



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 on Monday October 26, 2009 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.

Town Clerk Carmella C. Budkins swore in new members in District 8 – Jennifer Danzi and Steven Gordon.

Attendance cards were presented showing 183 present, 46 absent and 1 vacancy.

The members who were absent in District 1-Timothy Gemelli, Dean Goss, Richard Holleran, Frederick Lee, Patrick Maher, Julie Ray; District 3 – Claudia Velez; District 4 – Frances Avery, Paul Barbian, Russell Bowman, Brian Harrod, Maria Popp; District 5 – Frederick L Baker, III, Daniel Faryniarz; District 6 – Charlene Ginste, Coline Jenkins, Patricia Nelson, Barbara Ruud Nucci, Joseph Stroll; District 7 – Janet Lockton; District 8 – Vincent DeVito, Gordon Ennis, Jay Hahn, Peter Pellerzi, Alicia Shreders; District 9 – Jane Arnone, J Michael Dunne; District 10 – Jean Aloe, David Detjen, Swan Grant, Robert Lardon, Sabine Schoenberg; District 11 – Michael Chait, Fern Lindsay, Neal Neilinger, Dana Neuman, Vinay Pande, Charles Seelig; District 12- Harris Davidson, Richard DePreta, Dolores McCollem, Robert Perri, Michael Petrucelli, Mary Romeo, Michael Ross, Jane Sulich.

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.

The Moderator announced that, as all members had received a copy of the minutes of September 21, 2009 meeting, the reading of the minutes would be omitted.

The Moderator noted a correction on page 11. The Legislative & Rules motion to amend had a third component in Sec 9-12 (a) (6) – delete “(except ashes)”.

Joan Caldwell of District 10 noted on page 15, regarding Item 12, after her name and district, add the wording “Chairman of the RTM Special Committee on Structure and Rules” and on page 18, regarding Item 13, after Robert Brady of District 5, add the wording “ member of the RTM Special Committee on Structure and Rules”.

William Clark of District 4 noted on page 3, regarding Item 4, second sentence of the resolution the word clean and thirty were spelled incorrectly.

All the corrections were adopted by unanimous consent.

The minutes were approved as amended.

J. Robert Tuthill of District 4 made a motion, which was seconded, that would limit the time for each speaker to three minutes per motion for the items on the agenda.

Motion Carried

Pursuant to RTM rules, the Moderator designated the following items be placed on the consent calendar – 14-15-16.

The items on the consent calendar are as follows:

14. **RESOLVED, that the sum of \$215,327 be and the same is hereby appropriated to be added to Capital Account Number Z312-59120-219xx”, known as “V AC-ALL”.**

15. **RESOLVED, that the Greenwich Police Department accept two firearms with a total approximate value of \$1,150. These weapons were**

**awarded to the GPD Special Response Unit as a result of their participation in the 2009 Connecticut SWAT Challenge.**

**16. RESOLVED, that the sum of \$100,000 be and the same is hereby appropriated from RESERVED for CAPITAL & NON-RECURRING FUND to the Department of Parks and Recreation account Z834-59830-21962 for Binney Park Improvements.**

**FURTHER RESOLVED, that the First Selectman is authorized to accept a gift of \$100,000 from the Old Greenwich Riverside Community Center for improvements to Binney Park Athletic Fields. The gift shall be appropriated to account Z834-59830-21962.**

The vote was now on the consent calendar.

In Favor	-	170
Against	-	0
Abstentions	-	0

Items Carried

The Moderator suggested a motion, which was moved and seconded, to suspend the rules and combine items 12 and 13 and to consider separately items 1 thru 11 and 17.

Motion Carried

The Moderator announced that Items 12 and 13 were now before the meeting. Princess Erfe, Administrator of Community Development offered the following resolutions, which were duly moved and seconded, regarding items 12 & 13:

**12. 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, 2010 to December 31, 2010 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 Greenwich Connecticut Proposed Five-Year Consolidated Plan, Strategic Plan for**

Years 2010 to 2014 Including 2010 Annual Action Plan (pages 45 through 48, and pages 77 through 142), and it 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, 2010 – December 31, 2010 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 Proposed Year 2010 CDBG Budget and Expenditure History was forwarded to the members of the Representative Town Meeting on or about September 24, 2009 for action by the Representative Town Meeting at their Meeting to be held October 26, 2009.

NOW, THEREFORE, BE IT RESOLVED, that the recommendations of the Board of Estimate and Taxation as contained in the said Proposed Year 2010 CDBG Budget and Expenditure History 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 Calendar Year 2010, except that the following items shall be increased, decreased, modified or omitted as follows:

Appropriations Recommended

<u>Department</u>	<u>Code Number</u>	<u>By Budget</u> <u>Reason for</u>	<u>Increase (+) or</u>	<u>Decrease (-)</u>
<u>Increase/Decrease</u>		<u>Committee</u>	<u>By Board</u>	<u>Decrease (-)</u>

Total Increase (+)/Decrease (-).....

FURTHER RESOLVED, that the Appropriations of \$1,173,151.54 (+/-), set forth, are hereby approved, made and adopted for the Fiscal Year January 1, 2010 to December 2010, inclusive and conditioned on the U. S. Department of Housing and Urban Development approval of the projected entitlement of approximately \$925,000 (+/-), reprogrammed funds of \$59,433.54 (PY2008) and the receipt of an annual incremental loan repayment of \$188,718; 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 either the entitlement is less than the projected \$925,000 or the loan repayment is less than the \$188,718, the priority for funding, after the staff salaries, will be based on an equal percentage reduction of the activities listed in the “CDBG Program Year 2010 – First Selectman’s Funding Recommendation”; 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, Public Law 93-383, as amended (42 U.S.C. §5301 et seq.); the Department of Housing and Urban Development Act, as amended (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; 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.

**13. RESOLVED**, that the Representative Town Meeting does hereby approve and adopt the Greenwich Connecticut Proposed Five-Year Consolidated Plan, Strategic Plan for Years 2010 to 2014, Including 2010 Annual Action Plan, 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 Greenwich Connecticut Final Five-Year Consolidated Plan, Strategic Plan for Years 2010 to 2014, Including 2010 Annual Action Plan, 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 2010 (January 1, 2010 – December 31, 2010); and

**RESOLVED**, that in approving and adopting said Greenwich Connecticut Proposed Five-Year Consolidated Plan, Strategic Plan for Years 2010 to 2014, Including 2010 Annual Action Plan, to become the Final Plan, the Representative Town Meeting finds and determines that by following the plan, 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, Public Law 93-383, as amended (42 U.S.C 5301 et seq.); of the Department of Housing and Urban Development Act, as amended (42 U.S.C 3531 et seq.); 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 I of the Housing and Community Development Act of 1974, Public Law 93-383, as amended (42 U.S.C. §5301, et seq.); of the Department of Housing and Urban Development Act, as amended (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.

The Moderator opened the public hearing @ 8:20 P.M.

Gerald Isaacson, Chairman of the Health & Human Services Committee, made a motion, on behalf of the committee, to amend Item No. 12 as follows:

2<sup>nd</sup> “Whereas” paragraph, line 6 : approval of the Community Development block grant (CDBG) plan and budget”

4<sup>th</sup> “Whereas” paragraph, line 1 – 2010 CDBG plan budget with expenditure history

.....

5<sup>th</sup> paragraph – line 3 – plan and budget with expenditure history  
(changes are underlined)

The amendments were adopted by unanimous consent.

The Moderator closed the public hearing at 8:25 P.M.

The vote was now on Items 12 and 13.

In Favor	-	157
Against	-	4
Abstentions	-	1

Items Carried

The Moderator announced that Item No. 17 on the call was now before the meeting. Steven Anderson, member of the Board of Education and Chairman of the Negotiating Committee, offered the following resolution, which was duly moved and seconded.

**RESOLVED, that the Representative Town Meeting of the Town of Greenwich hereby rejects the Arbitration Award dated October 16, 2009 between the Board of Education and the Greenwich Organization of School Administrators for the period starting July 1, 2010.**

The vote was now on Item No. 17.

In Favor	-	97
Against	-	67
Abstentions	-	15

Item failed for lack of two-thirds majority of those present.

The Moderator announced that Item No. 1 on the call was now before the meeting.

Joan Caldwell, Chairman of the Special Committee on RTM Structure and Rules, offered the following resolution regarding Item No. 1:

**RESOLVED, that, effective December 31, 2009, the RTM Transportation Committee be dissolved, and that its responsibilities be assigned to the Public Works, Land Use, and Town Services Committees as outlined in the revised APPENDIX B, Descriptions of Standing Committees, and that the words “Transportation Committee” be deleted from paragraph V.B.2 of the *Rules of the RTM*.**

APPENDIX B

F. LAND USE COMMITTEE

Operational Responsibility:

- \* Reviews all matters concerning land use and planning and zoning submitted for RTM approval.
- \* Reviews operations of Planning & Zoning Commission and the Planning & Zoning Board of Appeals.
- \* Reviews operations of Inland Wetlands and Watercourses Agency.
- \* Reviews all items of municipal improvement status.
- \* **Reviews planning of transportation initiatives, including planning for parking facilities, pedestrian rights of way, bicycle routes and traffic control.**
- \* Reviews purchases, sales or leases of town real property.
- \* Reviews any updates of the town’s “Plan of Development” and annual amendments.
- \* Reviews all grants of easements.
- \* Reviews all matters regarding condemnation and condemnation awards.
- \* Reviews all gifts of real property to the town.
- \* Studies and debates acceptance or abandonment of private roads by the Town.
- \* Reviews demolition or renovation or any change in use of town-owned property.

Budget Responsibility:

- \* Reviews all appropriations and budgets for:
  - Planning & Zoning Commission, and Planning & Zoning Board of Appeals.
  - Inland Wetlands and Watercourses Agency.
  - Conservation Commission.
  - Historic District Commission.
  - Architectural Review Board.
  - Condemnation Commission.
  - Flood and Erosion Control Board.

Overlapping Responsibility:

- \* For financial items over \$50,000: with the Finance Committee.

I. PUBLIC WORKS COMMITTEE

Operational Responsibility:

- \* Reviews operations of all branches of town government relating to public works and recycling.
- \* Reviews the planning, construction, modification, maintenance, renovation of Town buildings and highways.
- \* **Reviews construction issues relating to transportation facilities, including traffic control, traffic flow, highways, pedestrian rights-of-way, bicycle routes and parking.**

Budgetary Responsibility:

- \* Reviews all appropriations and budgets for:
  - Public Works Department including all programs, divisions and personnel.
  - Sewer Improvement and Maintenance Fund

Overlapping Responsibility:

- \* For financial items over \$50,000: with the Finance Committee.

J. TOWN SERVICES COMMITTEE

Operational Responsibility:

- \* Reviews operations of departments concerned with public safety.
- \* Reviews operations of Purchasing Department.
- \* Reviews communications matters: data processing, network services, information planning.
- \* Reviews risk reduction programs, such as training personnel in the safe and proper use of equipment, enforcing safety rules, and the contract obligations of Town vendors.
- \* **Reviews Fleet Department operations.**

Budgetary Responsibility:

- \* Reviews all appropriations and budgets for:
  - Fire Department including all programs, division and personnel
  - **Fleet Department including all programs, division and personnel**
  - Police Department including all programs, divisions and personnel
  - Purchasing Department
  - Consumer Affairs Coordinator
  - Board of Ethics
  - Administrative Services Center
  - Representative Town Meeting
  - Office of First Selectman and Board of Selectmen
  - Town Clerk
  - Shellfish Commission

- Alarms Appeal Board
- General government areas not specifically covered by other RTM committees

Overlapping Responsibility:

\* For financial items over \$50,000: with the Finance Committee.

~~K. TRANSPORTATION COMMITTEE~~

~~Operational Responsibility:~~

- ~~- Reviews all transportation related issues, including mass transportation facilities (bus, rail, air).~~
- ~~- Other transportation concerns, including traffic control, traffic flow, highways, parking, parking fund.~~
- ~~- Reviews Fleet Department operations.~~

~~Budgetary Responsibility:~~

~~- Fleet Department, including all programs, divisions and personnel.~~

~~Overlapping Responsibilities:~~

- ~~\* For financial items over \$50,000: with Finance Committee.~~
- ~~\* For parking and parking structure items: with Public Works Committee.~~

The vote was now on Item No. 1.

In Favor	-	30
Against	-	149
Abstentions	-	3

Item Failed

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

Robert Brady, a member of the Special Committee on RTM Structure and Rules, offered the substitute following resolution regarding Item No. 2.

**RESOLVED, that section VI.C of the Rules of the Representative Town Meeting be re-captioned VI.D and a new section VI.C be inserted.**

**The new VI.C. to read as follows:**



## C. CAPITAL PROJECTS REVIEW COMMITTEE

### 1. Function:

The Capital Projects Review Committee ("CPRC") shall:

- a) Identify and report on the long term financial obligations associated with First Selectman's Capital Improvement Projects Budget ("CIP");
- b) Evaluate and report on the comparative advantages of pay as you go versus short term bonding or other financing for CIP;
- c) Evaluate and report on the estimated project costs for the current and out-year appropriations to ascertain whether they include adequate provisions for cost increases, contingencies and soft costs;
- d) Evaluate and report on the effect of an unanticipated capital requirement on the capital budget;
- e) Analyze the capital budget approved by the First Selectman each year and report on the status of major projects previously appropriated including current estimated completion costs and dates;
- f) Evaluate and report on proposed new projects with special attention to those over \$1,000,000;
- g) Identify for the RTM new projects for which costs will be appropriated in more than one year and whether the first year's appropriation effectively obligates the Town to appropriations in subsequent years;
- h) Review and report on proposed projects' consistency with the Plan of Conservation and Development;
- i) Identify for the RTM projects that should be eliminated from the capital budget and the reasons therefore;
- j) Identify for the RTM projects that were in the prior year's CIP but eliminated from the current CIP and the reasons therefore;
- k) Identify for the RTM projects for which there were significant changes in scope, cost estimates or completion dates since appropriation;
- l) Identify for the RTM projects which should be but are not included in the CIP;
- m) Provide a delegate and alternate nonvoting member to the First Selectman's CIP committee.

### 2. Composition:

The CPRC shall consist of 7 members, all of whom shall be members of the RTM and who shall be appointed by the RTM on nomination of the Appointments Committee for terms expiring at the end of the term of the RTM during which they are appointed, provided that the term of each member shall continue thereafter until a successor shall have been appointed, and further provided that said members continue to be members of the RTM.

### 3. Election of Officers:

**Within thirty days of the CPRC's appointment by the RTM, the Moderator will schedule an initial meeting of the CPRC, at which meeting the members shall elect from among its delegates a chairman, vice-chairman and secretary.**

~~Officers shall be elected by the members of the CPRC from among their number as soon as convenient following their appointment.~~ Votes shall be by written ballot, and a majority of the committee members shall constitute a quorum. The newly elected chairman shall promptly notify the Town Clerk of such elections, and the Moderator shall announce the election of the committee officers at the next meeting.

4. Meetings:

The chairman shall convene CPRC meetings to plan and carry out the work of the committee. All meetings shall be posted in compliance with the Freedom of Information Act.

5. Reports:

The CPRC shall report to the RTM at its April meeting (or May if there is no April meeting) on its findings with regards to the proposed CIP appropriations and bonding, and shall recommend such action as it deems necessary to protect the Town's fiscal stability and interests. It shall also review the CIP process and recommend such changes as it considers advisable at the June RTM. It shall report to the RTM at such other times as it deems appropriate.

6. Minutes:

The minutes of all meetings of the CPRC shall be filed with the Town Clerk in compliance with the Freedom of Information Act. Such records shall be public records and shall be maintained for three terms after the end of the term to which they apply.

Pamela Frederick, Chairman of the Finance Committee, made a motion, on behalf of the committee, to amend Item No. 2 by adding a sunset clause, as follows:

Sec 7. The CPRC shall automatically terminate two years from the date the RTM approves the addition of Section VI.C to the Rules of the RTM (the "Sunset Date"), unless a majority of the RTM members present at a meeting prior to the Sunset Date vote to extend the term of the CPRC.

The vote was now on the Finance Committee motion to amend.

In Favor	-	98
Against	-	76
Abstentions	-	1

Amendment Carried

Carl Carlson, Vice chairman of District 1, made a motion, on behalf of the district, to amend Item No. 2, Sec. 2, so that the composition of the committee will be 12 members,

one from each district, appointed in the same manner as the other RTM committees.

The vote was now on the District 1 amendment.

In Favor	-	102
Against	-	60
Abstentions	-	5

Amendment Carried

Joshua Brown of District 8 made a motion, on behalf of the district, to postpone items 2 thru 10 indefinitely .

The vote was now on the District 8 motion to postpone.

In Favor	-	80
Against	-	75
Abstentions	-	2

Motion Carried

Vincent DiMarco of District 9 made motion to postpone Item No. 11 indefinitely.

Motion Carried

There being no further business, the Moderator adjourned the meeting, upon unanimous consent, at 10:50P.M.

ATTEST:

CARMELLA C. BUDKINS  
TOWN CLERK