



Pursuant to the foregoing notice, a regular meeting of the Representative Town Meeting was held on Monday, May 13, 2013 at 7:00 P.M. (E.D.T.) in the Moderator's Hall of Central Middle School.

The meeting was called to order by the Moderator Thomas J. Byrne.

The members pledged allegiance to the flag.

The Moderator announced that as all members had received a copy of the call for the meeting, the reading of the call would be omitted.

Attendance cards were presented showing 218 present, 11 absent and 1 vacancy. Districts 2-4-5-7-& 10 had perfect attendance. Members absent in District 1- Dean Goss; District 3- Thomas Conelias; District 6- Nishani Devi Naidoo; District 8- Joshua H. Brown, Steven A. Gordon, Martin G. Mattler, Stephen Ng; District 9 – George R. Finn, Jr; Adrian L. Pasternak; District 11- A. Bruce Dixon; District 12- Robert T. May.

The Moderator announced that as all members had received a copy of the minutes of the April 8, 2013 meeting, the reading of the minutes would be omitted. He asked if there were any corrections or comments.

That the attendance of John F. Robben at the April 8, 2013 meeting be checked. Upon checking the records of attendance he was marked absent but had voted on the items.

Therefore the minutes have been corrected and the attendance should read 193 present, 37 absent.

The minutes as amended were adopted upon unanimous consent.

The Moderator announced that Item No. 1 on the call was now before the meeting.

Douglas Wells, Chairman of the Legislative & Rules Committee, offered the following substitute resolution, on behalf of the committee.

- 1. RESOLVED, that the time to speak at the May RTM be limited to three minutes per speaker for each motion, except that the proponent and principal opponent for the motion (the latter to be determined by the Moderator) shall be entitled to speak for ten minutes each and the committee reports shall be limited to seven minutes each except for the Finance and Education Committees.**

Upon a voice vote, item carried.

The Moderator announced that Item No. 2 on the call was now before the meeting.

Douglas Wells, Chairman of the Legislative & Rules Committee, offered the following substitute resolution, on behalf of the committee.

2. **RESOLVED, that at the meeting of the RTM on Monday, May 13, 2013 if the business of the meeting has not been concluded by 12 midnight, the meeting shall adjourn at that time, to meet again on Tuesday, May 14, 2013 at 8:00 P.M. at Eastern Middle School.**

Upon a voice vote, item carried

The Moderator announced that Item No. 3 on the call was now before the meeting.

Michael Mason, Chairman of the Board of Estimate and Taxation, presented his budget message and offered the following resolution for the budget, which was duly moved and seconded.

To act upon the appropriations recommended by the Board of Estimate and Taxation for the expenses and conduct of the affairs of the Town of Greenwich, Connecticut for the fiscal year 2013-14; i.e. July 1, 2013 to June 30, 2014 inclusive as follows:

\$ 370,841,370 for the General Fund of the Town
\$ 57,045,000 for the Capital Projects Fund of the Town
\$ 14,350,252 for the Sewer Maintenance Fund of the Town
\$ 3,991,000 for the Sewer Improvement Fund of the Town
\$ 4,003,161 for the Parking Fund of the Town
\$ 209,400 for the Parking Fund – State Portion
\$ 3,916,381 for the School Lunch Program Revolving Fund of the Town
\$ 26,062,288 for the Nathaniel Witherell Nursing Home Revolving Fund
\$ 2,024,082 for the Griffith E. Harris Golf Course Revolving Fund
\$ 9,575,000 for the Other Post Employment Benefits Fund of the Town

WHEREAS, the Charter of the Town of Greenwich (the "Charter") requires that on or before the 15th day of May in each fiscal year, the Board of Estimate and Taxation shall make and file in the Office of the Town Clerk a Detailed Statement of Appropriations, with its reasons for said Appropriations, which it deems necessary: (a) to meet the expenses and to conduct the affairs of the Town of Greenwich for the ensuing Fiscal Year, that is to say, for the Fiscal Year July 1, 2013 to June 30, 2014 inclusive; (b) for the operation, maintenance and repair of the Sewers and Sewer Systems of the Town of Greenwich for said period; (c) for the operation, maintenance and repair of on-street and off-street parking facilities for the Town of Greenwich for said period; (d) for the operation of the Public School Lunch Program Revolving Fund; (e) for the operation of the Nathaniel Witherell Nursing Home; (f) for the operation, maintenance and repair of the golf course facility; and (g) for the Other Post Employment Retirement Benefits Fund; and

WHEREAS, the said Board has filed on or about May 1, 2013 in the Office of the Town Clerk a Detailed Statement of such Appropriations contained in a document designated as "2013-14 Proposed Budget"; and

WHEREAS, the Charter provides that the Board of Estimate and Taxation shall submit proposed Appropriations to a Representative Town Meeting to be held on or before May 15 in each year, which meeting shall take action upon such proposed Appropriations and make such Appropriations as may appear advisable, except that no Appropriations shall be made exceeding in amount that for the same purpose recommended by said Board, and no Appropriations shall be made for any purpose not recommended by said Board; and

WHEREAS, the said 2013-14 Proposed Budget was forwarded to the members of the Representative Town Meeting on or about April 2, 2013, and submitted to the Representative Town Meeting at its meeting held on May 13, 2013;

NOW, THEREFORE, BE IT RESOLVED, that the recommendations of the Board of Estimate and Taxation as contained in the said Proposed Budget filed, as above stated, in the Office of the Town Clerk and submitted at this meeting of the Representative Town Meeting be and the same hereby are approved as the Appropriations for the ensuing Fiscal Year 2013-14, except that the following items shall be Decreased or Omitted as follows:

Department
Code Number
Appropriations by Board
Appropriations by Town Meeting
Decrease (-)
Reason for Decrease
Total Decrease

FURTHER RESOLVED, that the attached Resolutions Concerning Grants and Other Receipts, Conditions and Other Provisions and Bonding Resolutions be the same hereby are approved.

RESOLUTIONS OF BOARD OF ESTIMATE AND TAXATION AND REPRESENTATIVE TOWN MEETING ON 2013-14 BUDGET

GRANTS AND OTHER RECEIPTS

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

The following Officers and Departments of the Town of Greenwich are hereby authorized to apply for and accept grants, and to accept receipts from Town activities, for the period from July 1, 2013 through June 30, 2014, as provided below.

General Government: Office of the First Selectman

1. The First Selectman is authorized to apply for and accept grants from the Federal Department of Homeland Security and the Connecticut Department of Emergency Services and Public Protection Grants Program, and such grants shall become appropriations upon approval by the Board of Estimate and Taxation and the Representative Town Meeting if necessary under Section 30(c) of the Charter.
2. The First Selectman is authorized to accept proceeds resulting from the activities of the Griffith E. Harris Golf Course, and such proceeds upon recommendation of the First Selectman and approval of the Board of Estimate and Taxation and the Representative Town Meeting if necessary under Section 30(c) of the Charter, shall be added to the appropriate accounts within the Griffith E. Harris Golf Course Revolving Fund. For establishing funding for the appropriation accounts, the Policy of the Department of Parks and Recreation for the Griffith E. Harris Golf Course Revolving Fund is hereby endorsed.
3. The First Selectman is authorized to accept proceeds from Area Nine Cable Council and certified competitive video services providers and such proceeds shall become appropriations upon approval by the Board of Estimate and Taxation.
4. The First Selectman is authorized to apply for and accept grants from the State of Connecticut Department of Transportation, under the Connecticut General Statutes, Section 13b-38bb, and such grants shall become appropriations to the code A440 57221 known as Contributions to External Entities.
5. The First Selectman is authorized to apply for and accept grants, and to execute agreements regarding said grants, made by the State of Connecticut Department of Transportation, under the Connecticut Clean Fuel Program and such grants shall become acceptance of revenues that the Comptroller shall add to the appropriate revenue account.
6. The First Selectman is authorized to apply for and accept grants from the Small Town Economic Assistance Program (STEAP), in accordance with C.G.S. § 4-66g as amended by Public Act 07-7, Section 41, and C.G.S. § 4-66c as amended by Public Act 07-07, Section 40, and such grants shall become appropriations upon approval by the Board of Estimate and Taxation.
7. The First Selectman is authorized to accept proceeds from the Friends of

Greenwich Community Television, Inc. and such proceeds shall become appropriations to account A440 57222. The First Selectman is authorized to accept proceeds from the Connecticut Department of Public Utility Control and such proceeds shall become appropriations to account A440 57222.

9. The First Selectman is authorized to apply for and accept grants from the Federal Emergency Management Agency (FEMA), and such grants shall become appropriations upon approval by the Board of Estimate and Taxation.

10. The Board of Selectmen, ~~through the Harbor Management Advisory Committee~~, is authorized pursuant to Town Charter § 307, to collect proceeds from the ~~rental issuance~~ of moorings ~~permits~~ within the Greenwich Harbor Area, and such proceeds shall become appropriations upon approval by the Board of Estimate and Taxation, to be used for the maintenance and enhancement of the Town's coastal resources.

11. The First Selectman is authorized to apply for and accept funds from the Federal Government and the State of Connecticut under the Federal economic stimulus legislation, the American Recovery and Reinvestment Act of 2009 and subsequent acts and such funds shall become appropriations upon approval by the Board of Estimate and Taxation.

General Government: Finance

12. The Comptroller is authorized to accept insurance proceeds and reserves, including interest thereon, to become appropriations that the Comptroller shall add to the appropriate account for the purpose of paying for damage to property of the Town.

13. The Comptroller is authorized to accept medical premium payments from former employees under "Consolidated Omnibus Budget Reconciliation Act" (COBRA), and such payments shall become appropriations to fixed charges Code No. A901 57095.

General Government: Assessor

14. The Assessor is authorized to accept proceeds from the sales of the Grand List books, field cards, and maps, and such proceeds shall become appropriations that the Comptroller shall add to the appropriate account for the purpose of reimbursing the costs of printing and supplying the public with said items.

General Government: Town Clerk

15. The Town Clerk is authorized to apply for and accept grants made by the Archivist of the United States in accordance with Title 44, Chapter 25, §2504 of the

United States Code (U.S.C.) and the State of Connecticut under Public Act 00-145 in accordance with C.G.S. §§11-8l and 11-8m, and such grants shall become appropriations that the Comptroller shall add to the appropriate account for the purpose of preserving Town records.

General Government: Planning & Zoning

16. The Planning and Zoning Commission is authorized to accept proceeds from the sale of the Plan of Conservation and Development and the Building Zone Regulations of the Town of Greenwich, and such proceeds shall become appropriations that the Comptroller shall add to the appropriate account to be used for the purpose of reimbursing the cost of printing such documents, pursuant to C.G.S. §8-2a.

17. The Planning and Zoning Department is authorized to apply for and accept monies and grants made by the Department of Transportation, Department of Energy and Environmental Protection, other departments and agencies of the State of Connecticut, the Federal Government and non-profit corporations and foundations, for environmental and planning purposes, and such grants shall become appropriations that the Comptroller shall add to the appropriate accounts upon approval by the Board of Estimate and Taxation.

General Government: Conservation Commission

18. The Conservation Commission is authorized to apply for and accept grants offered by any department and/or agency of the State of Connecticut, the Federal Government, quasi-state agencies, and non-profit corporations and foundations, for the purposes of natural and cultural resource conservation, environmental protection and/or restoration, and related programs, and such grants shall become appropriations that the Comptroller shall add to the appropriate accounts upon approval by the Board of Estimate and Taxation.

General Government: Inland Wetlands & Watercourses

19. The Inland Wetlands and Watercourses Agency is authorized to accept compliance receipts for the purpose of holding said receipts until an applicant has completed work required by the Inland Wetlands and Watercourses Agency.

20. The Inland Wetlands & Watercourses Agency is authorized to accept proceeds from the sale of its regulations, and such proceeds shall become appropriations that the Comptroller shall add to the appropriate account to be used for the purpose of reimbursing the cost of printing such documents.

General Government: Shellfish Commission

21. The Shellfish Commission is authorized to collect proceeds from licenses and

fees for the taking of shellfish under its control, and such proceeds shall become appropriations upon approval by the Board of Estimate and Taxation, to be used by the Commission for the protection and propagation of shellfish under its control, pursuant to C.G.S. §26-257a(b).

Fire Department

23. The Fire Department is authorized to collect proceeds from outside parties for the taking of fire training courses under its control, and such proceeds shall become an appropriation that the Comptroller shall add to the appropriate account for the purpose of defraying the costs of such courses.

Police Department

24. The Police Department is authorized to make application to the State and Federal authorities to share with other law enforcement agencies in tangible property and monies seized and forfeited pursuant to state or federal law as a result of criminal defendants' illegal activities, subject to the following:

(a) The acceptance of tangible property and monies on behalf of the Town of Greenwich, which have been approved by the Board of Selectmen and the Board of Estimate and Taxation, including the placement of said tangible property in the inventory of the Police Department and the disbursement of said monies as an appropriation to the budget account of the Police Department for an increase of law enforcement resources, is hereby approved in the amount of monies or value of property up to a total of \$500,000 for the fiscal year (any unappropriated expenses that may be incurred thereby, that have been approved by the Board of Selectmen and the Board of Estimate and Taxation, are hereby approved up to a total of \$20,000 for the fiscal year);

(b) Monies accepted from federal or state authorities as a result of said forfeitures shall be deposited with the Treasurer of the Town of Greenwich for the budget account of the Police Department in accordance with state and federal statutory and regulatory requirements;

(c) The disposition of said accepted forfeited tangible property and monies shall be in accordance with state and federal statutory or regulatory requirements and the tangible property and monies will be credited to the inventory or budget of the Police Department, in accordance with Town accounting policies resulting in an increase of law enforcement resources for the Police Department;

(d) The First Selectman is authorized to execute all papers and forms required for the acceptance, establishing of title, registration and whatever other documentation is required to complete the transfer to and utilization of the tangible property and cash by the Police Department;

(e) The Town Attorney is authorized to certify to the federal and state authorities (i) that the First Selectman has the authority to accept the forfeited tangible property and is the official to whom transfer documents should be delivered; (ii) that the Treasurer is the proper fiscal officer to whom disbursement of forfeited monies is to be made; (iii) that there is no state or local law prohibiting the transfer of the tangible property and monies to the Town of Greenwich; and (iv) whatever other legal certification is required to accomplish the transfer to and utilization of the tangible property and monies by the Police Department;

(f) The Chief of Police, on July 1 and January 2, shall submit a written report to the RTM Moderator and Chairman of the RTM Town Services Committee, which report shall detail the sums of money received, and shall describe and provide an estimated value of the tangible property received, in the preceding six months.

25. The Police Department is authorized to apply for and accept grants from the National Highway Traffic Safety Administration, and such grants shall become appropriations that the Comptroller shall add to the appropriate accounts upon approval by the Board of Estimate and Taxation.

26. The Police Department is authorized to apply for and accept grants from the State of Connecticut Office of Policy and Management (OPM) as authorized under C.G.S. §21a-274a, Drug Enforcement Grant Program, and other OPM grants pertaining to law enforcement activities, and such grants shall become appropriations that the Comptroller shall add to the appropriate accounts upon approval by the Board of Estimate and Taxation.

27. The Police Department is authorized to apply for and accept grants from the United States Department of Justice, and such grants shall become appropriations that the Comptroller shall add to the appropriate accounts upon approval by the Board of Estimate and Taxation.

28. The Police Department is authorized to apply for and accept grants from the State of Connecticut Department of Health, and such grants shall become appropriations that the Comptroller shall add to the appropriate accounts upon approval by the Board of Estimate and Taxation.

29. The Police Department is authorized to apply for and accept grants from the State of Connecticut Department of Public Safety as authorized under C.G.S. Sec. 28-24, Enhanced 911 Program, and such grants shall become appropriations that the Comptroller shall add to the appropriate accounts upon approval by the Board of Estimate and Taxation.

Public Works

30. The First Selectman is authorized to apply for and accept grants made by the

Connecticut State Department of Energy and Environmental Protection and/or the Federal Government under the provisions of Title 22a of the Connecticut General Statutes Chapter 446k, Water Pollution Control, and Chapter 26, Title 33 of the United States Code, for the purposes of rebuilding, expanding or acquiring a pollution abatement facility and for interim improvements for nitrification/denitrification at the Greenwich Waste Water Treatment Facility, and grants from the State's Clean Water Fund, in connection with the planning, development and construction of sewer projects, to mitigate the effects of inflow on treatment processes and on the Long Island Sound.

31. The First Selectman is authorized to apply for and accept grants made by the State of Connecticut Office of Policy and Management under its Local Capital Improvement Program in accordance with C.G.S. §7-536.

32. The First Selectman is authorized to apply for and accept grants and to execute agreements regarding said grants, made by the State of Connecticut Department of Transportation, under its Local Bridge Program in accordance with C.G.S. §13a-175p-pu.

33. The First Selectman is authorized to apply for and accept grants made by the Connecticut State Department of Transportation under the provisions of C.G.S. Section §13b-38a for the purpose of developing or administering any transportation management plan which complies with the objectives and requirements of said statute.

34. The First Selectman is authorized to apply for and accept grants made by the State of Connecticut, Department of Transportation, under the Town Aid Grant for Roads and Public Transportation Services, and such grants shall become appropriations to the Department of Public Works' Code No. Z314-59600, known as "Highway -- State Town Aid Grant."

35. The First Selectman is authorized to apply for and accept grants from the State of Connecticut Department of Transportation, under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), and subsequent acts.

Vehicles

36. The Comptroller is authorized to accept proceeds from the sale of vehicles and equipment, and such proceeds shall become appropriations that the Comptroller shall add to the appropriate account for the purpose of acquiring replacement vehicles and equipment.

Health Department

37. The Department of Health is authorized to apply for and accept grants made

by the Department of Public Health, Department of Energy and Environmental Protection, other departments and agencies of the State of Connecticut, the Federal Government and non-profit corporations and foundations, for the purpose of conducting public health programs in prevention, health promotion and related areas, and such grants shall become appropriations that the Comptroller shall add to the appropriate accounts upon approval by the Board of Estimate and Taxation.

Social Services

38. The Department of Social Services is authorized to accept grants and enter into contracts with the Departments of Labor, Social Services, Children and Families, other departments and agencies of the State of Connecticut, the Federal Government, and non-profit corporations and foundations, for the purpose of meeting its goals to strengthen self-sufficiency and self-reliance, promote positive development and emotional adjustment, and maintain residents' economic and emotional well-being, and to reduce or defray existing or potential future costs to the Town for providing social services to residents; and such grants shall become appropriations that the Comptroller shall **add** to the appropriate account upon approval by the Board of Estimate and Taxation.

391. The First Selectman is authorized to execute and file applications with the State Commissioner of Social Services and the State Commissioner of Economic and Community Development, pursuant to Chapters 128, 129, 130 and 133 of the Connecticut General Statutes, and to act as the authorized representative of the Town of Greenwich in taking the necessary steps to implement day care programs and a program for payment in lieu of taxes.

40 The Department of Social Services is authorized, under Connecticut General Statutes Section 8-266 through 8-282 (the Uniform Relocation Assistance Act), to accept and use reimbursement from property owners for expenses related to the Department's administration of a Relocation Assistance Advisory Plan for households displaced by Town action.

Board of Education

41. The Board of Education is authorized to accept grants made by the Federal Government and/or the State of Connecticut, under the following programs:

(a) Title 20 of the United States Code including Improving America's Schools Act of 1994, 20 U.S.C. §6301 et seq., Safe and Drug-Free Schools and Communities Act of 1994, 20 U.S.C. §7101 et seq., (including grants being referred by the State as Improving Basic Programs, Eisenhower Professional Development Program, Innovative Education Strategies, Safe and Drug Free Schools), Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990, 20 U.S.C. §2301 et seq., Individuals with Disabilities

Education Act (IDEA), 20 U.S.C. §1400 et seq., (including grants referred to by the State as "IDEA Part B Section 611", Entitlement Grant, Pre-School Entitlement Grant and Silver Grant); Vanguard School Grant (through the State Educational Resource Center/SERC); Early Intervention Services Grant (through SERC); and

(b) Connecticut General Statutes: C.G.S. §10-20d (School to Career Opportunities), C.G.S. §10-262l (Grants for Improvement in Student Achievement), C.G.S. §21a-274a (Drug Enforcement Grant Program); and PL 103-382 Foreign Language Assistance Act of 1994.

(c) Each grant shall become an appropriation that the Board of Education shall add to the appropriate accounts.

42. The Board of Education is authorized to accept proceeds resulting from the following sources:

(a) The School Lunch Program, including, but not limited to, the sale of food and any Federal and/or State aid received from the program, and the Board of Education shall add such proceeds to the School Lunch Revolving Fund;

(b) The Continuing Education Program, and such proceeds shall become appropriations that the Board of Education shall add to the appropriate accounts;

(c) The Summer School Program, and such proceeds shall become appropriations that the Board of Education shall add to the appropriate accounts;

(d) The purchase of services from the District print shop by the Greenwich PTA, Distinguished Teachers Award Committee, Inc. and other Town departments, and such proceeds to become appropriations that the Board of Education shall add to the appropriate print shop accounts;

(e) The rental of school buildings, and such proceeds become appropriations that the Comptroller shall add to the appropriate accounts for the purpose of reimbursing the approved costs related to the rental of school buildings, such costs not to exceed proceeds in any fiscal year;

(f) Proceeds from the Greenwich Education Association, and such proceeds shall become appropriations to cover all personnel costs of release time for an officer beyond that which is provided for in the collective bargaining agreement.

(g) The financial donations from the Campaign for MISA, Inc., an organization qualified under 501(c)(3) of the Internal Revenue Code, to be used for the construction of the Greenwich High School music instructional space and auditorium, and all such donations shall constitute revenue to the Town and shall

be added to the Capital Projects Fund B.

43. The Board of Education is authorized to accept grants from the Greenwich Alliance for Education, a local not-for-profit education foundation, and the Area Nine Cable Council, and such grants shall become appropriations that the Board of Education shall add to the appropriate accounts.

Libraries

44. Pursuant to the Agreement Between The Greenwich Library and the Town of Greenwich concerning the Funding for Staffing and Operations of the Peterson Wing of The Greenwich Library, the Town **is** authorized to accept gifts of private funds from The Greenwich Library for said purposes in an amount equal to the appropriations authorized in the Code 702 appropriation accounts, and the First Selectman is empowered to execute such amendments to the agreement as are necessary to reflect changes in positions as are approved in the Code 702 appropriation accounts.

45. Pursuant to the Agreement Between The Greenwich Library and the Town of Greenwich concerning the Operations of the Peterson Wing of The Greenwich Library, the Town **is authorized to** accept gifts of private funds from The Greenwich Library, to be distributed to the appropriate Code 702 appropriation accounts and used by The Greenwich Library for the purpose of paying additional expenditures related to the operations of the Peterson Wing.

Parks & Recreation

46. The Department of Parks and Recreation is authorized to accept proceeds resulting from the rental of Town facilities, and such proceeds shall become appropriations that the Comptroller shall add to the appropriate accounts for the purpose of reimbursing the approved costs related to the rental of Town facilities, such costs not to exceed proceeds in any fiscal year.

47. The Department of Parks and Recreation is authorized to accept (1) any court awarded damages and costs and settlements for the restoration of trees and other vegetation on Town property damaged by any person in violation of C.G.S. 52-560 and 52-560a and (2) any fines and penalties assessed or negotiated by the Town for the damage or restoration of trees and other vegetation on Town property damaged by any person in violation of the Charter and ordinances of the Town, and such funds shall become appropriations that the Comptroller shall add to appropriate accounts as approved by the Board of Estimate and Taxation.

48. The Department of Parks and Recreation, Tree Division, is authorized to accept (a) gifts of trees and plantings from the Greenwich Tree Conservancy,

Inc., and (b) donations for the purchase of trees to be planted on Town property. Such donations shall become appropriations that the Comptroller shall add to account A829-53800.

49. The Department of Parks and Recreation, Tree Division, is authorized to accept (a) gifts of plantings from the Friends of Greenwich Point, and (b) donations for the purchase of Plantings to be planted at Greenwich Point. Such donations shall become appropriations that the Comptroller shall add to account A829-53800.

50. The Department of Parks and Recreation is authorized to accept donations from the Junior League of Greenwich for the Skate Park, and such donations shall become appropriations that the Comptroller shall add to the appropriate accounts for the purpose of reimbursing the approved costs related to the maintenance of said Skate Park facilities.

51. The Department of Parks and Recreation is authorized to accept donations from or through the Junior League of Greenwich or a 501(c)(3) entity designated by the Junior League of Greenwich, for the Byram Park and Swimming Pools improvement project, and such donations shall be added by the Comptroller to the appropriate accounts.

The Nathaniel Witherell

52. The Treasurer is authorized to accept proceeds resulting from the activities of the Nathaniel Witherell Nursing Home, and such proceeds shall be added to the appropriate accounts within the Nathaniel Witherell Nursing Home Revolving Fund. For establishing funding for the appropriation accounts, the existing policies of the Town of Greenwich shall apply. Any revolving fund balance may be utilized by the General Fund upon approval by the Board of Estimate and Taxation.

RESOLUTIONS OF BOARD OF ESTIMATE AND TAXATION AND REPRESENTATIVE TOWN MEETING ON PROPOSED 2013-2014 BUDGET

ADDITIONAL PROVISIONS

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

At the end of the 2013-14 fiscal year, except as otherwise provided by the Board of Estimate and Taxation, any uncommitted balances of the Capital Project Fund shall lapse and, with the approval of the Board of Estimate and Taxation, shall become an appropriation into the Capital and Non Recurring Fund and become available for future capital expenditures.

The Representative Town Meeting of the Town of Greenwich in accordance with

C.G.S. §7-450a(b) hereby requests a qualified cost estimate from the enrolled actuary, as defined in said statute, for any ordinance or act altering the retirement system of the Town of Greenwich and receipt of same, as specified in subsection (d) of said statute, shall be accomplished through the Comptroller filing a certified copy of same with the Town Clerk as the Clerk of the Representative Town Meeting.

WHEREAS:

(a) The Board of Estimate and Taxation is responsible for the proper administration of the financial affairs of the Town; and

(b) For the purposes of salary and benefits no appropriation for one object shall be used for any other object, except that the Board of Estimate and Taxation shall have the power to transfer uncommitted balances from one appropriation for a department to another appropriation for the same department;

(c) All appropriations for salary and benefit accounts for the fiscal year 2013-14 are based on the Town's 2013-2014 Table of Organization and positions that are funded in the proposed budget recommended by the Board of Estimate and Taxation; and

(d) Any additions to the number of positions in any Department in the Town's Table of Organization, or any substantial reorganization or reclassification that will increase the Town's pension liability or contribution to any deferred compensation savings plan, will result in fiscal/budgetary consequences;

IT IS RESOLVED that the appropriations for the salary and benefits accounts in fiscal year 2013-14 may only be used to fund the total number of positions as contained in the Table of Organization, which are the objects of the appropriations, and may not be used to fund any additions to the positions in any Department in the Table of Organization, without approval of the Board of Estimate and Taxation;

IT IS RESOLVED that any funding allocated to the salary accounts for each department over and above that necessary to implement the terms of collective bargaining agreements in effect ~~as of July 1~~ **at the time of the adoption of the FY 2014 budget** may not be expended until and unless a collective bargaining agreement is in place for which the Representative Town Meeting has approved funding pursuant to Connecticut General Statutes §7-474(b).

IT IS RESOLVED that any funding allocated to the Management and Confidential (MC) salary accounts for each department may not be

expended until and unless such MC salaries are subsequently approved by the Board of Estimate and Taxation.

AND IT IS FURTHER RESOLVED that any substantial reorganization or reclassification that will increase the Town's pension liability or contribution to any deferred compensation savings plan is subject to approval by the Board of Estimate and Taxation; and

Appropriations within each department and activity shall be made on the basis of the following major object accounts with no further subdivision except for equipment and improvements:

- 100 - Personal Services
- 200 - Services Other Than Personal
- 300 - Supplies and Materials
- 400 - Maintenance
- 500 - Social Services
- 600 - Insurance
- 700 - Grants, Subsidies, Debt Service and Other Fixed Charges
- 800 - Refunds and Non-Expense Items
- 900 - Equipment and Improvements

The detailed object classifications supporting each one of the above appropriations within each department as shown in the detailed budget recommendation, are set forth for informative purposes only.

Expenditures for miscellaneous equipment not fully itemized shall be substantially for the object shown.

All appropriations shall be committed by and payable upon the order of the Head of the Department, Chairman or Secretary of the Board, Official, or person designated by the Board or by Statute for which or for whom the respective appropriations are made, except as may be, from time to time, determined by the Board of Estimate and Taxation.

**RESOLUTION AUTHORIZING BORROWINGS IN THE
AGGREGATE AMOUNT OF \$47,653,000 TO MEET A PORTION
OF THE CAPITAL BUDGET APPROPRIATIONS IN THE CAPITAL
PLAN FOR FISCAL YEAR 2013-2014**

WHEREAS, the Board of Estimate and Taxation and the Representative Town Meeting have approved specific appropriations for the various capital projects in the Town's Capital Plan for the fiscal year ending June 30, 2014, for the purposes and in the amounts appearing under "General Fund" in said Capital

Plan;

BE AND IT IS HEREBY RESOLVED:

Section 1. To meet the portion of the approved capital budget appropriations for general public improvement and school projects in the capital budget for fiscal year 2013-2014 (the "Capital Budget Projects"), \$47,653,000 general obligation bonds of the Town are authorized to be issued in one or more series, maturing in annual installments of principal in compliance with the General Statutes of Connecticut, as amended from time to time (the "Connecticut General Statutes"), provided the final installment shall be due not later than the fifth year after their date. The bonds shall be in the denomination of \$5,000 or a whole multiple thereof, be issued in fully registered form, be executed in the name and on behalf of the Town by the facsimile or manual signatures of the Chairman of the Board of Estimate and Taxation, and the Treasurer, and shall be countersigned by the Comptroller, have the seal of the Town affixed and attested by the Town Clerk, be certified by a bank or trust company, and be approved as to their legality by nationally recognized bond counsel. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and interest thereon.

Section 2. The aggregate principal amount of the bonds of each series to be issued, and the manner of issue and sale shall be determined by the Comptroller, provided the bonds shall be issued in amounts which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the costs of issuance of such bonds. The annual installments of principal, redemption provisions, if any, the certifying, registrar and transfer agent and paying agent, the date, time of issue and sale and other terms, details and particulars of such bonds, including approval of the rate or rates of interest payable thereon, shall be determined by the Comptroller, in accordance with the Connecticut General Statutes.

Section 3. Said bonds shall be sold by the Comptroller, in a competitive offering or by negotiation, in his discretion. If sold in a competitive offering, the bonds shall be sold at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. If the bonds are sold by negotiation, provisions of the purchase agreement shall be approved by the Comptroller.

Section 4. The Comptroller is authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the Chairman of the Board of Estimate and Taxation, the Treasurer and countersigned by the Comptroller, have the seal of the Town affixed and attested by the Town Clerk, be approved as to their legality by nationally recognized bond counsel, and be certified by and payable at a bank or trust company designated by the Comptroller, pursuant to Section 7-373 of the Connecticut General Statutes. They shall be issued with maturity dates which comply with the provisions of the Connecticut General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a capital cost of the Capital Budget Projects. Upon the sale of the bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any temporary borrowings then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. The Town hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and anytime after the date of passage of this resolution in the maximum amount and for the Capital Budget Projects with the proceeds of bonds, notes or other obligations ("Bonds") authorized to be issued by the Town. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the the Capital Budget Projects, or such later date the Regulations may authorize. The Town hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Comptroller is authorized to pay project expenses in accordance herewith pending the issuance of Bonds.

Section 6. The Comptroller is hereby authorized, on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to the Municipal Securities Rulemaking Board (the "MSRB") and to provide notices to the MSRB of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds or other obligations authorized by this resolution. Any agreements or representations to provide information to MSRB made prior hereto are hereby confirmed, ratified and approved.

Section 7. The time for the issuance of bonds, notes or other obligations

authorized hereunder shall not be limited but shall remain in full force and effect until all payments are made and all borrowings completed for the Capital Budget Projects financed by such bonds or other obligations.

William J. Drake, Chairman of Budget Overview Committee, made a motion on behalf of the committee, to reduce \$1,822,000 from 109 Human Resources account 904-14104 (Projects/Data Collection) Human Capital Management System.

The vote was now on Drake's Motion.

In Favor	-	75
Against	-	135
Abstentions	-	3

Motion Failed

Peter J. Quigley, Member of District 7, made a motion, to delete \$200,000 from 345 DPW Bldg Construction & Maintenance account 984-14149 (Park Improvement) Byram Beach Master Plan, which was duly moved and seconded.

The vote was now on Quigley's Motion.

In Favor	-	46
Against	-	164
Abstentions	-	1

Motion Failed

William J. Drake, Chairman of Budget Overview Committee, made a motion on behalf of the committee, to reduce \$876,000 from 680 Board of Education account 909-14154 (Technology) Digital Learning Program.

The vote was now on Drake's Motion.

In Favor	-	45
Against	-	166
Abstentions	-	4

Motion Failed

Donald E. Hamilton, Member of District 7, made a motion, to delete \$4,600,000 from 302 DPW-Engineering Division account 984-14122 (Park Improvement) Cos Cob Park Development.

Several members appealed the ruling of the Chair, which was duly moved and seconded.

A member of District 8, raised a Point of Order that the Hamilton motion was improper due to the fact that it was not originally made when the Moderator first called for motions addressed to Code 302.

The Moderator noted that there had been some confusion regarding whether a standing committee was going to make the motion, and this confusion, not any intentional delay on the part of members, was the reason no motion was made until the Moderator had briefly passed Code 302 in the Budget Book. Additionally, because the motion was made as soon as its supporters determined that no committee motion was made, the Moderator ruled that the Point of Order was not well taken and that the Hamilton motion was properly before the body.

A member appealed the ruling of the Chair, which was duly moved and seconded.

The vote was now on the question:

Shall the ruling of the Chair be sustained?

In Favor	-	161
Against	-	51
Abstentions	-	3

Appeal Failed

The vote was now on Hamilton's Motion.

In Favor	-	86
Against	-	116
Abstentions	-	9

Motion Failed

Douglas J. Wells, Chairman of Legislative & Rules Committee, on behalf of the committee, made a motion, to amend the resolutions in the Proposed Budget as follows:

Page 23 – In paragraph 5, the third line, delete the word “be”.

Page 24 – In paragraph 9, second line, after the word “appropriations” the following language be inserted, “to the appropriate accounts”

Page 24 - In paragraph 11, at the end of the first line, delete the letter “G”.

Page 28 – The paragraph after paragraph 38 should be numbered “39” instead of “391”

Page 28 – In paragraph 40, after the number 40, add a “period(.)”

The amendments were adopted by unanimous consent.

The vote was now on the Budget.

In Favor	-	185
Against	-	23
Abstentions	-	4

Budget was adopted.

The Moderator announced that Item No. 4 on the call was now before the meeting.

Leslie Moriarty, Chairman of the Board of Education, offered the following resolution for MISA, which was duly moved and seconded.

RESOLVED, that the sum of \$9,866,000 be and the same is hereby appropriated to be added to Capital Account Number B6801689-59560-12149, known as "MISA - Construction".

FURTHER RESOLVED, that the attached Bond Resolution be the same hereby is approved.

RESOLUTION APPROPRIATING \$9,866,000 FOR CONSTRUCTION OF THE GREENWICH HIGH SCHOOL MUSIC INSTRUCTION SPACE AND AUDITORIUM AND AUTHORIZING THE ISSUANCE OF \$9,866,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

BE IT RESOLVED BY THE REPRESENTATIVE TOWN MEETING:

Section 1. The sum of \$9,866,000 is hereby appropriated by the Town of Greenwich, Connecticut (the "Town") for construction of the Greenwich High School music instruction space and auditorium, and for legal, administrative and other related costs (the "Project"), said appropriation to be inclusive of any sources of public and private funding to become available for such purpose, and any and all State and federal grants-in-aid for such purpose.

Section 2. To meet said appropriation, \$9,866,000 bonds of the Town or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the fifth year after their date. Said bonds may be issued in one or more series as determined by the Comptroller in the amount necessary to meet the Town's portion of funding for the Project not met from private and public funding available for such purpose, including the estimated amount of the State and Federal grants-in-aid of the Project, or the actual amount thereof if this be ascertainable, and the anticipated times of the receipt of the proceeds thereof, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the costs of issuance of such bonds. The bonds shall be in the denomination of

\$1,000 or a whole multiple thereof, be issued in fully registered form, be executed in the name and on behalf of the Town by the facsimile or manual signatures of the Chairman of the Board of Estimate and Taxation, the Treasurer, and shall be countersigned by the Comptroller, have the seal of the Town affixed and attested by the Town Clerk, be certified by a bank or trust company, and be approved as to their legality by nationally recognized bond counsel. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and interest thereon.

Section 3. The aggregate principal amount of the bonds of each series to be issued, the annual installments of principal, redemption provisions, if any, the certifying, registrar and transfer agent and paying agent, the date, time of issue and sale and other terms, details and particulars of such bonds, including the approval of the rate or rates of interest, shall be determined by the Comptroller, in accordance with the General Statutes of Connecticut, as amended from time to time (the "Connecticut General Statutes").

Section 4. Said bonds shall be sold by the Comptroller, in a competitive offering or by negotiation, in his discretion. If sold in a competitive offering, the bonds shall be sold at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. If the bonds are sold by negotiation, provisions of the purchase agreement shall be approved by the Comptroller.

Section 5. The Comptroller is authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the Chairman of the Board of Estimate and Taxation, the Treasurer, and shall be countersigned by the Comptroller, have the seal of the Town affixed and attested by the Town Clerk, be payable at a bank or trust company designated by the Comptroller, be approved as to their legality by nationally recognized bond counsel, and be certified by a bank or trust company designated by the Comptroller, pursuant to Section 7-373 of the Connecticut General Statutes. They shall be issued with maturity dates which comply with the provisions of the Connecticut General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the project. Upon the sale of the bonds, the proceeds thereof, to the extent required, shall be

applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 6. The Board of Education is authorized in the name and on behalf of the Town to apply to the Connecticut Commissioner of Education for any and all State grants-in-aid of the Project.

Section 7. The Town hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and any time after the date of passage of this resolution in the maximum amount and for the Project with the proceeds of bonds, notes, or other obligations ("Tax Exempt Obligations") authorized to be issued by the Town. The Tax Exempt Obligations shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the Project, or such later date the Regulations may authorize. The Town hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Comptroller is authorized to pay project expenses in accordance herewith pending the issuance of Tax Exempt Obligations.

Section 8 The Comptroller is hereby authorized, on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to the Municipal Securities Rulemaking Board (the "MSRB") and to provide notices to the MSRB of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this resolution. Any agreements or representations to provide information to the MSRB made prior hereto are hereby confirmed, ratified and approved.

Section 9. The time for the issuance of bonds, notes or other obligations authorized hereunder shall not be limited but shall remain in full force and effect until the Project is completed, all payments made and all borrowings completed.

Section 10. The Comptroller is hereby authorized, on behalf of the Town, to enter into any other agreements, instruments, documents and certificates, including tax and investment agreements, for the consummation of the transactions contemplated by this resolution. The Comptroller is hereby authorized, on behalf of the Town, to apply for and accept any and all Federal and State loans and or grants-in-aid of the Project, to expend said funds in accordance with the terms hereof, and in connection therewith to contract in the name of the Town with engineers, contractors and others.

The Moderator opened debate on MISA.

After extensive debate, Nancy S. Weissler, Member of District 5 moved the previous question, which was seconded.

Upon a voice vote, motion carried

The Moderator closed debate at 11:45 p.m.

The vote was now MISA.

In Favor	-	118
Against	-	92
Abstentions	-	1

Item Carried

A copy of the budget will be inserted in the official minutes.

There being no further business, the Moderator adjourned the meeting, upon unanimous consent, at 11:50P.M.

ATTEST:
CARMELLA C. BUDKINS
TOWN CLERK