



**REPRESENTATIVE TOWN MEETING  
TOWN OF GREENWICH**

**EXPLANATORY COMMENTS FOR  
OCTOBER 2006 MEETING**

ITEM NO.                   **1-** postponed from September meeting  
DEPARTMENT:           Land Use Committee  
CONTACT:                H. Franklin Bloomer 637-0031; hfbloomer@aol.com  
REFERRED TO:          Finance, Land Use & Legislative & Rules Committees  
VOTES:

**RESOLVED, that it is the sense of the Representative Town Meeting that the Plan of Conservation and Development (POCD) currently being prepared by the Planning and Zoning Commission describe all capital improvement projects required to achieve its goals, that it be revised and updated with appropriate citizen input at periodic intervals and that, upon adoption and approval by the RTM of the new POCD, all capital improvement projects included in the Capital Plan prepared annually in connection with the Town's annual budget (other than projects that consist of repair or maintenance of existing infrastructure or are operating equipment) be also in the POCD, as revised and updated.**

Item 1 was postponed from the September meeting. It is a resolution relating to planning procedure that was offered by the Land Use Committee. The postponement affords the opportunity to clear up some misconceptions about the procedure proposed in the resolution. And the passage at the September meeting by a large majority of the resolution relating to tiered parking in the Central Business District provides an illustration of the rationale underlying the proposed procedure.

- The Resolution** The Land Use Committee resolution would require three things:
- that the Plan of Conservation and Development (POCD) currently being prepared by the Planning and Zoning Commission be both more comprehensive and more detailed than POCDs prepared by P&Z in the past;
  - that it be revised and updated at periodic intervals (as expressly contemplated in the current POCD), so that it remains an up-to-date plan throughout the 10 years before a new Plan is prepared; and
  - that once the new POCD is in place, the Capital Plan prepared annually by the Board of Estimate and Taxation be derived from it, and be consistent with it.

This procedure would result in greater focus on planning in Greenwich. It would also give effect to the provisions of our Town Charter relating to planning, including the role of the RTM.

**The POCD and the Charter** The POCD is prepared every 10 years pursuant to Sections 92-98 of the Charter. Its contents are specified in Section 94 of the Charter, which reads as follows:

The [POCD] shall show the [Planning and Zoning] Commission's recommendation for the most desirable use of land within the Town for residential, recreational, commercial, industrial and other purposes; for the most desirable density of population in the several parts of the town; for a system of streets and drains, for parks, for the general location, relocation and improvement of public real property, and public buildings, including schools; for the general location and extent of public utilities and terminals, whether publicly or privately owned, for water, sewerage, light, power, transit and other purposes; and for the location of public housing projects. Such other recommendations may be made by the Commission and included in the [POCD] as will, in its judgment, be beneficial to the town.

Clearly, it is intended to be a comprehensive document.

Considerable public input goes into preparation of the POCD. As described in the current POCD, it was prepared using data from, among other sources, the following:

- informal meetings of the Town Planner, staff, and Commissioners with leaders from the RTM, Board of Estimate and Taxation, Board of Selectmen, other land use boards, PTA's, and civic associations to identify issues.
- public hearings in five areas of town, Cos Cob, Western, Northern, Eastern, and Central, on concerns, issues, and trends in these neighborhoods...
- public hearings in Town Hall on major topics of the Plan: Housing, Commercial Uses, Environment and Open Space, Historic and Architectural Resources, Inland Water Resources, Coastal Water Resources, Transportation, and Public Facilities.

The Charter requires that the POCD must be approved by the RTM.

**The Capital Plan** By contrast, the Capital Plan is not in the Charter, does not require RTM approval and is developed with very limited public participation. As stated in the Budget Book we received in May, public input is "through the various neighborhood associations and organized community groups that have expressed their thoughts to the First Selectman". Most of the input is from the Town administration.

The Capital Plan is a valuable tool in programming the Town's capital spending. It is part of the CIP process, which is a huge improvement in the procedure we previously followed in connection with capital spending. Nonetheless, the basic premise is that the CIP process can and should be brought in line with the Town's only comprehensive, long-term planning document - the POCD.

**Precedent for the Proposal** The proposal that projects in the Capital Plan must be in the POCD is based on a provision of New Hampshire law that has been in place for

over 40 years. New Hampshire, of course, is another state in which most towns follow the traditional New England town meeting form of government, which we continue to use here in Greenwich. But there is a precedent closer to home.

Federal law requires that projects funded with Federal transportation funds (which is most of the money spent in Connecticut on transportation projects) must be included in transportation plans prepared on a regional basis and approved by a body consisting of the chief elected officials of the municipalities in the region. In our case, the applicable region is co-extensive with the region covered by SWRPA.

No doubt there are many other precedents out there, both in the public and private spheres. It makes sense that a program of capital spending should be based on a plan that sets goals and helps to order priorities. The procedure outlined in the resolution is a tested procedure.

**No Bottleneck Would be Created** Nonetheless, because projects in the Capital Plan would have to be in the POCD, it has been suggested that a project may be delayed while the POCD is updated to include the project. This requirement was characterized as a “bottleneck”. This, frankly, is a red herring.

The resolution would require this only when the new, more comprehensive POCD has been adopted. Obviously there will be no need to update the POCD if the project is already there, as it should be if the POCD is the kind of plan that is called for by the resolution and is updated periodically. Indeed, it is much more likely that the POCD will contain more projects than can be funded over its 10-year period. This is the case with the regional transportation plan prepared for Federal funding purposes.

But even if a project is not in the POCD, the Town’s budget process extends over a six- or seven-month period, which is long enough so that any last-minute updating of the POCD could be accomplished to avoid delay.

Updating of the POCD to include a project would require action by two bodies that would have to approve it eventually, namely the Planning & Zoning Commission (which must grant MI status to the project) and the RTM (which must approve its funding). The proposal would advance the point in the consideration of a project when these bodies would pass on it. The proposed Benedict Place parking facility, for which we opposed funding at our September meeting, illustrates the advantage of earlier consideration by the RTM.

**The Proposed Benedict Place Parking Facility** This proposed facility was intended to fill a parking deficit identified in a parking study that was completed in 2003. The study did not recommend for or against filling that deficit with a tiered parking structure. However, the current POCD, which was prepared in 1998, recognized the issue of parking in the downtown business district and proposed several steps to improve parking without construction of a new parking structure.

In connection with our consideration of the Benedict Place project last month, we were told that the RTM had approved it three times by three times appropriating funds for it. Presumably one of these times was in the FY 2005-06 Budget, where we appropriated \$690,000 in a line item for a “multi-tiered parking deck” (under the Parking Fund, not in the Capital Plan). Clearly, we did not believe we had approved the project and, when presented with an occasion to consider it, we turned it down. This was a case where we had been asked to fund planning for a project before we knew what was being planned.

**Capital Projects** Major capital projects (that are not maintenance or repair projects) are invariably identified well in advance. For example, the major capital project that we approved last May, a new Police headquarters, fills a need that is recognized in the current POCD.

Unfortunately, some recognized needs are not in the current Capital Plan, such as the purchase of the Tuchman property that we dealt with last month, the proposed move by the Board of Education to more suitable space, the proposed King Street fire station and new facilities for the Department of Public Works in the backcountry. Having such projects in the POCD would ensure that they were accounted for in the Capital Plan.

It has been pointed out that individual departments have long-range plans. The Fire Department has been given as an example. But we don't see or approve these departmental plans, and, of course, we don't see them alongside each other so that we can assess priorities. These plans should be folded into the POCD.

ITEM NO.                   **2**  
DEPARTMENT:           Community Development(First Selectman Office)  
CONTACT:               Nancy C. Brown 622-3791 Nbrown@greenwichct.org  
REFERRED TO:         Finance, Health & Human Services, Legislative & Rules  
VOTES:                   N/A

**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, 2007 to December 31, 2007 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 Community Development Block Grant Proposed Action Plan, January 1, 2007 – December 31, 2007 pages 2 through 4, pages 33 through 74 and pages 111 through 113, 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, 2007 – December 31, 2007 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 Community Development Block Grant Proposed Budget and Expenditure History – 2007 was forwarded to the members of the Representative Town Meeting on or about September 5, 2006 for action by the Representative Town Meeting at its Meeting to be held October 23<sup>rd</sup> 2006.**

**NOW, THEREFORE, BE IT RESOLVED, that the recommendations of the Board of Estimate and Taxation as contained in the said Community Development Block Grant Proposed Budget and Expenditure History – 2007 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 2007, except that the following items shall be decreased or omitted as follows:**

**Appropriations Recommended**

<u>Department</u>	<u>Code Number</u>	<u>By Board</u>	<u>By Town Meeting</u>	<u>Decrease (-)</u>
<u>Reason for Decrease</u>				

Total Decrease (-) .....

**FURTHER RESOLVED, that the Appropriations of \$963,718 (+/-), set forth, are hereby approved, made and adopted for the Fiscal Year January 1, 2007 to December 2007, inclusive and conditioned on the U. S. Department of Housing and Urban Development approval of the projected entitlement of approximately \$925,000 (+/-) and the receipt of an annual incremental loan repayment of \$38,718,**

**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 \$925,000 and the loan repayment is less than the \$38,718, the priority for funding, after the staff salaries, will be based on an equal percentage reduction of the activities listed in the “CDBG Proposals – First Selectman’s Recommendation For Funding Year 2007”; 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 (42 U.S.C. §5301); the Department of Housing and Urban Development Act (42 U.S.C. §3531), 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.**

ITEM NO.: **3**  
DEPARTMENT: Community Development (First Selectman Office)  
CONTACT: Nancy C. Brown 622-3791 Nbrown@greenwichct.org  
REFERRED TO: Finance, Health & Human Services, Legislative & Rules  
VOTES: Board or commission name vote (y or n)

**RESOLVED, that the Representative Town Meeting does hereby approve and adopt the Community Development Block Grant Proposed CDBG Action Plan January 1, 2007-December 31, 2007, 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 Action Plan, January 1, 2007–December 31, 2007, 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 2007 (January 1, 2007-December 31, 2007); and**

**RESOLVED, that in approving and adopting said Community Development Block Grant Proposed Action Plan, January 1, 2007–December 31, 2007, 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 (42 U.S.C 5301 et seq.) the Department of Housing and Urban Development Act 42 (U.S.C 3531 et. seq.)**

**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 (42 U.S.C. §5301, et. seq.) the Department of Housing and Urban Development Act (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 to HUD for funds for the purposes and amounts identified in the Proposed CDBG Action Plan (January 1, 2007 – December 31, 2007). The Housing and Community Development Act of 1974, and subsequent amendments, is an act of Congress to return tax revenues to local

communities from the Department of Housing and Urban Development (HUD) to address the needs established by the 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 One Year Action Plan for Housing and Community Development Programs, which acts as the funding application and a Consolidated Plan (3 years or more) for all Community Development Programs. The RTM in October 2004, acted on the current 5 Year Consolidated Plan (January 1, 2005–December 31, 2009) for Greenwich.

The Town of Greenwich, from 1975 thru 2006, has received \$27,383,831 in CDBG funds. If adopted by the RTM, the “Proposed” Action Plan and the Consolidated Plan Management Process (CPMP) (January 1, 2007–December 31, 2007) becomes “Final” and the document is then submitted to HUD for approval by within 45 days of submission. Under these Resolutions, the **RTM is asked to hold a public hearing** to consider and act on the Community Development Block Grant Proposed Action Plan (January 1, 2007–December 31, 2007).

The Board of Estimate and Taxation’s (BET) Resolution, adopted at its public hearing on September 19, 2006 requests action on the 2007 CDBG budget as identified in the Action Plan as the “Community Development Block Grant CDBG Proposed Budget and Expenditure History, 2007.” (pages 111-113). Such documents have been prepared to coincide with the RTM action on the Proposed Action plan (January 1, 2007-december 31, 2007).

The RTM has historically combined the 2 Resolutions for action. The amount of the year 2007 CDBG entitlement for the Town of Greenwich from HUD is anticipated at \$925,000 (+/-), plus \$38,718 as annual loan repayments for a total of \$963,718. Statutorily, no more than 15% of the entitlement can be allocated for Public Service activities, and no more than 20% can be allocated for administrative and planning costs. The Proposed 2007 Action Plan was developed so that the Town of Greenwich may or may not choose to apply for future CDBG entitlements. Per HUD requirements, the “Plan” has been developed with maximum citizen participation, including submission to various Town agencies, non-profit housing and social service agencies, local libraries and media for review and comment. The attachment is the certifications, which acts as the Agreement between the Town of Greenwich and the US Department of Housing and Urban development. Copies of the Community Development Block Grant Action Plan (January 1, 2007 – December 31, 2007) and the Consolidated Plan Management Process (CPMP) was mailed (under separate cover) to all RTM members on September 7, 2006, providing (at a minimum) a 45 day review period.

## **ATTACHMENTS**

### **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 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 who is 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 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.

\_\_\_\_\_  
Signature/Authorized Official,

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**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.

**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) 2002 (1 year) (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 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 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.

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Signature/Authorized Official                      Title,    Date

ITEM NO.:                      **4**  
DEPARTMENT:                Selectmen  
CONTACT:                      Edward Gomeau 622-7710  
REFERRED TO:                Appointments, Parks & Recreation Committees

VOTES: Board of Selectmen 3-0-0

**RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed a member of the Board of Parks and Recreation for a term expiring 3/31/10.**

**NANCY O'BRIEN CAPLAN**

**Explanatory Comments**

Nancy O'Brien Caplan. 5 Lincoln Avenue, Old Greenwich. New nomination as a regular member of the Board of Parks and Recreation for a term expiring 3/31/10. CPA, MBA, Rennselaer Polytechnic Institute, BS, Economics/Accounting, Russell Sage College.

Various IBM Management positions in financial planning, corporate treasury, consulting services, etc. Member, Junior League Board of Directors, Greenwich Girl Scouts and OGRCC – Assistant Soccer Coach.

ITEM NO.: **5**  
DEPARTMENT: Selectmen  
CONTACT: Edward Gomeau 622-7710  
REFERRED TO: Appointments, Land Use Committees  
VOTES: Board of Selectmen 3-0-0

**RESOLVED, the following named person, nominated by the Board of Selectman, be appointed a regular member of the Planning and Zoning Board of Appeals for a term expiring 3/31/08.**

**PATRICIA G. KIRKPATRICK**

**Explanatory Comments**

Patricia G. Kirkpatrick. 73 Strickland Road, Cos Cob. New nomination as a regular member of the Planning and Zoning Board of Appeals for a term expiring 3/31/08.

This nominee is going from an alternate position to a full member position.

Lehigh University – BS Psychology, University of Pennsylvania, Wharton School – “Fundamental of Management and Organization Behavior for Women, Certificate – Labor and Employment Law Issues.

President and Owner of Kirkpatrick Construction, LLC.

ITEM NO.: **6**  
DEPARTMENT: Selectmen  
CONTACT: Edward Gomeau 622-7710  
REFERRED TO: Appointments, Land Use Committees  
VOTES: Board of Selectmen 3-0-0

**RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed an alternate member of the Planning and Zoning Board of Appeals for a term expiring 3/31/09.**

**BARBARA T. McKELVEY**

**Explanatory Comments**

Barbara T. McKelvey. 146 Old Stone Bridge, Cos Cob. New nomination as an alternate member of the Planning and Zoning Board of Appeals for a term expiring 3/31/09. This nominee is going from a regular member position to an alternate member position. BA in Economics – Smith College – American Red Cross: Leadership Institute. Principal in consulting firm – consulting to non-profit, government and fund development. Member - Kids in Crisis, First Presbyterian Church – International Ministries and Greenwich Women’s Golf Club. Past alternate this Board.

ITEM NO: **7**  
DEPARTMENT: Selectmen  
CONTACT: Edward Gomeau 622-7710  
REFERRED TO: Appointments, Parks & Recreation Committees  
VOTES: Board of Selectmen 2-0-1

**RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed a member of the Board of Parks and Recreation for a term expiring 3/31/10.**

**WINSTON ROBINSON**

**EXPLANATORY COMMENTS**

Winston Robinson. 30 Homestead Lane, Greenwich. Renomination as a regular member of the Board of Parks and Recreation for a term expiring 3/31/10.

Greenwich High School, Norwalk Community College and University of Connecticut. Housing Manager for Greenwich Housing Authority. Member, Greenwich Lions, Past President of local NAACP, member of Community Centers, Inc., Red Cross and Community Development Advisory Committee.

ITEM NO.: **8**  
DEPARTMENT: Selectmen  
CONTACT: Edward Gomeau 622-7710  
REFERRED TO: Appointments, 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 member of the Nathaniel Witherell Board for a term expiring 3/31/09.**

**FRANCIS J. SCARPA**

**Explanatory Comments**

Francis J. Scarpa,. 233 Byram Shore Road, Greenwich. New nomination as a regular member of the Nathaniel Witherell Board for a term expiring 3/31/09.

M.D. – The John Hopkins University, School of Medicine; A.B., cum laude – College of the Holy Cross.

Retired General Surgeon from Greenwich Surgical Group. Member, GEMS Board, Greenwich Old Timers Board, Greenwich Symphony Board, past Greenwich Police Surgeon.

**ITEM NO.: 9**  
**DEPARTMENT:** Selectmen  
**CONTACT:** Edward Gomeau 622-7710  
**REFERRED TO:** Appointments, Land Use Committees  
**VOTES:** Board of Selectmen 3-0-0

**RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed an alternate member of the Planning and Zoning Board of Appeals for a term expiring 3/31/10.**

**LAWRENCE LARSON**

**Explanatory Comments**

Lawrence E. Larson. 411 Round Hill Road, Greenwich. New nomination as an alternate member of the Planning and Zoning Board of Appeals for a term expiring 3/31/10.

Colgate University, Columbia Business School and Cornell Law School. Practicing Attorney specializing in property matters, estates and trusts, and related litigation.

Admitted in New York, Connecticut and Florida and Federal Courts. RTM member.

**ITEM NO: 10**  
**DEPARTMENT:** Board of Selectmen  
**CONTACT:** Jim Lash 622-7710 [jlash@greenwichct.org](mailto:jlash@greenwichct.org)  
Valerie Maze, Assistant Town Attorney 622-7877  
**REFERRED TO:** All Committees  
**VOTES:** Board of Selectmen prior vote 3 – 0.  
Resubmitted to Board of Selectmen meeting on October 19, 2006.

**RESOLVED, that Article 15 of the Town of Greenwich Charter be amended to include the following section:**

**Sec. 217A. Town Administrator**

**(a) There shall be a Town Administrator. The Town Administrator shall be qualified in the administration and management of town or city government as evidenced by his/her experience and education. The Town Administrator shall be appointed by the Board of Selectmen upon recommendation of the First Selectman. The Town Administrator shall be an employee at will and may be removed from office by the Board of Selectmen upon recommendation of the First Selectman.**

**The Town Administrator shall be responsible for the day-to-day administration of those departments and operations under the supervision of the First Selectman. The Town Administrator shall coordinate the Annual Budget Process for the First Selectman. The Town Administrator may perform other duties as assigned by the First Selectman.**

**(b) The compensation of the Town Administrator shall be set by the Board of Selectmen upon the recommendation of the First Selectman. The First Selectman shall evaluate the performance of the Town Administrator annually. Such evaluation shall become a permanent part of the Town Administrator's personnel file.**

(additions **bold**; deletions within [brackets])

The foregoing proposal for home rule action requires an affirmative vote of a majority of the entire membership of the Representative Town Meeting, followed by approval at a referendum requiring, if at a regular election, a vote of a majority of the electors voting therein.

EXPLANATORY COMMENTS - This provision creates a new section of the Charter, Sec. 217A, to follow immediately after Sec. 217 in the Charter which sets forth the powers duties of the First Selectman. Sec. 217A creates the position of Town Administrator and sets forth the duties of the position including day-to-day administration of departments and operations under the supervision of the First Selectman, coordination of the Annual Budget Process for the First Selectman, and the authority to perform other duties as assigned by the First Selectman. The First Selectman evaluates the performance of the Town Administrator. In order to ensure that the position is terminable at will for any reason or no reason, the section specifies that the Town Administrator is an employee at will. On the other hand, in order to endow the

position with potential of continuity from one administration to the next, the section empowers the Board of Selectmen to appoint and remove the Town Administrator upon recommendation of the First Selectman.

The new Charter section is set forth above with the related existing Charter section to show the context.

**ATTACHMENTS**

ITEM NO.: **11**  
DEPARTMENT: Board of Education 0610ED01  
CONTACT: Susan O. Wallerstein 625-7471  
sue\_wallerstein@greenwich.k12.ct.us  
REFERRED TO: Education Committee  
VOTES: Board of Education 8-0-0  
Board of Estimate and Taxation 12-0-0

**RESOLVED, that the Town of Greenwich accept a grant for \$10,308 to fund the education of displaced Hurricane Katrina students. Said amount be and is hereby appropriated to the following accounts: \$7,070 to account E03871 50960 – Extraordinary Items, and \$3,238 to account E0387 50960 – Extraordinary Items.**

**EXPLANATORY COMMENTS**

The Federal government has made additional funding available through State Departments of Education to reimburse public and non public schools and districts for costs associated with educating students displaced and relocated due to Hurricane Katrina. Non public schools are required to apply for funding through the local public school district. Last year The Convent of the Sacred Heart was approved for \$19,000 for thirteen students. Greenwich Public Schools was approved for reimbursement in the amount of \$8,500 for four students, one of whom has special needs. In late August the District was advised that additional funding was forthcoming in the amount of \$7,070 for the Convent of the Sacred Heart and \$3,238 for Greenwich Public Schools. Since the amount exceeds \$5,000, the District must seek approval from the Board of Education, the BET and the RTM to use/disburse these funds.

**ATTACHMENTS**

None

ITEM NO.: **12**  
DEPARTMENT: Board of Education 0610ED02  
CONTACT: Susan O Wallerstein 625-7471  
sue\_wallerstein@greenwich.k12.ct.us  
REFERRED TO: Education, Finance, Labor Contracts Committees  
VOTES: Board of Education 8-0-0

**RESOLVED, that the Representative Town Meeting of the Town of Greenwich hereby approves the agreement between the Board of Education and the Greenwich Organization of School Administrators (GOSA), representing school administrators for the period July 1, 2007 to June 30, 2010.**

**EXPLANATORY COMMENTS**

The Board of Education approved the GOSA contract at their meeting of September 28, 2006. Ratification is pending by the membership of GOSA.

**ATTACHMENTS WILL BE PROVIDED PENDING RATIFICATION**

Memorandum from the Board of Education Negotiations Committee to the Representative Town Meeting  
Certified Cost of Contract  
Summary of Agreement Between the Board of Education and the Greenwich Organization of School Administrators

ITEM NO.: **13**  
DEPARTMENT: Parks and Recreation 0610PR01  
CONTACT: Joseph A. Siciliano (203) 622-6472  
Peter J. Mandras, Jr. (203) 622-6471  
REFERRED TO: Parks & Recreation Committee  
VOTES:

To consider and act upon the following resolution requested by the Director of Parks and Recreation and approved by the Board of Parks and Recreation:



**RESOLVED, that the Town of Greenwich accept a gift in the amount of \$25,000 as reimbursement for the Independence Day Fireworks Celebrations.**

**EXPLANATORY COMMENTS**

Explanation by the Director of Parks and Recreation:

We respectfully request the acceptance of a gift in the amount of \$25,000 from RBS Greenwich Capital Markets to the Department of Parks and Recreation for reimbursement for the 2006 Independence Day Fireworks displays held at Greenwich Point and Binney Park. This donation has again allowed the Department of Parks and Recreation and Old Greenwich/Riverside Community Center to offer one of the most popular events of the year.

Upon acceptance of the gift, we will credit line item A812-53200, Parks and Recreation Organized Recreation, Recreation Athletic and Playground Supplies, to offset money paid to Atlas Pyrovision Productions, Inc. for their services for the Independence Day Celebrations.

**ATTACHMENTS**

None

ITEM NO: **14**  
DEPARTMENT: Parks and Recreation 0610PR02  
CONTACT: Joseph A. Siciliano (203) 622-6472  
Bruce Spaman (203) 622-6483  
REFERRED TO: Parks & Recreation Committee  
VOTES:

To consider and act upon the following resolution requested by the Director of Parks and Recreation and approved by the Board of Parks and Recreation:

**RESOLVED, that the Town of Greenwich accept gifts totaling \$38,270.00 from The Parks and Recreation Foundation, Summer Rain Sprinkler Systems, Inc., and The Friends of Greenwich Point.**

**EXPLANATORY COMMENTS**

Explanation by the Director of Parks and Recreation:

- 1. Park Amenities and Fixtures:** Often we receive requests to install a teak bench as a memorial to a person or to commemorate an event. Bench installations include: custom cast brass plaque; concrete base with brick pavers or bluestone surface overlay; bench is secured with steel bolts set into concrete base; professionally installed and maintained by Parks Department personnel; 10 year care and maintenance of bench and site.

10 Teak Benches:	\$2,500.00 each	\$25,000.00
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- 2. Trees, Shrubs and Other Plant Materials:** In the Spring and Fall residents and civic organizations customarily wish to donate trees, shrubs and flower beds for the parks, streets, schools or other Town properties. Motivation for these donations are primarily for memorial and commemorative plantings as well as civic projects.

10 Trees, small (2"-2 1/2" cal.)	\$225.00	\$ 2,250.00
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6 Trees, large (4"-4 1/2" cal.)	\$500.00	\$ 3,000.00
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Shrubs and perennial/annual plants:		\$ 2,500.00
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- 3. Irrigation System:**

- Strickland Road Park. Summer Rain Sprinkler Systems, Inc.,** will provide a gift and install an automatic underground turf and shrub irrigation system for Strickland Road Park.

\$ 3,720.00

- 4. The Friends of Greenwich Point** organization will provide a gift of twelve (12) decorative table umbrellas to be used at Greenwich Point at the south concession location.

\$ 1,800.00

ITEM NO: **15**

DEPARTMENT: Parks and Recreation 0610PR03

CONTACT: Joseph A. Siciliano (203) 622-6472

Craig Whitcomb (203) 622-7626

REFERRED TO: Finance, Parks & Recreation Committees

VOTES:

To consider and act upon the following resolution requested by the Director of Parks and Recreation and approved by the Board of Parks and Recreation:

**RESOLVED, that the Town of Greenwich accept a gift totaling \$50,00.00 from The Friends of Greenwich Point for Nature's Play Area to be installed behind the main concession area at Greenwich Point.**

### **EXPLANATORY COMMENTS**

Explanation by the Director of Parks and Recreation:

The Friends of Greenwich Point is celebrating its 50<sup>th</sup> year of advocacy for Greenwich Point. Founded in 1956 as the Greenwich Point Committee, the group has faithfully kept to the fulfillment of its mission statement:

“Our mission is to act as an advocate for Greenwich Point. We are committed to responsible stewardship and public education to preserve and enhance Greenwich Point’s diverse natural environments and beauty; to safe and appropriate recreation; and to the maintenance of its facilities. The Friends of Greenwich Point will also initiate and carry out projects related to its mission, complementing the efforts and resources of the Town”.

The name of the group was changed to the Friends of Greenwich Point in 1998 and memberships were opened to patrons of “The Point”. The current membership comprises approximately 450 Greenwich families.

**The Friends of Greenwich Point is now asking the Town to accept a gift of Nature Play Area to be installed in the area behind the main concession stand, an area 70 x 70 feet previously the site of a locker building demolished more than ten years ago.**

Although the focus of the project will be the installation of equipment appealing to young children, the proposed gift will include trees and shrubbery recommended by a professional landscape designer and approved by Parks and Trees. The play equipment will be constructed with materials mimicking nature insofar as possible and will meet all safety requirements. Benches are proposed to allow parents to supervise their children’s play comfortably.

### **ATTACHMENTS**

Landscape Design and Cost Estimate- separate enclosure