ITEM NO: 4
DEPARTMENT: Community Development
CONTACT: Tyler Fairbairn, Community Development/Grants Administrator
REFERRED TO: Finance, Health & Human Services, Legislative & Rules Committees
VOTES: Community Development Advisory Committee, voted 15-0-0 4/22/20
Board of Estimate and Taxation, voted 12-0-0

RESOLVED, that the Representative Town Meeting does hereby approve and adopt the Town of Greenwich, CT Five-Year Consolidated Plan (July 1, 2020 – June 30, 2025), inclusive of the Citizen Participation Plan and Analysis of Impediments to Fair Housing, and CDBG Entitlement Program Proposed Annual Action Plan, Program Year 2020 (July 1, 2020 – June 30, 2021) 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 Town of Greenwich, CT CDBG Entitlement Program Proposed Annual Action Plan, Program Year 2020 (July 1, 2020 – June 30, 2021) and to apply for and accept funds for the purpose of carrying out housing and community development programs, as approved for Town Fiscal Year 2021 (July 1, 2020 – June 30, 2021); and

RESOLVED, that in approving and adopting said Town of Greenwich, CT CDBG Entitlement Program Proposed Annual Action Plan, Program Year 2020 (July 1, 2020 – June 30, 2021), 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; Title I of the Housing and Community Development Act of 1974, Public Law 93-383, as amended (42 U.S.C 5301 et seq.); and 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; Title I of the Housing and Community Development Act of 1974, Public Law 93-383, as amended (42 U.S.C. §5301, et seq.); and 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.

EXPLANATORY COMMENTS
Authorization is requested for the First Selectman to apply for U.S. Department of Housing and Urban Development (HUD) funds for the purposes and amounts identified in the Town of Greenwich, CT CDBG Program Proposed Annual Action Plan for Program Year 2020 (July 1, 2020 – June 30, 2021), in connection with the coterminous planning and approval process for the Five-Year Consolidated Plan covering CDBG Program Years 2020-2024. The Housing and Community Development Act of 1974, and subsequent amendments, is an act of Congress to return tax revenues to local communities from HUD to address the needs established by local communities, with an emphasis on neighborhoods, decent housing and suitable living environments; and expanding economic opportunities for persons of low- and moderate-incomes. Communities eligible to apply for the Community Development Block Grant (CDBG) entitlement, are required to prepare an Annual Action Plan for Housing and Community Development Programs, which acts as the funding application and a Consolidated Plan (covering three to five years) for all Community Planning and Development programs.

The Town of Greenwich, from 1975 through 2019, has received $39,611,784.12 in CDBG funds (entitlement and program income). If adopted by the RTM, the “Proposed” Consolidated Plan and Annual Action Plan become “Final” and the documents are then submitted to HUD for approval. Under this Resolution, the RTM is asked to hold a public hearing to consider and act on the Town of Greenwich, CT CDBG Program Proposed Annual Action Plan, Program Year 2020 (July 1, 2020 – June 30, 2021), and the Five-Year Consolidated Plan, covering CDBG Program Years 2020-2024.

The Board of Estimate and Taxation’s (BET) Resolution, to be adopted at its public hearing on May 18, 2020, requests action on the Program Year 2020 CDBG budget as identified in the Draft Annual Action Plan as the “First Selectman’s Final PY2020 CDBG/CDBG-CV Recommendations” (page 2 of the draft Consolidated Plan and Annual Action Plan). This document has been prepared to coincide with the RTM action on the Town of Greenwich, CT CDBG Program Proposed Annual Action Plan, Program Year 2020 (July 1, 2020 – June 30, 2021).

The RTM has historically combined both Resolutions for action. The amount of the Program Year 2020 CDBG entitlement funding for the Town of Greenwich from HUD is $827,850 plus $163,180 of reprogrammed funds and $486,978 in CDBG-CV CARES Act funds for a total of $1,478,008. Statutorily, no more than 16.25% of the CDBG entitlement can be allocated for Public Service activities, and no more than 20% of the CDBG entitlement plus program income can be allocated for administrative and planning costs. 100% of the CDBG-CV funds must be allocated to projects that “prevent, prepare for and respond to” the COVID-19 outbreak. The Town of Greenwich, CT CDBG Program Proposed Annual Action Plan, Program Year 2020 (July 1, 2020 – June 30, 2021) was developed so that the Town of Greenwich may or may not choose to apply for future CDBG entitlements. Per HUD requirements, the Program Year 2020 CDBG Annual Action Plan has been developed with maximum citizen participation, including public meetings and hearings, both in person and virtually, for review and comment. Availability of the Town of Greenwich, CT CDBG
Program Proposed Annual Action Plan, Program Year 2020 (July 1, 2020 – June 30, 2021) and Five-Year Consolidated Plan was sent to RTM members via email on or about May 12, 2020.

**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 Program.

**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 paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients 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.

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 91.105.

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, in this instance a Five-Year Consolidated Plan being submitted concurrently with the Program Year 2020 Annual Action Plan.

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 Annual 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 Annual 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 CDBG Program Year(s) 2020-2024 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 activities concerning lead-based paint will comply with the requirements of 24 CFR Part 35, subparts A, B, J, K and R.

**Compliance with Laws** - It will comply with applicable laws.

**Attachments (on website)**
Five-Year Consolidated Plan; Town of Greenwich, CT CDBG Program Proposed CDBG Annual One-Year Action Plan, Program Year 2020 (July 1, 2020 – June 30, 2021); SF424 Certifications.

**ITEM NO.:** 5  
DEPARTMENT: Office of the First Selectman  
CONTACT: Tyler Fairbairn, Community Development Administrator  
REFERRED TO: Finance and Health & Human Services Committees  
VOTES: Board of Selectmen (05/14/2020) ____

RESOLVED, pursuant to State Public Act No. 95-268, an Act concerning Neighborhood Assistance, the programs and complete applications filed in the Town Clerk’s office are hereby approved for the purpose of encouraging business contributions to non-profit organizations and government agencies providing important services in Greenwich.
EXPLANATORY COMMENTS
The Connecticut Neighborhood Assistance Act (NAA) Tax Credit Program is designed to provide funding for municipal and tax exempt organizations by providing a corporation business tax credit to business firms that make cash contributions or investments to qualifying community programs. The following are examples of types of programs that qualify for the NAA tax credit:

- energy conservation projects;
- neighborhood assistance;
- employment and job training;
- education programs;
- community services;
- crime prevention;
- construction or rehabilitation of dwelling units for low- and moderate-income families;
- donation of money to an open space acquisition fund;
- child day care facilities;
- child care services;
- employment and training programs directed at handicapped persons;
- community-based alcoholism prevention or treatment; or
- any other program which serves a group of individuals where at least 75% of the individuals are at an income not exceeding 150% of the poverty level for the year immediately preceding the year during which the tax credit is to be granted.

The NAA Program requires that the community programs must be approved by both the municipality in which the programs are conducted and by the State of Connecticut Department of Revenue Services (DRS). The governing body of the municipality must vote to approve the programs. Copies of the public hearing notice and minutes of the meeting approving the programs must be submitted by the municipality to DRS with the approved program proposals no later than July 1, 2020.

To meet this requirement, 2020 CT NAA program applications/proposals are to be reviewed by the Board of Selectmen (BOS) during their May 14, 2020 meeting. Following BOS approval, the 2020 CT NAA program applications/proposals will be on the agenda for the June 8, 2020 meeting of the Town of Greenwich Representative Town Meeting.

There were a total of two (2) applications/proposals submitted for consideration. The following is a summary of the applications/proposals received:

1. Kids in Crisis, Inc.
   Energy Conservation Upgrade - $21,087

2. YMCA of Greenwich, Inc.
   Energy Efficient Windows; LED; dehumidification system - $150,000

Below is the timeline/schedule pertaining to the 2020 CT NAA Program:
March 19, 2020 – public notice for the 2020 NAA Program application/proposal availability was posted on the Town’s website.

March 19, 2020 – the Community Development Office notified (via email) nonprofit organizations/agencies as to the availability of the 2020 NAA Program applications/proposals.

May 14, 2020 – during the regular meeting of the Board of Selectmen, a public hearing will be held to solicit comments on the 2020 CT NAA proposals. The Board of Selectmen will vote to approve or deny applications for 2020 NAA proposals.

June 8, 2020 – 2020 CT NAA proposals will be reviewed for approval by the RTM, pending Board of Selectmen approval.

July 31, 2020 – documentation including copies of the public hearing notices and minutes of all the meetings held in approving the proposed programs are due to CT DRS (date has been extended this year from July 1st due to the COVID-19 outbreak).

August 2020 (estimated) – CT DRS will notify the Town’s designated NAA liaison of the programs that have been approved. The liaison will then inform the participating organizations of the approval.

September 15 to October 1, 2020 – Business firms must submit completed NAA 2020 Business Application (Form NAA-02) for each approved program that will be sponsored.

ATTACHMENTS

Copies of the completed applications/proposals for the 2020 CT NAA Program. (on file in Town Clerk’s Office)

ITEM NO: 6
DEPARTMENT: Office of the First Selectman
CONTACT: Barbara Heins 203-622-7702 – Barbara.Heins@greenwichct.org
REFERRED TO: Appointments and Health & Human Services Committees
VOTES: Board of Selectmen 3-0-0

RESOLVED, that the following named person nominated by the Board of Selectmen, be appointed a Regular Member (R7) of the Board of Human Services for a term beginning July 1, 2020 and expiring June 30, 2023.

PATRICIA ‘PATTY’ ROBERTS

EXPLANATORY COMMENTS
Patricia ‘Patty’ Roberts, of 9 Bramble Lane, Riverside, CT 06878, has been nominated to be a member (R7) of the Board of Human Services for a term beginning July 1, 2020 and expiring June 30, 2023.

Ms. Roberts retired in 2012 from General Reinsurance Corp. after 36 years of service, including serving as President and CEO of two of the firm’s insurance specialty companies. She currently serves on the Board of Directors of the James River Group Holdings Ltd.
A resident of Greenwich since 1992, Ms. Roberts has been involved with community service organizations. She has served on the boards of Inspirica, the Greenwich Council of Boy Scouts, as Co-Chair for Long Distance Cruise Committee and Chair of the Insurance Committee, both for Riverside Yacht Club. Ms. Roberts is a member of the Representative Town Meeting from District 5. She has served on the RTM’s Health and Human Services Committee since 2015. She also has served the Claims, Labor Contracts and Public Works committees of the RTM.

Ms. Roberts earned a Bachelor of Science degree in Business Administration from George Mason University.

ITEM NO: 7
DEPARTMENT: 20 Registered Voters
CONTACT: Janet McMahon, 203-451-6780, janetmcmahonrtm@gmail.com
REFERRED TO: Budget Overview, Education, Finance and Legislative & Rules Committees
VOTES: n/a

NOW THEREFORE, BE IT RESOLVED that it is the sense of the Representative Town Meeting of the Town of Greenwich, that the BET is strongly urged to consider an interim appropriation as early as possible in the new fiscal year to keep level staffing and programs from FY19-20 and that the RTM is willing to consider further interim appropriations for BOE operating expenses throughout FY20-21 should existing funding fail to cover expenses, as yet to be determined, relating to the COVID-19 pandemic; and

BE IT FURTHER RESOLVED that the BET consider placing any surplus funds from the BOE’s FY19-20 budget into the BOE’s FY20-21 operating budget via an interim appropriation, rather than directly into the Town’s Fund Balance.

EXPLANATORY COMMENTS
WHEREAS on March 3, 2020, the BET Budget Committee approved a proposed BOE budget which already reflected cuts in order to meet the BET’s 2% budget guidelines; and

WHEREAS there already existed a shortfall of $1.1-1.5 million in the Special Education budget from the FY19-20 budget and it is expected that an estimated $1.5 million shortfall will occur in the FY20-21 budget; and

WHEREAS on April 27, 2020 the BET cut an additional $3 million from the education operating budget after the final public hearing, preventing public comment and review and consideration by the Board of Education or the Superintendent; and

WHEREAS the Superintendent informed the BET that such “[s]ignificant cuts would have lasting consequences for our students, felt well beyond the immediate school year” (Dr. Jones’ Memorandum dated 4/25/2020); and
WHEREAS, absent a forum for public comment, the public has decried the budget cut in the form of over 1400 emails to the BET, a drive-by protest at Town Hall attended by 150 families, and a petition demanding the reversal of this budget cut and signed by over 3000 Greenwich residents as of May 15, 2020; and

WHEREAS the Board of Education Operating budget approved by the BET on April 27, 2020 does not adequately fund the schools for the upcoming school year because it does not fund:

- the additional operating expenses that will likely be incurred in order to implement state-mandated social distancing on buses and in the classrooms;
- the anticipated Special Education budget shortfall;
- the level staffing and programs that are critical and were reflected in the BET Budget Committee’s proposed budget of March 3, 2020;

NOW THEREFORE, BE IT RESOLVED that it is the sense of the Representative Town Meeting of the Town of Greenwich, that the BET is strongly urged to consider an interim appropriation as early as possible in the new fiscal year to keep level staffing and programs from the FY19-20 and that the RTM is willing to consider further interim appropriations for BOE operating expenses throughout FY20-21 should existing funding fail to cover expenses, as yet to be determined, relating to the COVID-19 pandemic; and

BE IT FURTHER RESOLVED that the BET consider placing any surplus funds from the BOE’s FY19-20 budget into the BOE’s FY20-21 operating budget via an interim appropriation, rather than directly into the Town’s Fund Balance.

ATTACHMENTS
Petition Pages (on website)