

Town of Greenwich
Board of Selectmen Meeting
September 15, 2011
10:00 a.m.
Town Hall Meeting Room

Draft Minutes

1. The meeting opened at 10:07 a.m. with the Pledge of Allegiance.

- a. Attendance:
 - i. First Selectman Peter J. Tesei – Present
 - ii. Selectman David Theis – Present
 - iii. Selectman Drew Marzullo – Present

2. Approval of Minutes

- a. Minutes of the regular meeting held on 9-1-2011 were reviewed and approved as presented without objection

3. First Selectman's Update

- a. Peter Tesei discussed the actions of a number of RTM committees this week who were considering an appeal of the MI on the proposed new Central Fire Station. The committees upheld the MI that had been issued by the Board of Selectman and will report their conclusions at the RTM meeting next Monday. He said that he expected that the issue would also be sustained by the RTM at their meeting.
- b. Peter read a statement on the issues raised regarding the new Central Fire Station and which building code should be utilized. (statement appears at the end of these minutes)
- c. Peter commented on the Greenwich Historical Society's exhibit "Everyday Hero's" and said that all members of the Board of Selectmen would be in attendance.
- d. Peter spoke of an effort to improve community resiliency during emergencies. Seven communities have been selected nationwide to participate in this pilot program in improved emergency preparedness. Greenwich was one of the communities selected for this program. He said the program had a kickoff meeting in Washington, D.C. last week but due to the Hurricane aftermath and other pressing matters he and Dan Warzoha were not able to attend. Peter views the program as an opportunity for the Town to improve our emergency preparedness.
- e. Peter also spoke of storm recovery efforts that were for the most part complete. He said that he will be setting up an after action review of the event in the next few weeks to assess the storm, the recovery and to review lessons learned
- f. Finally, Peter read the following statement on a recent suit that was brought regarding a private event at Town Hall on the birth of the state of Israel. The Town of Greenwich Law Department, lead by Town Attorney John Wayne Fox handles matters of litigation for the Town and its Officers. The Law Department is aware of the lawsuit filed by Lisa Whitnum.

On Sunday, May 15, 2011 there was recognition of the State of Israel by a number of elected officials and the community at Greenwich Town Hall as part of the annual Israeli Independence Day Celebration. At the request of Greenwich residents, the Town of Greenwich annually recognizes various nationalities and ethnic groups and celebrates their heritage. The Israeli Independence Day Celebration has taken place at Town Hall for two decades.

For example, the Irish Flag is raised on St. Patrick's Day, the Italian Flag on Columbus Day, the Filipino Flag in recognition of their Independence Day, the French Flag on Bastille Day along with the Swedish Flag, Norwegian Flag and others as requests come forth from our residents.

This event was hosted by UJA Federation of Greenwich and they paid a fee of \$351.83 for the building custodian to be present and maintain the facility during the period of the event.

Nothing done on this date was different from other ethnic or national celebrations at Town Hall and this lawsuit is baseless.

- g. David Theis publicly praised Peter for his leadership during the recent storm and thanked him on behalf of the community

4. Old Business

- a. Peter Tesei discussed the need for P&Z to have additional time to properly review the MI status for Project Renew for Nathaniel Witherell. Since there was a 90 day time limit on this review it was now necessary for the Board of Selectmen to affirm the previous approval of Municipal Improvement status for this renovation project. A motion was made by David Theis to approve Municipal Improvement status for the Nathaniel Witherell renovation project, seconded by Drew Marzullo and approved without objection.

5. New Business

- a. Human Resources

Peter Tesei spoke of the upcoming retirement of David Ridberg as Police Chief. He said that the Board of Selectmen held a meeting yesterday with Jim Heavey, the Deputy Chief, to discuss his interest in becoming chief and his vision for the department. He said that the Board was pleased to announce today that Jim Heavey will be appointed Police Chief effective November 1st to replace Chief Ridberg. Peter Tesei reviewed Captain Heavey's experience with the Police Department over the last twenty plus years and his public service in the community. A motion was made by Peter Tesei, that the Board of Selectmen, Town of Greenwich, approve the appointment of Deputy Police Chief James Heavey under Section 230 of the Town Charter, to the position of Chief of Police effective November 1, 2011 seconded by David Theis and approved unanimously.

- b. Parks & Recreation

- i. Joe Siciliano spoke to the Board about an effort that has been ongoing since 2008 to prepare a "Waterways Vision" for the Town of Greenwich. He reviewed the elements of the report that were before the Board and spoke of the importance of gathering in one location all of the data on the waterfront. He said this would aid the Town in future waterfront development actions. Finally, he asked the Board for their support of these non binding guidelines. Jeff Steadman, a consultant hired to assist in this process, then spoke to the Board and also reviewed various elements of the report and answered questions. John Crain, a member of the P&R Board and a member of the Coastal Resources Advisory Committee spoke on the importance of the Waterways Vision. Both John Crain and Jeff Steadman emphasized the special authority the Board of Selectmen had as a result of the Special Act of 1949. They said this act gives the Board the authority to regulate the operation and use of Greenwich waters. Denise Savageau spoke on behalf of the Conservation Advisory Commission. She distributed a statement and

indicated that the Waterways Vision needed more review and that some interests were not included in the report. She spoke of the need for broader representation and potential conflicts with the authority of other bodies. A motion was made by Drew Marzullo to accept the Waterways Vision Plan seconded by David Theis and approved without objection.

- ii. Joe Siciliano also spoke to the Board about the need to create a new fee for abandoned vessels that have been left on Town property. The new fee would partially cover some of the costs that the Town incurs when these vehicles have to be removed. He said that there are presently 6 boats in this category. The proposed fee would be \$15.00/ft plus associated transfer station fees for vessels 20' and under and \$20.00/ft for vessels over 20'1". A motion was made by David Theis to adopt this new fee for abandoned vessels, seconded by Drew Marzullo and approved without objection.

6. Appointments and Nominations – None

7. Executive Session

Mr. Theis moved to go into executive session at 11:39 pm to discuss pending litigation. Seconded by Mr. Marzullo and approved without objection.

The Board returned from executive session at 12:47 a.m. David Theis made a motion to adjourn the meeting. Seconded by Mr. Marzullo and approved without objection.

The next meeting of the Board of Selectmen will be held on Thursday, October 3, 2011 at 10:00 a.m.

Statement by Peter Tesei on the Central Fire Station Building Code Issues

I am pleased to report that we have received a decision from the Deputy State Building Inspector, Daniel Tierney, with regard to the proposed Greenwich Central Fire Station. As you may remember, the issue that has been brought forth was which Building code - (IEBC - International Existing Building Code or the IBC - International Building (New) Code) would be required to build the Fire Station.

The argument was that the Town should make use of the (IEBC - International Existing Building Code and if we did so the existing building could be saved and continue to be used as a Fire Station. Our architects (Hoffman) have advised us that due to the many changes that were required to make the building safe and functional we were required to make use of the IBC - International Building (New) Code). It was their conclusion and recommendation that the only option available to the Town was to build a new Central Fire Station.

The principal issue between the two building codes was the extent to which modifications to the existing building were changing the load or the stress levels on the floors and walls of the building. These changes could not increase the load on the side walls or floors by more than 5%. As the public may know, the sidewalls are unreinforced limestone slabs that essentially are held in place by

gravity and small metal clips. If the Town increased the pressure (load) on these walls or floors this could not exceed 5% of what presently exists. To settle this matter the Town hired Diversified Technology Consultants to calculate what the loads would be if only a minimum number of the needed or desirable renovations to the existing building were to occur. For the most part these modifications to the existing building were what was necessary to meet the Fire Code and involved changing stairwells to permit safe egress from the building in an emergency.

Diversified Technology Consultants prepared their calculations and these were presented to the State Building Inspector. The State Building Inspector agreed that based upon the structural analysis that the loads or stress on many of the floors and walls of the building will exceed the 5% limit and therefore the Town will be required to make use of the IBC - International Building **(New)** Code). The areas where the load levels exceed the 5% limit are depicted in a diagram that I have included in a report I submitted to the RTM for their meeting on Monday night. Copies of the diagram are available today. Everything colored in red on the diagram is above the State 5% limit.

The report by Diversified and the subsequent decision by the State Building Inspector confirms the opinion and position the Town has taken for many months that the only option available was to build a new Central Fire Station on the existing site.

The new Central Fire Station that will be built in the next few years will meet the firematic needs of the Town for the next fifty years. The Town will continue to work with our historic bodies to assure that as many of the historical elements of the existing building are kept on the new building as is practical. It is our plan and expectation that the new building will not only be compatible with but add to the rich texture of our existing historic district.