substitute the word "Town".
3. in the fourth paragraph, first line, delete the word "undersigned" and substitute the word "RTM" and change "express" to "expresses";
4. in the fourth paragraph, first line, delete the word "their" and substitute the word "its"; and
5. delete the last paragraph in its entirety.

The amendment was adopted by unanimous consent.

Lloyd N. Hull of District 10 made a motion, which was duly seconded, to postpone this item until the December 1998 meeting.

Roger Lourie of District 7 moved the previous question, which was seconded.

Motion Carried

The vote was now on the motion to postpone.

Motion Lost.

Dr. Evan Delman of District 10 moved the previous question, which was seconded.

Motion Carried

The vote was now on Item No. 17.

In Favor - 141
Against - 5
Abstentions - 1

Motion Carried

There being no further business, the Moderator adjourned the meeting, upon unanimous consent, at 11:40 P.M.

ATTEST:
CARMELLA C. BUDKINS
TOWN CLERK