



**REPRESENTATIVE TOWN MEETING
TOWN OF GREENWICH**

**EXPLANATORY COMMENTS FOR
MARCH 2014 MEETING**

ITEM NO: **1- (postponed from January 2014 meeting)**
DEPARTMENT: Office of the First Selectman
CONTACT: Michael Rosen – 203 622 7702 - mrosen@greenwichct.org
REFERRED TO: *Appointments & Parks and 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 Harbor Management Commission for a term expiring 3/31/16.

LILE R. GIBBONS

EXPLANATORY COMMENTS

Lile Gibbons, of 27 Sunset Road, Old Greenwich, 06870 has been nominated as a regular member of the Harbor Management Commission for a term expiring 3/31/16.

Ms. Gibbons has served six terms in Connecticut State Legislature (in Hartford) as a State Representative of the 150th District. She has been a ranking member on Human Services for ten years, and acted as the Assistant Minority Leader. Prior to that, she served on the Greenwich Board of Education for 8 years, including 3 years as its Chairman.

Lile earned her B.A. degree in Economics from Smith College. She served on the Greenwich RTM (District 11) from 1989-1991. During her tenure in Hartford, she spoke with many constituents about waterfront issues – from the difficulty in obtaining moorings and permits to build residential docks, to the need for dredging local harbors. Lile also dealt with shellfish issues and federal and state environmental concerns of Long Island Sound.

ITEM NO: **2** - (postponed from January 2014 meeting)
DEPARTMENT: Office of the First Selectman
CONTACT: Michael Rosen – 203 622 7702 - mrosen@greenwichct.org
REFERRED TO: *Appointments and Parks and Recreation Committees*
VOTES: Board of Selectmen 2-1-0

RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed an alternate member of the Harbor Management Commission for a term expiring 3/31/17.

BERNARD ARMSTRONG

EXPLANATORY COMMENTS

Bernard Armstrong, of 74 Willowmere Circle, Riverside, 06878 has been nominated as an alternate member of the Harbor Management Commission for a term expiring 3/31/17.

Mr. Armstrong is a member of Riverside Yacht Club, and has been racing and sailing for over 30 years. He has also been an active member on the board of the Yacht Racing Association of Long Island Sound for 7 years. Additionally, he acted as the Greenwich Shellfish Warden for 5 years.

Bernard worked for 25 years with IBM prior to retiring in January 2013. He also served 15 years with Gartner as their VP of international marketing, and 10 years in financial services with UBS and Oppenheimer.

ITEM NO: **3** (postponed from January 2014 meeting)
DEPARTMENT: Office of the First Selectman
CONTACT: Michael Rosen – 203 622 7702 - mrosen@greenwichct.org
REFERRED TO: *Appointments and Parks and Recreation 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 Harbor Management Commission for a term expiring 3/31/16.

GARY SILBERBERG

EXPLANATORY COMMENTS

Gary Silberberg, of 99 Dingtletown Road, Greenwich, 06830 has been nominated as an alternate member of the Harbor Management Commission for a term expiring 3/31/16.

Mr. Silberberg is a real estate broker who owns and manages Intriguing Realty LLC in Greenwich. He has past experience in real estate development of residential property.

He is the acting Chairman and former Vice-Chairman of the Selectmen's Harbor Management Advisory Committee, and he was a member of the First Selectman's Coastal Resources Advisory Committee. He also worked on the committee to develop the Harbor Management Ordinance.

Gary earned his B.S. degree in Economic Statistics and Marketing from Lehigh University, and his M.B.A. in Management from the Baruch School (CUNY). He currently serves on the Conservation Commission, the Greenwich Tree Conservancy, and the Greenwich Chapter of the American Red Cross.

ITEM NO.: **4**
DEPARTMENT: Board of Education
CONTACT: Irene Parisi 203-625-7463 Irene_Parisi@greenwich.k12.ct.us
REFERRED TO: *Education and Finance Committees*
VOTES: Board of Education vote 8-0-0
BET Budget Committee TBD
BET TBD

RESOLVED, that the Town of Greenwich/Board of Education accept a grant for \$90,246 from Connecticut State Department of Education to assist the Board of Education in administering the Smarter Balanced assessment system. Said amount be and hereby appropriated to the following account: E0414 -50530.

EXPLANATORY COMMENTS

The RTM must authorize the acceptance of any grants not covered by the Annual Budget resolution.

ATTACHMENTS

Separate enclosure – grant application materials

ITEM NO.: **5**
DEPARTMENT: First Selectman's Office & Law Department
CONTACT: John Crary, Town Administrator (203-622-2208) & Aamina Ahmad, Assistant Town Attorney (203-622-7876)
REFERRED TO: *Finance and Legislative & Rules Committees*
VOTES:

RESOLVED, that the Representative Town Meeting hereby approves the renewal of the amended lease with the Greenwich Arts Council, Inc. for the Old Town Hall located at 299 Greenwich Avenue for a term of ten (10) years, from April 15, 2014 to April 14, 2024.

EXPLANATORY COMMENTS

The Greenwich Arts Council has been leasing the second and third floors of the Old Town Hall located at 299 Greenwich Avenue since 1980. Under the terms of the lease the Council has the right to renew the lease for an additional ten (10) year term. However, the Town and the Council wish to make certain modifications to the original lease to recognize changes that have occurred over the years. These changes include updating the insurance requirements to recognize today's values and risks, shift responsibility for custodial services from the Town to the Arts Council and permit the Arts Council to continue a practice of subletting space for other Greenwich arts and cultural organizations.

The Greenwich Arts Council and their associated entities provide arts and cultural services and events from their headquarters at the Old Town Hall seven days a week and often during evening hours. Under the terms of the existing lease the Town is responsible for providing custodial services to the Council. The Council has provided reimbursement for this service based upon ten (10) hours of service per week. Because of the programs offered today and the hours of operation of the Arts Council, the Town finds that it would be more practical for the Council to provide this service directly.

The Council has also become the home of many smaller arts and cultural groups from the community. Space is allocated to these programs for their files, meeting space and where programs can be offered. In exchange for this service the Arts Council receives payments which they use to defray the costs of the building and also to support their programs. The Town supports the Council's use of the building in this fashion since it meets our objective of supporting the arts without the need for any direct appropriation of public funds.

ATTACHMENTS:

Separate enclosure - Lease

ITEM NO:

6

DEPARTMENT:

Office of the First Selectman

CONTACT:

Michael Rosen – 203 622 7702 - mrosen@greenwichct.org

REFERRED TO:

Appointments and Land Use Committees

VOTES:

Board of Selectmen 3-0-0

RESOLVED, that the following named person, nominated by the Board of Selectmen, be reappointed an alternate member of the Planning and Zoning Commission for a term expiring 3/31/17.

NANCY RAMER

EXPLANATORY COMMENTS

Nancy Ramer, of 2 Wesskum Woods Road, Riverside, 06878 has been re-nominated as an alternate member of the Planning and Zoning Commission for a term expiring 3/31/17.

Ms. Ramer is a Partner in the law firm of Ramer & Ramer, specializing in family law. She has been an attorney since 1974 and also does pro bono legal work on the side, including volunteer legal counseling for YWCA Domestic Abuse Service.

Nancy earned her B.A degree from the University of Arizona and her J.D. from St. John's University. She is an associate member of the Greenwich DTC. In the past, she was the president of the OGRCC and a member of the Riverside School PTA. Additionally, Nancy Chaired the United Way Task Force on Domestic Violence, was on the First Church school board, the YWCA board, and the YWCA finance committee.

ITEM NO: **7**
DEPARTMENT: Office of the First Selectman
CONTACT: Michael Rosen – 203 622 7702 - mrosen@greenwichct.org
REFERRED TO: *Appointments and Land Use Committees*
VOTES: Board of Selectmen 3-0-0

RESOLVED, that the following named person, nominated by the Board of Selectmen, be reappointed an alternate member of the Planning and Zoning Commission for a term expiring 3/31/17.

H. ANDREW FOX

EXPLANATORY COMMENTS

Andrew Fox, of 50 Fairfield Road, Greenwich, 06830 has been re-nominated as an alternate member of the Planning and Zoning Commission for a term expiring 3/31/17.

Mr. Fox is a Partner at Stone Harbor Project Advisors, a real estate development and construction management firm. He offers over 30 years of development experience, working as both an owner and contractor. He has served on the Nathaniel Witherell Board for five years.

Andrew earned his B.S. in Civil Engineering from North Carolina State University. He currently chairs the Nathaniel Witherell Building Committee. He has previously served as chair of the GADC Building Committee, and has sat on the Eagle Hill School Building Committee.

ITEM NO: **8**
DEPARTMENT: Office of the First Selectman
CONTACT: Michael Rosen – 203 622 7702 - mrosen[@greenwichct.org](mailto:mrosen@greenwichct.org)
REFERRED TO: *Appointments and Land Use Committees*
VOTES: Board of Selectmen 3-0-0

RESOLVED, that the following named person, nominated by the Board of Selectmen, be reappointed a member of the Planning and Zoning Commission for a term expiring 3/31/17.

PETER LEVY

EXPLANATORY COMMENTS

Peter Levy, of 18 Mayfair Lane, Greenwich, CT 06831 has been re-nominated as a member of the Planning and Zoning Commission for a term expiring 3/31/2017.

Mr. Levy is a managing member and Vice President at the real estate management firm of Kamber Management Company. There, he manages the daily operations of office, properties, construction, and redevelopment projects. He also designs new tenant spaces and deals with tax, local law, zoning, and compliance issues.

Holding a Bachelor's Degree from Grinnell and a Masters in architecture, Mr. Levy donates his time as a Board Member of Middle East Forum, the UJA-NY & Greenwich, the Hebrew Immigrant Aid Society, Jewish Home & Hospital-NY, as well as serving as V.P. of the American Jewish Committee-CT.

ITEM NO: **9**
DEPARTMENT: Office of the First Selectman
CONTACT: Michael Rosen – 203 622 7702 - mrosen[@greenwichct.org](mailto:mrosen@greenwichct.org)
REFERRED TO: *Appointments and Land Use Committees*
VOTES: Board of Selectmen 3-0-0

RESOLVED, that the following named person, nominated by the Board of Selectmen, be reappointed a member of the Planning and Zoning Commission for a term expiring 3/31/17.

FREDERIC H. BROOKS

EXPLANATORY COMMENTS

Frederic Brooks, of 6 Jofran Lane, Greenwich, 06830 has been re-nominated as a member of the Planning and Zoning Commission for a term expiring 3/31/17.

Mr. Brooks recently completed four years as Chairman of the Board of Trustees of Caribbean Central American Action, a Washington, D.C. based not-for-profit

organization. He has served as Chairman and C.E.O. of MacGregor Sporting Goods, Riddell, Inc., All-American, Equilink Licensing Corporation, Sand-Knit, and several other companies in the sporting goods industry.

Frederic was educated at Columbia College and the Columbia School of Business. He has studied accounting, business law, securities analysis, marketing, and advertising. Presently he is the President of Connecticut Economics Corporation and is Chairman of Goodyear Industrial Products. He is also a member of the Building Committee of the Nathaniel Witherell.

ITEM NO: **10**
DEPARTMENT: Office of the First Selectman
CONTACT: Michael Rosen – 203 622 7702 - mrosen@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 reappointed a member of the Nathaniel Witherell Board of Directors for a term expiring 3/31/17.

CHRISTOPHER ANN THURLOW

EXPLANATORY COMMENTS

Christopher Thurlow, of 198 Shore Road, Old Greenwich, 06870 has been re-nominated as a member of the Nathaniel Witherell Board of Directors for a term expiring 3/31/17.

Ms. Thurlow is a retired Registrar of Voters who served the Town of Greenwich for 8 years in that capacity. She has a special interest in the needs of the frail elderly. She comes from a background in school, church, and political activities.

Christopher earned her B.A. in Government and English from Sweet Briar College. She is the current Vice Chair of the Nathaniel Witherell Board of Directors, and has served on this Board for over 9 years. She is also the Vice President of the Friends of Nathaniel Witherell, and is on the Town Building Committee for Nathaniel Witherell. Christopher is also affiliated with the Garden Club of Old Greenwich, the Garden Education Center, and St. Catherine Siena Parish.

ITEM NO: **11**
DEPARTMENT: Office of the First Selectman
CONTACT: Michael Rosen – 203 622 7702 - mrosen@greenwichct.org
REFERRED TO: *Appointments and Land Use Committees*
VOTES: Board of Selectmen 3-0-0

RESOLVED, that the following named person, nominated by the Board of Selectmen, be reappointed a member of the Planning and Zoning Board of Appeals for a term expiring 3/31/18.

ARTHUR M. DELMHORST

EXPLANATORY COMMENTS

Arthur Delmhorst, of 45 Dawn Harbor Lane, Riverside, 06878 has been re-nominated as a member of the Planning and Zoning Board of Appeals for a term expiring 3/31/18.

Mr. Delmhorst spent his career as a real estate consultant, and understands real estate matters, plot plans, and zoning regulations. He is currently retired, but previously worked at Delmhorst & Sheehan, Inc.

Arthur earned his B.A. from Columbia College and his M.B.A. from Columbia Business School. He has served as the Governor of the Riverside Association, the Senior Deacon and Chairman of the Board of Trustees of the First Congregational Church, and the Commodore of the Riverside Yacht Club.

ITEM NO: **12**
DEPARTMENT: Office of the First Selectman
CONTACT: Michael Rosen – 203 622 7702 - mrosen@greenwichct.org
REFERRED TO: *Appointments and Land Use Committees*
VOTES: Board of Selectmen 3-0-0

RESOLVED, that the following named person, nominated by the Board of Selectmen, be reappointed a member of the Planning and Zoning Board of Appeals for a term expiring 3/31/18.

DAVID WEISBROD

EXPLANATORY COMMENTS

David Weisbrod, of 97 Husted Lane, Greenwich, 06830 has been re-nominated as a member of the Planning and Zoning Board of Appeals for a term expiring 3/31/18.

Mr. Weisbrod is the CEO of LCH Clearnet LLC, a clearinghouse in New York City. He has enjoyed a distinguished 40-year career at JPMorgan Chase, where most recently he was Vice Chairman of Risk Management. He also sat on the firm's Corporate Risk Policy Group and chaired its Exchange & Clearinghouse Steering Committee, which coordinates its clearinghouse and exchange risk management approach. In addition, he was an active member of a number of key committees of the New York Federal Reserve. He served for many years on the board of the Depository Trust & Clearing Corp. ("DTCC") and is currently a member of the board of directors of CLS Group Holdings AG, a firm that plays a fundamental role in the settlement of foreign exchange transactions.

David earned his B.A. from Cornell University and his M.B.A. from New York University. Before his last role at J.P. Morgan, he was the Chief Risk Officer for J.P. Morgan's Treasury and Securities Services division for 10 years, where he guided the payments and custody business through the September 11th attacks and the 2008 financial crisis.

ITEM NO: **13**
DEPARTMENT: Office of the First Selectman
CONTACT: Michael Rosen – 203 622 7702 - mrosen@greenwichct.org
REFERRED TO: *Appointments and Land Use Committees*
VOTES: Board of Selectmen 3-0-0

RESOLVED, that the following named person, nominated by the Board of Selectmen, be reappointed a member of the Planning and Zoning Board of Appeals for a term expiring 3/31/18.

LAWRENCE E. LARSON

EXPLANATORY COMMENTS

Lawrence Larson, of 411 Round Hill Road, Greenwich, 06831 has been re-nominated as a member of the Planning and Zoning Board of Appeals for a term expiring 3/31/18.

Mr. Larson is a Principal and Attorney at his own law firm in Greenwich. He is a current member of the Planning and Zoning Board of Appeals, as well as an RTM Member from District 10. He is also presently affiliated with the Round Hill Association, the Round Hill Volunteer Fire Company, the Greenwich Rotary Club, and St. Barnabas Episcopal Church.

Lawrence earned his A.B. from Colgate University, his M.B.A. from Columbia Business School, and his J.D. from Cornell Law School. He is the past President of the Round Hill Association and the past Vice President of the Round Hill Volunteer Fire Company.

ITEM NO: **14**
DEPARTMENT: Office of the First Selectman
CONTACT: Michael Rosen – 203 622 7702 - mrosen@greenwichct.org
REFERRED TO: *Appointments and Land Use Committees*
VOTES: Board of Selectmen 3-0-0

RESOLVED, that the following named person, nominated by the Board of Selectmen, be reappointed an alternate member of the Planning and Zoning Board of Appeals for a term expiring 3/31/18.

KENNETH C. ROGOZINSKI

EXPLANATORY COMMENTS

Kenneth Rogozinski, of 1 Pinecrest Road, Riverside, 06878 has been re-nominated as an alternate member of the Planning and Zoning Board of Appeals for a term expiring 3/31/18.

Mr. Rogozinski is a Portfolio Manager and Co-CEO of Dreadnought Capital Management, an investment advisory firm located in Stamford. He comes from a distinguished career in financial services, including time spent at J.P. Morgan Securities, Morgan Stanley, Greystone & Co., Goldman Sachs, and Standard and Poor's.

Kenneth earned his B.S. in Finance from Fordham University, and his M.B.A. in Finance from the Wharton School. He has been involved with the POCD Housing Task Force, the Community Development Partnership Committee, and the Riverside School PTA – Audit Committee.

ITEM NO: **15**
DEPARTMENT: First Selectman
CONTACT: John Crary - 622-7710 - jcrary@greenwichct.org
Eugene McLaughlin - 622-7874 - gmclaughlin@greenwichct.org
REFERRED TO: *Finance, Health & Human Services, Legislative & Rules Committees*
VOTES: Board or commission name vote (y/n/a)

PROPOSED RTM RESOLUTION EXTENDING GREENWICH MUNICIPAL CODE ARTICLE 12-6.1. PROPERTY TAX RELIEF FOR SENIORS

NOW THEREFORE, BE IT HEREBY ORDAINED AND ENACTED BY THE REPRESENTATIVE TOWN MEETING THAT:

The ordinance entitled Article 12-6.1. PROPERTY TAX RELIEF FOR SENIORS is hereby amended as attached:

Sec. 12-6.1. Property tax relief for seniors.

1. Statutory authority; age qualification. Pursuant to General Statutes § 12-129n property tax relief shall be provided to any resident of the town with respect to real property occupied by such resident as his or her principal residence for which the resident is liable for taxes as owner or as tenant for life or years under General Statutes § 12-48, who meets the qualifying total annual income herein and (1) who is sixty-five (65) years of age or over, (2) whose spouse, living with the resident is sixty-five (65) years of age or over, or (3) who is sixty (60) years of age or over and the surviving spouse of a taxpayer

receiving relief in the town under this section at the time of his or her death. The ages specified in this section shall have been attained by December 31 preceding the application for tax relief under this ordinance.

2. Taxpayer qualification. Residents or spouses qualifying for tax relief under this section must be taxpayers of real property located in the town for one (1) year immediately preceding their receipt of tax benefits under this section and meet the requirements set forth in subsection 11 of this section with respect to the qualifying total annual income allowable for their federal income tax year preceding the year in which application is made for tax relief under this section.

3. Other relief. Prior to the granting of property tax relief, such person must first have applied for tax relief under any other statute for which he or she is eligible and shall certify to the assessor and tax collector the tax credits received thereunder. No property tax relief granted under this section, together with any property tax relief received by any such person under all applicable statutes shall exceed, in the aggregate seventy-five (75) percent of the total amount of the tax which would, except for those applicable statutes and this section, be laid against the person applying for tax relief hereunder.

4. Limit on abatement. The total credit and deferral abatement of property tax revenue which may be granted in each tax year by the town pursuant to the provisions of this section shall be set by the Board of Estimate and Taxation at the time it sets the mill rate for such tax year at an amount which is (a) not less than the lesser of (1) \$570,000 or (2) the amount of the tax relief for approved applications and (b) not greater than an amount, equal to one-half of one (½) percent of the total real property tax levied in the town in the current tax year. Such tax relief granted to eligible persons for any fiscal year shall be decreased if necessary to keep the total amount of the town tax relief within such limit by applying such decrease ratably to the relief for the eligible persons with the highest qualifying total annual income and relief determined under subsections 6 and 11 and then if no relief is left for persons with such income and relief, by applying the decrease ratably to the relief for the persons with the next highest income and relief and so on for the others, until the decrease that is required to stay within such limit is met.

5. Principal residence requirement. For purposes of this section the principal residence requirement in subsection 1 shall be met if the resident seeking qualification shall have maintained residence in the property for which tax relief is being sought for at least one hundred eighty-three (183) days during the twelve (12) months immediately prior to the filing of an application hereunder and does not otherwise qualify as a resident of any other country, state, municipality or territory.

6. Qualifying total annual income. Qualifying total annual income for tax relief under subsection 11 of this section shall be reviewed and determined by the assessor on the basis of amounts listed in the computation of total income for federal

income tax purposes furnished by the taxpayer for the year preceding the filing of an application for tax relief hereunder of the applying individual, if unmarried, or jointly, if married, regardless of whether or not separate federal income tax returns were filed by such person or his or her spouse and shall be adjusted in accordance with subsections (a) and (b) of this section.

(a) *Included in income.* Qualifying total annual income shall include income from the following sources, whether or not such sources were included in amounts listed for the computation of total income in a federal income tax return, and shall therefore be adjusted and determined by the assessor to the extent such amounts are not included as total income in a federal income tax return:

- (1) Wages, bonuses, commissions, gratuities and fees, self-employment net income;
- (2) Gross Social Security, Federal Supplemental Security Income, payment for jury duty (excluding travel allowance);
- (3) Dividends, interest, and annuities;
- (4) Taxable IRA distributions;
- (5) Black Lung payments;
- (6) Interest or proceeds resulting from gifts received;
- (7) Lottery winnings;
- (8) Net income from sale or rent of real or personal property, provided that, to the extent that there is no net income, qualifying total annual income shall not be decreased by sale and rental net income losses;
- (9) Pensions, including veterans' and railroad retirement;
- (10) Severance pay; Unemployment compensation;
- (11) Worker's compensation;
- (12) Alimony;
- (13) Capital gains, provided that, to the extent there is no capital gain, qualifying total annual income shall not be decreased by capital losses;
- (14) Partnership income, provided that, to the extent there is no net income, qualifying total annual income shall not be decreased by partnership net income losses;

(b) *Excluded from income.* Qualifying total annual income shall exclude income from the following sources, whether or not such sources were included in amounts listed for the computation of total income in a federal income tax return or under subsection (a) above and shall therefore be adjusted and determined by the assessor to the extent that such amounts are included in a federal income tax return or under subsection (a) above:

- (1) Social Security payments specifically for a dependent person or minor child;
- (2) Casualty loss reimbursements by insurance companies;

(3) Gifts, bequests or inheritances, except for any interest or other income produced by the gift, bequest or inheritance;

(4) Grants for disaster relief;

(5) Income derived through volunteer service under the Domestic Volunteer Service Act of 1973, as amended, including stipends earned under the Foster Grandparents' Program, Retired Senior Volunteer Program, Senior Companion Program, and Community Training under Department of Mental Retardation;

(6) Life insurance proceeds;

(7) For a married homeowner whose spouse is a resident of a health care or nursing home facility and who is receiving payment related to such spouse under Title XIX Medicaid, total income shall not include the spouse's Social Security income, provided that the following has been submitted to the Assessor on the facility's letterhead and signed by the administrator or other nursing home official:

(i) Proof that the spouse is in a health care or nursing home facility,

(ii) The name and address of the facility,

(iii) The period during the benefit year that the spouse was in the facility,

(iv) The period during the benefit year that the spouse was on Title XIX Medicaid;

(8) Food stamps; fuel assistance; child support payments and temporary family assistance program payments.

7. Delinquent taxes. No tax relief shall be given under this section to any person who has delinquent taxes to the town from real property, personal property or motor vehicles, including capital assessments or user charges owed to the town which have not been paid in full or brought current by June 1 preceding the fiscal year for which tax relief shall be granted. For purposes of this section, abated taxes shall not be considered delinquent.

8. Form of application. The form of application for property tax relief under this ordinance shall: (a) be made by affidavit on forms provided by the assessor and accompanied by documentation of all qualifying income, including a copy of the applicant's most recent federal tax return for the taxpayer's fiscal year immediately preceding the town's fiscal year for which tax relief is being requested and (b) state the qualifying information set forth in the preceding sections of this ordinance, whether or not the applicant has previously applied or is currently applying for any other tax relief for the elderly or disabled under any state statute. For those persons not required by law to file a federal tax return, an affidavit from such persons shall be required attesting to the fact that they are not required to file a tax return. In the case of an application for tax deferral as provided under this ordinance the assessor shall take from the applicant, who

shall be an individual and not a trust, an agreement in writing, signed, witnessed and acknowledged as required for a conveyance of land, containing the street address and land records volume and page of the deed to the property to the applicant or other legal description, that states the obligation to repay the deferred taxes and expressly grants to the town a security lien therefor on such real estate, which agreement shall be recorded in the land records with the lien filed by the tax collector in accordance with subsection 11(b) hereof. The tax assessor shall provide the applicant for a tax deferral written notice that if the applicant's property is mortgaged, entering into this agreement may violate the mortgage covenants and the applicant should contact his or her mortgage lender.

9. Filing dates. An application for property tax relief under this ordinance, including any required affidavit and documentation, shall be filed by mail or delivered in person to the assessor's office not earlier than February 1, nor later than May 15 to obtain property tax relief for the next fiscal year. For those persons who have sought and received by May 15 an extension of time to file a tax return, the application must nevertheless be filed by May 15 and a copy of the tax return must be received by the assessor's office by June 15 or the application will be denied. If the qualifying total annual income for the year following that contained in the application remains less than the limit of the category approved for a resident under subsection 11 then that resident shall not be required to file an application in the next following year but shall only be required to file an application biennially and the assessor may rely on the approved application on file to continue the tax relief accordingly. Otherwise, based on changes for such following year in qualifying total annual income that exceed the limit of the category approved for a resident or for a claim that the resident be allowed a larger relief based on a lower income category under subsection 11, the resident shall notify the assessor of such change and, if still qualifying for property tax relief, shall file again annually, by the dates set forth in this subsection.

10. Assessment limit. The property tax relief available hereunder shall be available for one (1) residence only collectively for each applicant and spouse and shall not be available to any residence with an assessed value in excess of one hundred and fifty (150) percent of the highest median assessed value of residences sold during each of the prior assessment years, October 1 to September 30, since the inception of the last town-wide revaluation as calculated by the assessor.

11. Computation of credit or deferral. The tax relief provided by this section shall be elected by the applicant, subject to subsection 3, as either a credit, as provided in the following subparagraph (a), or a deferral, as provided in the following subparagraph (b), but not both.

(a) Tax Credit.

(1) The computation of the amount of property tax credit hereunder for the fiscal year commencing July 1, 2009 shall be determined on the following graduated basis:

<i>Qualifying Total Annual Income</i>	<i>Property Tax Credit</i>
Less than \$24,000	\$1,900

\$24,000-\$36,000	\$1,300
\$36,001-\$50,000	\$1,000
\$50,001 - \$60,000	\$500

(2) For fiscal years commencing July 1, 2010 and following, the amount of tax credit shall be adjusted by a percentage change from the prior year as follows:

(i) In a fiscal year in which a tax assessment revaluation becomes effective, the percentage change shall be the product of the new mill rate times the new grand list divided by the product of the prior grand list times the prior mill rate, minus one.

Example:

Prior Grand List	= \$20 Billion
Prior Mill Rate	= 12 mills
New Grand List	= \$40 Billion
New Mill Rate	= 6.2 mills
Benefit Change	= ((6.2 mills x \$40 Billion)/(12 mills x \$20

Billion))-1

= (\$248 million /\$240 million)-1

= .03333 or 3.333% increase

(ii) In a fiscal year in which a tax assessment revaluation does not become effective the percentage change shall be the same as the percentage change in the mill rate from the prior year.

(b) Tax Deferral.

(1) The amount of tax deferral hereunder for the fiscal year commencing July 1, 2010 and thereafter that persons with a qualifying total annual income of sixty thousand dollars (\$60,000) or less may apply for shall be three thousand dollars (\$3,000).

(2) The amount of tax deferred shall be reimbursed to the town on the death of the taxpayer or transfer of the property as provided in subsections 12 and 13 hereunder and shall be subject to the following: (i) the tax deferred shall be subject to an interest charge equal to the nominal rate for the United States Treasury security ten (10) year constant maturity quoted on an investment basis in the Federal Reserve Statistical Release as of each July 1, or the first business day thereafter, plus 200 basis points (2%), (ii) the interest rate will change annually, shall become effective July 1 and remain in effect for the twelve (12) month period through and including June 30 and shall compound annually, (iii) interest shall accrue from the date of deferral to the date of payment and (iv) the cumulative amount of deferred taxes plus interest may be repaid in whole at any time.

(3) Once the amount including interest that is cumulatively deferred for any property exceeds fifty (50%) percent of the assessed valuation of that property or the taxpayer's prorated assessed valuation of that property as determined by the assessor under subsections 14 or 15 hereof the taxpayer for that property shall no longer qualify for a tax deferral.

(4) Upon the approval of an application for deferral the assessor shall forward notification of the approval together with the agreement specified in subsection 8 hereof to the tax collector who shall file in the land records the agreement together with a tax lien on the property which shall become effective and be continued in the same manner as with other tax liens for the cumulative amount of deferred taxes plus the interest specified herein.

(c) For fiscal years commencing July 1, 2011 and following the qualifying total annual income shall be adjusted by the percentage increase in the Consumer Price Index affecting the town designated "CPI-W NY-NJ-CT-PA" rounded down to the nearest \$500.

12. Death of taxpayer. Upon the death of any person entitled to tax relief pursuant to this section, the tax relief hereunder shall end the following June 30, unless his or her spouse is otherwise qualified hereunder. Any deferred tax plus interest shall be paid by the expiration of 270 days from the date of death and if not paid shall become delinquent from the expiration of such time limit in the same manner as for delinquent taxes.

13. Transfer of property. If any person entitled to tax relief hereunder transfers the property with respect to which the tax relief hereunder has been granted to someone other than a spouse otherwise qualified hereunder, the tax relief shall be suspended as of the date of transfer, the deferred tax plus interest shall thereupon become due and if not paid within thirty (30) days shall become a delinquent tax from the date of transfer. The nonqualifying transferee of such property shall be liable for any such unpaid taxes and shall pay the town a prorated share of taxes that become due and owing as provided by General Statutes § 12-81a.

14. Proration of relief. The property tax relief provided for in this section may, in any case where title to real property is recorded in the name of the taxpayer or his or her spouse and any other person or persons, be prorated to reflect the fractional portion of such taxpayer or spouse or, if such property is a multiple family dwelling, such relief may be prorated to reflect the fractional portion of such property occupied by the taxpayer.

15. Cooperatives. Persons qualifying in accordance with age and income requirements of this ordinance shall be eligible if they are unit owners and occupiers of a cooperative. The amount of annual property tax relief in accordance with this section to any such person shall be determined in relation to an assumed amount of property tax liability applicable to the assessed value for the dwelling unit which such person owns and occupies as determined by the assessor which may be based on the number of cooperative shares attributable to the unit compared to the total number of shares in the cooperative. For purposes of this section the assessor shall determine the assumed amount of property tax liability applicable to the assessed value for the dwelling unit of each such person who is otherwise eligible under this section, but such determination shall not constitute a tax bill for purposes of property taxation of such cooperative or any individual dwelling unit thereof. Annually not later than the first day of June, the

assessor, upon the basis of an application for such relief, shall determine, with respect to the assessment list for the assessment year commencing October first immediately preceding, the portion of the assessed value of the entire cooperative, as included in such assessment list, attributable to the dwelling unit occupied by such person. The assumed property tax liability for purposes of determining the amount of such relief shall be the product of such assessed value and the mill rate in the town as determined for purposes of property tax imposed on said assessment list for the assessment year commencing October first immediately preceding. The amount of relief to which such person shall be entitled for such assessment year shall be equivalent to the amount of tax reduction for which such person would qualify, considering such assumed property tax liability to be the actual property tax applicable to such person's dwelling unit and such person as liable for the payment of such tax.

16. Procedures. The tax collector and assessor shall prescribe with regard to their respective duties under this section, such forms and procedures as may be necessary to implement this section. The assessor, in addition, shall take such steps as are necessary to satisfactorily establish the facts as to the qualifying income of an applicant for benefits under this section by requesting and reviewing income tax forms filed therewith and any additional evidence of qualifying income, which the assessor may require. This documentation shall not be open to public inspection. The assessor may deny the application of a person who fails to provide information required by the assessor that is necessary to determine eligibility.

17. Effective date. This ordinance, as amended, shall be effective starting with applications accepted February 1, 2010 for tax relief for the fiscal year commencing July 1, 2010.

18. Expiration. All provisions of this ordinance, as amended, shall cease to be effective on June 30, **2019** [2014] unless an ordinance extending this ordinance is properly submitted to the Board of Selectmen, the Board of Estimate and Taxation and the Representative Town Meeting and approved prior to that date.
(RTM, 4/9/2001; RTM, 12/10/2001; RTM 6/13/05; RTM 1/20/09)

Additions bold, deletions [brackets]

EXPLANATORY COMMENTS

Senior tax relief was first approved in Greenwich in 2000. The ordinance was adopted to help those seniors most in need and to assist our senior population in staying in their home. The program requires that the recipient be at least 65 years of age and be a taxpayer for at least one year. The taxpayer may not have a total income that exceeds \$63,000. Last year 673 Greenwich seniors received the benefit of this program. The average age of recipients was 81 years of age and they had owned their homes for an average of 41 years.

The Board of Selectmen approved the amended ordinance at their February 6 meeting and it is expected that the Board of Estimate and Taxation (BET) will approve this measure at their February 18 meeting. The ordinance is unchanged from that which was adopted by the Town in 2010, with the exception of an extension of the sunset provision which has been extended to June 30, 2019. Attached is the proposed ordinance and pages from a power point presentation prepared by the Assessor that provides more information on the program.

ATTACHMENTS:

Separate enclosure – history of program

ITEM NO. **16**
DEPARTMENT: Appointments Committee
CONTACT: Candace Garthwaite – 203-698 0015
cg@greenwichcareercoaching.com
REFERRED TO: *Appointments and Finance Committees*
VOTES: Appointments Committee 9-0-0

RESOLVED, that the following named person, nominated by the Appointments Committee, be appointed Member of the Labor Contracts Committee for the term expiring 12/31/15.

M. MICHAEL WARNER

EXPLANATORY COMMENTS

Michael Warner, of 48 Spring St Greenwich, 06830 has been nominated as a Member of the Labor Contracts Committee for a term expiring 12/31/2015.

Mr. Warner has broad corporate human resources experience including labor relations, negotiations, and approval of labor contracts. His experience also includes benefit management and analysis. Mr. Warner has served on the RTM Labor Contracts Committee since 2006. He is the current Chair of the RTM Finance Committee and believes his involvement on both committees is an asset to the RTM. He also serves as an Alternate on the RTM Land Use and Budget Overview Committees.

ITEM NO. **17**
DEPARTMENT: Appointments Committee
CONTACT: Candace Garthwaite – 203-698 0015
cg@greenwichcareercoaching.com
REFERRED TO: *Appointments and Finance Committees*
VOTES: Appointments Committee 11-0-0

RESOLVED, that the following named person, nominated by the Appointments Committee, be appointed Member of the Labor Contracts Committee for the term expiring 12/31/15.

DAVID W. DETJEN

EXPLANATORY COMMENTS

David Detjen, of 35 Stonehedge Dr. South, Greenwich, 06831 has been nominated as a Member of the Labor Contracts Committee for a term expiring 12/31/2015

A member of the Labor Contracts Committee since 2000 and currently Chairman, Mr. Detjen, a Partner with Alston & Bird is the leader of the firm's German Practice Team. He is the editor-in-chief of the *International Law Practicum*, a publication of the New York State Bar Association. David Detjen's legal skills are important to the Labor Contracts Committee, as he is the only lawyer currently on the committee. In addition to the Labor Contracts, Committee, Mr. Detjen is the District 10 delegate on the Parks and Recreation Committee.

ITEM NO. **18**
DEPARTMENT: Appointments Committee
CONTACT: Candace Garthwaite – 203-698 0015
cg@greenwichcareercoaching.com
REFERRED TO: *Appointments and Finance Committees*
VOTES: Appointments Committee 11-0-0

RESOLVED, that the following named person, nominated by the Appointments Committee, be appointed Member of the Labor Contracts Committee for the term expiring 12/31/15.

STEVEN RUBIN

EXPLANATORY COMMENTS

Steven Rubin, of 17 Indian Mill Rd, Greenwich, 06807 has been nominated as a Member of the Labor Contracts Committee for a term expiring 12/31/2015.

Mr. Rubin is currently a Principal with Mercer Health & Benefits where he and his team advise corporate clients on employee benefit strategies for companies with 500-10,000 employees. Mr. Rubin has been on the Labor Contracts Committee for one term as an Alternate. Steve Rubin is vital resource to the committee because of his depth of knowledge on healthcare benefits and the impact of the Affordable Healthcare Act.

ITEM NO. **19**
DEPARTMENT: Appointments Committee
CONTACT: Candace Garthwaite – 203-698 0015
cg@greenwichcareercoaching.com
REFERRED TO: *Appointments and Finance Committees*
VOTES: Appointments Committee 9-0-0

RESOLVED, that the following named person, nominated by the Appointments Committee, be appointed Alternate member of the Labor Contracts Committee for the term expiring 12/31/15.

LUCIA D. JANSEN

EXPLANATORY COMMENTS

Lucia Jansen, of 8 Sidney Lanier Ln, Greenwich, 06831 has been nominated as an Alternate member of the Labor Contracts Committee for a term expiring 12/31/2015.

Ms. Jansen, who has an MBA and held leadership roles in technology and consulting prior to becoming a full time volunteer in 2005. Lucia, a RTM member since 2005 is the current Chair of the Budget Overview Committee and has served as a Delegate to the RTM Parks & Recreation Committee for seven years. An avid researcher and writer, she has created a Labor Financial Analysis Template and co-authored a Historical Budget Report that was released in 2010.

ITEM NO. **20**
DEPARTMENT: Appointments Committee
CONTACT: Candace Garthwaite – 203-698 0015
 cg@greenwichcareercoaching.com
REFERRED TO: *Appointments and Finance Committees*
VOTES: Appointments Committee 11-0-0

RESOLVED, that the following named person, nominated by the Appointments Committee, be appointed Alternate member of the Labor Contracts Committee for the term expiring 12/31/15.

ROBERT M. BYRNES

EXPLANATORY COMMENTS

Robert Byrnes, of 570 Lake Ave, Greenwich, 06830 has been nominated as an Alternate member of the Labor Contracts Committee for a term expiring 12/31/2015.

Mr. Byrnes, a former Senior Vice President of Human Resources at International Paper was responsible for world-wide human resources. His extensive labor relations experience included labor contract negotiations, arbitrations, and concessionary bargaining. He is committed to the work of the RTM Labor Contracts Committee having served as a member of the Committee since 2004. Mr. Byrnes is the Chair of the Southwest Regional Planning Agency (SWRPA) and an Alternate on the Parks and Recreation Committee.

ITEM NO. **21**
DEPARTMENT: Appointments Committee
CONTACT: Candace Garthwaite – 203-698 0015
cg@greenwichcareercoaching.com
REFERRED TO: *Appointments and Finance Committees*
VOTES: Appointments Committee 9-0-0

RESOLVED, that the following named person, nominated by the Appointments Committee, be appointed Member of the Labor Contracts Committee for the term expiring 12/31/15.

MICHAEL GERALD WACEK

EXPLANATORY COMMENTS

Michael Wacek, of 15 Wyngate Road, Greenwich, 06830 has been nominated as a Member of the RTM Labor Contracts Committee for a term expiring 12/31/2015.

A member of the Labor Contracts Committee for two terms, Mr. Wacek has extensive actuarial experience in the insurance and reinsurance industry where he has held senior executive positions since 1984. He is committed to helping the Town on issues related to employee pensions and brings valuable expertise and experience to the Labor Contracts Committee on this issue. He is a current Delegate to the RTM Budget Overview Committee from District 8.

ITEM NO. **22**
DEPARTMENT: Appointments Committee
CONTACT: Candace Garthwaite – 203-698 0015
cg@greenwichcareercoaching.com
REFERRED TO: *Appointments and Finance Committees*
VOTES: Appointments Committee 12-0-0

RESOLVED, that the following named person, nominated by the Appointments Committee, be appointed Member of the Labor Contracts Committee for the term expiring 12/31/15.

JOAN M. CALDWELL

EXPLANATORY COMMENTS

Joan Caldwell, of 364 Riversville Road, Greenwich, 06831 has been nominated as a Member of the Labor Contracts Committee for a term expiring 12/31/2015.

A member of the Labor Contracts Committee since its inception, Ms. Caldwell has served as the committee Chair, Vice-Chairman, and Secretary. Joan is the RTM Moderator Pro Tempore, and Chairperson for District 10. Joan's value to the committee is her deep historical and operational knowledge of the Town of Greenwich and her long service on the Labor Contracts Committee.

ITEM NO. 23
DEPARTMENT: Appointments Committee
CONTACT: Candace Garthwaite – 203-698 0015
cg@greenwichcareercoaching.com
REFERRED TO: *Appointments, Land Use, Public Works Committees*
VOTES: Appointments Committee 12-0-0

RESOLVED, that the following named person, nominated by the Appointments Committee, be appointed Member of the Flood and Erosion Control Board (FECB) for the term expiring 12/31/17

PETER J. FINKBEINER

EXPLANATORY COMMENTS

Mr. Finkbeiner of 20 Brookside Drive, Greenwich, is a licensed professional civil engineer and has served on the FECB since March 2010 when he was appointed Alternate. He was appointed a Member in January 2013 to serve out the term of Anthony MacLeod.

Mr. Finkbeiner's professional expertise includes stormwater management including the design of flood controls, wetlands mitigation, and environmental enhancements. Mr. Finkbeiner is a Drainage Engineer with Sound View Engineers & Land Surveyors, Inc. Additional experience includes employment as the Town Engineer and Department Head for the Connecticut Towns of Trumbull (6 years) and Hamden (2 years). In these roles he supervised design teams, budgets, construction plans, geo-technical soil investigations, construction bidding, and construction activities.

Mr. Finkbeiner has a BA in History from Williams College and a BS in Engineering from the University of New Haven.

ITEM NO. 24
DEPARTMENT: Appointments Committee
CONTACT: Candace Garthwaite – 203-698 0015
cg@greenwichcareercoaching.com
REFERRED TO: *Appointments, Land Use, Public Works Committees*
VOTES: Appointments Committee 12-0-0

RESOLVED, that the following named person, nominated by the Appointments Committee, be appointed an Alternate Member of the Flood and Erosion Control Board (FECB) for the term expiring 03/31/17.

MARK WELLER

EXPLANATORY COMMENTS

Mr. Weller of 13 Lucy Street, Greenwich is being nominated as Alternate for the Flood and Erosion Control Board for a term expiring 03/31/17. Mr. Weller has served as a FECB Alternate since January 2013 when he was appointed to replace Mr. Peter Finkbeiner.

Mr. Weller is an Applications Engineer advises consulting engineers, architects, contractors, and owners with the proper selection and application of the varied engineered systems and mechanical equipment used in stormwater, wastewater, and water treatment projects. His current employment allows him the opportunity to regularly attend and participate in conferences addressing the best management practices of the water protection industry. He has been a member of the Water Environment Federation-Lower Hudson Valley Chapter for 20 years.

ITEM NO: **25**
DEPARTMENT: Nathaniel Witherell Town Building Committee
CONTACT: Andy Fox 661-4105; haf@stoneharborland.com
Stephen Soler 979 8323; Stephen.soler@nyu.edu
REFERRED TO: *Finance & Health & Human Services Committees*
VOTES: Board of Estimate and Taxation

To consider and act upon the following resolution, requested by the Nathaniel Witherell Town Building Committee

WHEREAS, based upon construction cost estimates by the Construction Manager and the Town's Nathaniel Witherell Building Committee (the "Building Committee"), the RTM at its meeting on December 12, 2011, appropriated \$20,205,000 for the construction and rehabilitation of the Nathaniel Witherell ("Project Renew") and at its meeting on December 10, 2012, appropriated a further \$2,426,000 for additional construction and financing costs of Project Renew;

WHEREAS, based on unforeseen costs associated with the rehabilitation the contingency portion (\$1.755 Million) of the approved budget for Project Renew (\$19.555 Million) has been nearly exhausted and an estimated additional \$950,000 will be required to complete Project Renew in accordance with the specifications and scope of work issued by the Board of Directors of Nathaniel Witherell to the Building Committee; and

WHEREAS, the State of Connecticut has advised Nathaniel Witherell that, upon completion and audit, Project Renew will qualify for receipt of a Connecticut Historic Tax Credit of \$4,490,918;

NOW, THEREFORE BE IT RESOLVED, that the sum of \$950,000 is hereby appropriated for the completion of Project Renew, said appropriation to come from the General Fund balance, which shall thereafter be reimbursed in a corresponding

amount from the net proceeds of sale of the Historic Tax Credit received by the Town in respect of Project Renew.

EXPLANATORY COMENTS

Project Renew

Nathaniel Witherell has served residents of the Town of Greenwich for more than 100 years, initially as the Town's General Hospital and most recently as a licensed 202 bed nursing facility and short-term rehabilitation center.

In December of 2011 the Town of Greenwich, acting through the BET and RTM, authorized the issuance of \$20.205 Million in general obligation bonds (increased in December, 2012 by the RTM to \$22,631,000) to finance the proposed Project Renew. The Town Building Committee was formed and charged with delivering Project Renew. An approved budget for the project included \$19.555 Million for hard costs with the balance of the budget to be used for soft costs (including furniture, fixtures and equipment) as well as financing costs associated with the project. Included in the hard costs for the project was a contingency of \$1.755 Million to cover unforeseen expenses encountered with the rehabilitation of an old building. The Town Building Committee, working under the direction of the Nathaniel Witherell Board scope of work requirements, developed a plan that included a major rehabilitation of Nathaniel Witherell. Designs commenced and, during the design process, elements of the project were value engineered. The Town Building Committee developed a series of additions or alternates for the project which were to be funded based on available funds for each of the line items. These items were included in the \$19.55 Million budget but, to be prudent with funds and sensitive to previous Town of Greenwich building project problems, it was decided to hold these items in abeyance until sufficient funds existed to complete the project. Those projects, Cafe Witherell, Nursing Station Ceiling repairs, Tower Ceiling Repairs, Tower Balcony Enclosures and Nourishment Station Ceilings, total \$950K. To date the Building Committee for Project Renew has spent \$1.612 Million from the contingency account. It is anticipated that the Building Committee will exhaust the budgeted contingency amount and may eliminate up to \$300k of other projects to meet the break-even budget.

The contingency budget was used to cover unforeseen costs including, rock removal, HVAC requirements, revisions to the beauty salon, elevator modifications as well as to address items needed to meet various Town of Greenwich requirements.

During the process of securing the Certificate of Need and final design of the project, the Friends of Nathaniel Witherell, Inc. (the "Friends"), on behalf of Nathaniel Witherell, applied for Historic Designation for the facility. This allowed the Friends to apply for an Historic Tax Credit to be used in the event of cost overruns or to fund additions to the project. On June 9, 2010 the National Park Service of the U.S. Department of the Interior listed the Nathaniel Witherell in the National Register of Historic Places. This listing allowed the Nathaniel Witherell to apply for a State Historic Tax Credit. On June 26,

2013 the State of Connecticut advised that Project Renew will qualify for a tax credit of \$4,490,918. This credit will be in the form of a certificate that can be transferred to an investor, allowing the Town of Greenwich to “syndicate” and sell the tax credit and realize the cash. Typically these types of credits “sell” for 80 cents on the dollar and, should provide the Town at least \$3.5 Million in proceeds.

Based on the fact that the Town has gone through an exhaustive exercise planning, designing and implementing various plans for the rehabilitation of the Nathaniel Witherell and, due to unforeseen conditions and requirements for the project to proceed, an interim appropriation in the amount of \$950,000 is requested to cover the costs of the add alternates and required improvements for the long term use and occupancy of the facility. Repayment of this interim appropriation will come from the syndication and sale of the State Historic Tax Credit.