STATE OF CONNECTICUT
TOWN OF GREENWICH

A regular Representative Town Meeting of the Town of Greenwich will be held in the Moderator's Hall of Central Middle School on Monday September 19, 2011 at 8:00 P.M.(E.D.T.) for the following purposes:

1. To consider and act upon the following resolution, postponed from the June 2011 meeting.

RESOLVED, that the following named person, nominated by the Board of Selectmen, be re-appointed a regular member of the Planning and Zoning Commission for a term expiring 3/31/14.

PAUL S. MARCHESE

Referred to Appointments Committee
Referred to Land Use Committee

2. To consider and act upon the following resolution, postponed from the June 2011 meeting.

RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed as a regular member of the Alarm Appeals Board for a term expiring 3/31/12.

JOHN A. SLUSARZ

Referred to Appointments Committee
Referred to Town Services Committee

3. To consider and act upon the following resolution, postponed from the June 2011 meeting.

RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed a regular member of the Historic District Commission for a term expiring 3/31/12.

STEPHEN L. BISHOP

Referred to Appointments Committee
Referred to Land Use Committee

4. To consider and act upon the following resolution, postponed from the June 2011 meeting.

RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed an alternate member of the Historic District Commission for a term expiring 3/31/16.

DARIUS TORABY

Referred to Appointments Committee
Referred to Land Use Committee

5. To consider and act upon the following resolution, requested by the First Selectman and approved by the Board of Selectmen.

RESOLVED, that the First Selectman is authorized to accept a Homeland Security Grant from the Federal Government for the purchase of a Multi Purpose Public Safety Boat at a cost of $600,000 and to approve the appropriation of these funds to Fund F, Department 2138 (Police), Object 59250 and Project 12199.

Referred to Finance Committee
Referred to Town Services Committee

6. To consider and act up the following resolution, requested by resident property owner.

Re: Appeal of Municipal Improvement number# (PLPZ 2011 00269), (PLPZ 2011 00285), (PLPZ 2011 0039)
Town Of Greenwich, Department of Public Works proposal to demolish and re-build the Central Firehouse located on 5 Havemeyer Place, Greenwich, Ct. 06830.
We are appealing the recent approval of the Municipal Improvement in accordance with section 100 of the Greenwich CT Town Charter for the following reasons.

1. The Central Firehouse is on the National Register of Historic Places and In the Town of Greenwich Municipal Historic District.

2. This MI was part of a previous MI and combined site plan approval for which significant Floor Area Ratio (FAR) bonuses were granted, and utilized, in exchange for preserving and restoring the Central Firehouse.

3. The Planning and Zoning Commission acted inappropriately and illegally in considering this MI separate from the prior approval because the property is not legally sub-dividable nor has it been subdivided.

4. The demolition proposal was based on a representation that changes to the building code, would make the project more costly and difficult, but NOT impossible, to preserve the building in accordance with the prior approval.

5. The Town's consultants used a more restrictive code than required, therefore the cost representations and preservation estimates are inaccurate and the conclusions are flawed.

6. The Town needs to re-evaluate the code requirements with preservation as the preferred option and re-estimate the costs. The $9,000,000 cost differential presented at the public hearing is not an accurate representation of the additional cost of code compliance even with the more stringent code.

7. The Proposed project needs variances for height, setbacks, FAR, number of stories, lot coverage and building coverage. If the building is demolished. All of these would become self-created hardships, based on economics, which is not a viable reason for granting variances.

8. Granting this MI has made the Police building ILLEGALY Non-conforming. It now exceeds the allowable FAR by 300%

9. Granting this MI results in a transfer of development rights to an adjacent property which is not allowed under the Building Zone Regulations.

10. Intentional demolition of a non-conforming structure requires that any new structure meet all zoning regulations with regard to height, setbacks, coverage etc.

11. The Planning and Zoning Commission in analyzing compliance with the Plan Of Conservation and Development (POCD) quoted a goal in the POCD to "Complete the Public Safety Complex". However, when the plan was written, the "Completion" referred to is the original approved plan, of preserving the Central Firehouse.

12. The Planning and Zoning commission failed to consider the Action Strategy of the POCD chapter 2 page 15 "To Protect Historic and Cultural Resources" which this proposal clearly violates.

13. There is only one Building Zone Regulation applying to Land Use. The Planning and Zoning Commission failed to hold the Town to the same standard under the regulations as other property owners and thereby is creating a precedent that could undermine the preservation of historic structures in the future.

Referred to Finance Committee
Referred to Land Use Committee
Referred to Legislative & Rules Committee
Referred to Town Services Committee

7. To consider and act upon the following resolution, requested by the Director of Planning and Zoning/Town Planner/Zoning Enforcement Coordinator and approved by the Board of Estimate and Taxation.

RESOLVED, that the additional appropriation of $24,835 for FY 2011-12 be and the same is hereby appropriated to be added to the account number A161 51300 and A90157050 known as Zoning Enforcement/Board of Appeals- Permanent Part Time Salaries and Social Security Services

Referred to Finance Committee
Referred to Land Use Committee

8. To consider and act upon the following resolution, requested by the Labor Contracts Committee.

WHEREAS, the Municipal Employees Relations Act (MERA), as enacted by the Connecticut state legislature, covers municipal employees except certified teachers who are covered under the Connecticut Teacher Negotiation Act and certain part-time and seasonal employees and elected officials; and

WHEREAS, as it pertains to the Town of Greenwich, MERA covers employees employed by the Town and non-certified employees employed by the school board, and

WHEREAS, MERA at Sec. 7-474 (b) reserves to the Representative Town Meeting the authority to approve the funds necessary to implement the terms of written collective bargaining agreements between the Town and its municipal employees and to approve any provisions of such collective bargaining agreements which are in conflict with any charter, special act, ordinance, rule or regulation adopted by the municipal employer; and

WHEREAS, despite the provisions of such Section 7-474(b), MERA at Sec. 7-474 (d) provides that, if the municipal employer is a school board, the approval of the Representative Town Meeting is not required for a collective bargaining agreement between the school board and its non-certified employees to become effective; and

WHEREAS, the Greenwich Representative Town Meeting believes that it should retain the authority to approve the funding for the provisions of all collective bargaining agreements other than those regulated by the Teacher Negotiation Act, including those covering non-certified employees employed by the school board,

NOW THEREFORE BE IT RESOLVED, that the Representative Town Meeting requests the elected officials in the Connecticut state legislature representing voters

in the Town of Greenwich to submit proposed legislation to amend Sec. 7-474 (d) of MERA, as well as other appropriate provisions of MERA, to provide that any collective bargaining agreement between a school board and its non-certified employees may only become effective if the Representative Town Meeting approves such collective bargaining agreement in the same manner as required under Sec. 7-474 (b).

Referred to Education Committee
Referred to Finance Committee
Referred to Legislative & Rules Committee

9. To consider and act upon the following resolution, requested by the Appointments Committee.

   RESOLVED, that the following named person, nominated by the Appointments Committee, be appointed an alternate member of the Flood and Erosion Board for a term expiring 3/31/13.

   PETER J. FINKBEINER

   Referred to Appointments Committee
   Referred to Public Works Committee

10. To consider and act upon the following resolution, requested by the Appointments Committee.

    RESOLVED, that the following named person, nominated by the Appointments Committee, be appointed an alternate member of the Flood and Erosion Board for a term expiring 3/31/15.

    JOHN STANKUNAS

    Referred to Appointments Committee
    Referred to Public Works Committee

Dated at Greenwich, Ct
September 5, 2011

THOMAS J. BYRNE
MODERATOR
CARMELLA C. BUDKINS
TOWN CLERK