

# Town of Greenwich

## Board of Selectmen Special Meeting

December 4, 2017

10:00 A.M.

Mazza Room

Greenwich Town Hall

### APPROVED MINUTES

#### **1. The meeting opened at 10:05 A.M. with the Pledge of Allegiance.**

##### a. Attendance:

- I. First Selectman Peter J. Tesei - Present
- II. Selectman John Toner - Present
- III. Selectman Sandy Litvack – Present

Following the Pledge, Mr. Tesei explained that this was a special meeting, the first meeting of the 2017-19 term for the Board of Selectmen.

The First Selectman then greeted and welcomed attendees commenting that it was a Public Meeting of the Board of Selectmen who reserve the right to call on people to pose questions and make comments.

#### **2. Orientation for 2017-2019 Board**

##### **a. Overview: Power, duties & responsibilities.**

Town Attorney Wayne Fox explained the duties of both the First Selectman and the Board of Selectmen. He said that the Board shall superintend the Town with duties related to adjust and settle all claims. The First Selectman has very specific duties and Mr. Fox identified the departments that are under control of the First Selectman.

Either Selectman can request an item for placement on the agenda so long as it is germane to the authority of the Board and is with five (5) days notice before a meeting, Mr. Fox said.

##### **b. Freedom of Information Act (FOIA) Application and Adherence**

Assistant Town Attorney Aamina Ahmad spent a great deal of time presenting the information and answering questions posed by the Board. Ms Ahmad explained that the FOI statutes allows members of the Board of Selectmen to attend another municipal meeting, such as the Board of Education – that under the law, this would not be considered a meeting of the Board of Selectmen should a quorum of the Board attend such a meeting. Because it is not a meeting, there isn't a legal obligation to post notice of such a gathering.

Ms. Ahmad also explained that if a regular Board meeting is rescheduled, it is then considered a special meeting unless it is scheduled at least 30 days in advance. Agendas for special meetings must be posting within 24 hours of the meeting.

Ms. Ahmad also said she would research whether the FOIA would allow the

Board to interview candidates to appointment to Town Boards and Commissions in an Executive Session of a Selectmen's meeting, rather than scheduling three separate interviews between the Board members and the candidates.

She also warned the Board that they are not to use personal email to discuss items of Town business. In doing so, the members could be forced to turn over personal computer/phone devices for review should a FOIA request be received. For Mr. Litvack, Ms. Ahmad counseled that it is important that he respond from personal email and copy himself on his new Town email account.

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

- a. Mr. Tesei said the Town has exercised its right to file a request to the Siting Council that it reconsider the petition of Eversource to build a new central Greenwich substation and lay more than 2 miles of cable from the Cos Cob substation, through Bruce Park to the proposed central Greenwich substation. The request will be on the Siting Council's Dec. 21 agenda and Dec. 13 is the deadline for submissions. Mr. Tesei also said that Conservation Director Denise Savageau and pro bono consultant Mitch Mailman are working collectively to file a submission by Dec. 13.
- b. On Dec. 5, Mr. Tesei will be attending the United Way Greenwich annual Legislative program breakfast with the Town's state Legislative delegation.
- c. On Dec. 7, there will be the annual Town employee service awards ceremony for employees who have worked 5, 10, 15, 25 and even 45 years.
- d. Mr. Tesei said that at 4 p.m. on Dec. 7, there will be a short service outside Town Hall for Pearl Harbor Remembrance Day.
- e. The Board of Selectmen's next regularly scheduled meeting – Dec. 14, will be cancelled because it conflicts with the Western Council of Governments and MPO meetings to be held in Ridgefield.

### **4. Old Business**

There was none.

### **5. New Business**

#### **a. 2018 Proposed Parks and Recreation fees.**

Parks & Recreation Director Joe Siciliano explained that this annual event includes the review of the proposed fees at one Board of Selectmen meeting, followed by a vote to approve at the next Board meeting. He explained that the fee proposals were developed by the Division Superintendent in the Parks and Recreation Department. Among the highlights, there is a proposed \$2 increase for the adult park pass. He said it was discussed 2 years ago to be an all-inclusive fee that would go into effect once the Byram Park pool came on line. Also discussed two years ago was the implementation of an \$8 guest fee for nonresident guests who are accompanied by a Town resident, to use the pool, Mr. Siciliano said. The pool is forecast to open on June 1, 2018, Mr. Siciliano said. The mechanics of pool access, whether through a bracelet or a hand-stamp is

still be reviewed.

Regarding the increased beach and pool fees, Mr. Siciliano explained that his department provides assistance to the economically challenged – that more than 120 scholarships for programs, camps and lessons were issued this year; and assistance for 500 beach passes was identified by the Social Services Department.

In response to Mr. Litvack's question regarding how fee increases are determined, Mr. Siciliano said increases are dependent upon what the market can bear; the cost of planning and staffing for events, as well as considering what residents pay via the mill rate versus what nonresidents pay – that there is an equitable distribution of the costs among users.

In response to Mr. Toner's question on whether a parking sticker is required to visit Town beaches, Mr. Siciliano explained that all information the Parks & Recreation Department needs to know about a resident is contained within the computer scan bar on the back of the park pass. That information includes whether a resident has paid their motor vehicle taxes, Mr. Siciliano said.

Mr. Tesei discussed an email he received from two retired teachers requesting that the Board consider allowing free beach passes for retired employees who no longer live in or work for the Town. Mr. Siciliano said that the Board of Selectmen before all of the current members were elected had voted to allow employees and their families beach passes. He added, that once somebody leave the employment of the Town, they lose the beach pass unless they are a Town resident. If the person is not a resident or a full-time employee, then the person is considered a nonresident and would have to buy a day pass. Mr. Siciliano further explained that because of lawsuits, the Town is not going to alter its policy or make exceptions to Town regulations.

Mr. Litvack state that the issue cannot be a problem and that the Board should seriously consider it for those who worked for the Town. He added that he thought it was a mistake not to do so. Mr. Siciliano responded that the practice has been relatively consistent with the opinion of the Law Department.

Mr. Toner questioned the imposition a \$250 fee for the installation and removal of banners on Greenwich Avenue. Mr. Siciliano explained that there has been an increase in the number of requests to hang the banners which must be done by a two-person crew on an overtime basis as the banners cannot be hung because of traffic during regular business hours. He said the fee is to help recoup the cost expended by the Town.

## **b. Appointments and Nominations**

There were none. Mr. Tesei said an updated list of candidates and expiring appointments is needed.

## **c. Executive Session**

Mr. Toner moved the meeting go into Executive Session to discuss pending litigation and settlement of claims at 11:29 a.m. Upon a second by Mr. Litvack, the motion was approved.

In addition to the Selectmen, also attending the Executive Session were

Town Attorney J. Wayne Fox, Assistant Town Attorneys Eugene McLaughlin and John Wetmore; Lori O'Donnell and Dr. Ann Carabillo from the Board of Education, and Recording Secretary Barbara Heins.

At 12:51 p.m., the meeting came out of executive session.

Mr. Toner made a motion, that was seconded by Mr. Litvack, to resume the regular meeting. The motion was approved unanimously.

Mr. Toner made a motion that was seconded by Mr. Litvack to settle Docket No. HHB CV 16-6036234S-Parcel No. 05-2928/S for a tax credit of \$2,282. The motion was approved unanimously.

Mr. Toner made a motion that was seconded by Mr. Litvack to settle Docket No. HHB CV 16-6036238S-Parcel No. 11-2178 for a tax credit of \$5,021. The motion was approved unanimously.

Mr. Toner made a motion that was seconded by Mr. Litvack to settle Docket No. HHB CV 16-6036233S-Parcel No. 10-2442/S for a tax credit of \$2,162. The motion was approved unanimously.

Mr. Toner made a motion that was seconded by Mr. Litvack to settle Docket No. HHB CV 16-6036222S-Parcel No. 01-2014/S for a tax credit of \$21,273. The motion was approved unanimously.

Mr. Toner made a motion that was seconded by Mr. Litvack to settle Docket No. HHB CV 16-6034601S-Parcel No. 10-3132 for a tax credit of \$8,400. The motion was approved unanimously.

Mr. Toner made a motion that was seconded by Mr. Litvack to settle Docket No. HHB CV 16-6034137S-Parcel No. 10-2444 for a tax credit of \$4,722. The motion was approved unanimously.

Mr. Toner made a motion that was seconded by Mr. Litvack to settle Docket No. HHB CV 16-6034140S-Parcel No. 05-1355 for a tax credit of \$5,244. The motion was approved unanimously.

Mr. Toner made a motion that was seconded by Mr. Litvack to settle Docket No. HHB CV 16-6034570S-Parcel Nos. 10-2662 and 10-2741 for a tax credit of \$7,582. The motion was approved unanimously.

Mr. Toner made a motion that was seconded by Mr. Litvack to settle Docket Nos. HHB CV 16-6034464S, HHB CV 16-6034463S and HHB CV 16-6034462S for a tax credit of \$28,200. The motion was approved by a 2-0-1 vote with Mr. Tesei abstaining because the property owner contributed to his reelection campaign.

Mr. Toner made a motion that was seconded by Mr. Litvack to settle Docket No. FST CV 16-6028995S-Parcel No. 05-2928/S for a tax credit of \$7,590. The motion was approved by a 2-0-1 vote with Mr.

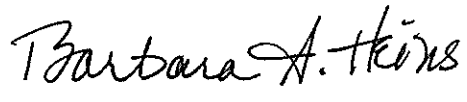
Tesei abstaining because the property owner contributed to his reelection campaign.

**d. Adjournment**

Mr. Litvack motioned to adjourn at 1:03 p.m.; seconded by Mr. Toner, the Board voted 3-0 in favor.

The next meeting of the Board of Selectmen is scheduled on Monday, December 18, 2017 at 10:00 A.M. in the Town Hall Meeting Room.

  
Peter J. Tesei First Selectman

  
Prepared by Barbara A. Heins  
Recording Secretary