

1. BET Law Comm. Webinar Agenda 9-17-2021

Documents:

[BET LAW COMM WEBINAR AGENDA_9-17-2021.PDF](#)

1.I. SUB_TO_APP_BET Law Comm Meeting Minutes_7-12-2021

Documents:

[SUB_TO_APP_BET LAW COMM MINUTES_7-12-2021.PDF](#)

2. SUB_TO_APP_BET Law Comm Meeting Minutes_9-17-2021

Documents:

[SUB_TO_APP_BET LAW COMM MINUTES_09-17-2021.PDF](#)

3. APPROVED_BET Law Comm. Meeting Minutes_9-17-2021

Documents:

[APPROVED_BET LAW COMM MINUTES_09-17-2021.PDF](#)



**TOWN OF GREENWICH
BOARD OF ESTIMATE & TAXATION**

**BET LAW COMMITTEE
REGULAR MEETING
Friday, September 17, 2021 - 11:00 A.M.**

Join Webinar:

<https://greenwichct.zoom.us/j/81648637384?pwd=QU9uekNXNEzvZm9URTJwTkVEV01qZz09>

Password: 6175166

Telephone: +1 646 518 9805

Webinar ID: 816 4863 7384

Password: 6175166

AGENDA

1. Approval of Minutes:
 - July 12, 2021
2. Old Business
 - COVID19 Update
 - Law Department Budget Update
3. Recent Court Filings
4. Executive Session to Discuss Pending Litigation
5. Vote on Proposed Settlements

<u>Amount</u>	<u>Purpose</u>
\$11,554.33	Settlement Century-National Ins. vs. TOG
\$10,120.63	Settlement Cincinnati Ins. vs. TOG
\$16,050.90	Settlement AIG Property vs. TOG

The Town complies with all applicable federal and state laws regarding non-discrimination, equal opportunity, affirmative action, and providing reasonable accommodations for persons with disabilities. If you require an accommodation to participate, please contact the Commissioner of Human Services at 203-622-3800 or demetria.nelson@greenwichct.org as soon as possible in advance of the event.

\$24,370.10	Settlement Mill Pond Co. vs TOG
\$90,000.00	Settlement Ledge Rd – FEMA Disallowance
\$7,491.63	Settlement
\$842.62	Allstate vs. Vincole & TOG

6. Adjournment

The next meeting of the BET Law Committee is scheduled for October 13, 2021 at 3 PM and will be either a virtual meeting, hybrid meeting, or in-person meeting, depending on the status of COVID restrictions.

**TOWN OF GREENWICH
BOARD OF ESTIMATE AND TAXATION
LAW COMMITTEE
REGULAR MEETING MINUTES**

Monday, July 12, 2021
Virtual Meeting

Committee: Karen Fassuliotis, Chair; Elizabeth K. Krumeich

Staff: Peter Mynarski, Comptroller

Town Attorney: Barbara M. Schellenberg, Town Attorney; Timothy Herbst, Member,
Marino, Zabel & Schellenberg

BET: Andreas Duus, Laura Erickson, Leslie Tarkington

The Chair called the meeting to order at 3:00 p.m.

1. Approval of Minutes

Upon a motion made by Ms. Krumeich, seconded by Ms. Fassuliotis, the Committee voted 2-0-0 to approve the Minutes of the Regular Meeting of the Law Committee held on June 2, 2021. Motion carried.

2. COVID-19 Update

Town Attorney Schellenberg reported that the Law Department Staff are in the office on a staggered basis. If an attorney needs a staff member to be in the office, then such staff member will work in the office. There is one attorney working remotely two days a week. The Town's Remote Working Policy has been revised and remains in place on a full-time basis despite the reduction in COVID-19 pandemic protocols. Department heads are given discretion as to how their respective departments are staffed (i.e. on-site or remote).

3. Law Department Budget

Attorney Herbst reported that the current Law Department budget is within budget through year-end FY20-21. The revised budget for the FY21-22 has been approved.

4. New Claims

The Town Attorney reported on new claims and the Town attorney or outside counsel handling the matter as follows:

- A resident is claiming failure to maintain an accessible boat slip access ramp. (Attorney Wadler)
- An entity brought a claim for property damage, alleging negligence. (Attorney de Arango)
- A slip and fall case. (Attorney de Arango)

- A petition for a Bill of Discovery; death in the line of duty. (Attorney Maze Keeney)
- Action filed with Commission on Human Rights and Opportunities alleging racial discrimination. (Attorney Maze Keeney)

The Town Attorney also mentioned an action brought by an employee in the Department of Human Services who claims reverse discrimination when passed over for a position. (Outside counsel: Attorney Alexandria Voccio of Howd & Ludoff, LLC)

5. Executive Session to Discuss Pending Litigation

The Committee reconvened to enter an Executive Session on a separate virtual platform to discuss pending litigation.

Upon a motion made by Ms. Fassuliotis, seconded by Ms. Krumeich, the Committee entered an Executive Session to discuss pending litigation at 3:18 p.m.

Upon a motion made by Ms. Fassuliotis, seconded by Ms. Krumeich, the Committee exited the Executive Session at 4:30 p.m.

The Committee exited the Executive Session.

6. Adjournment

Upon a motion made by Ms. Krumeich, seconded by Ms. Fassuliotis, the Committee voted unanimously to adjourn the meeting at 4:31 p.m. Motion carried.

Respectfully submitted,

Elizabeth K. Krumeich
Recording Secretary

Karen Fassuliotis
Chair, Law Committee

**TOWN OF GREENWICH
BOARD OF ESTIMATE AND TAXATION
LAW COMMITTEE
REGULAR MEETING MINUTES**

Friday, September 17, 2021
Virtual Meeting

Committee: Karen Fassuliotis, Chair; Elizabeth K. Krumeich

Law Department: Barbara M. Schellenberg, Town Attorney; Valerie Maze Keeney, Assistant Town Attorney; Abby Wadler, Assistant Town Attorney

BET: Laura Erickson, Leslie Tarkington

Conservation: Patricia Sesto, Director of Environmental Affairs; Sarah Coccaro, Conservation Resource Manager

Guest: Robert B. Mitchell, Partner, Mitchell & Sheehan, P.C.

The Chair called the meeting to order at 11:00 a.m.

1. COVID-19 Update

Town Attorney Schellenberg reported that the Law Department Staff was operating normally and that there were no issues arising pursuant to the protocol in the Town Hall to respond to the COVID-19 pandemic.

2. Law Department Budget

Town Attorney Schellenberg reported that the Law Department actual costs did not exceed the budget for Fiscal Year 2020-21. The Law Department Staff continues to monitor bills received from outside counsel. In addition, the Town Attorney issued a letter to each firm representing the Town of Greenwich to review protocols for claims brought against the Town. Town Attorney Schellenberg advised outside counsel that, for example, only two attorneys may attend a court proceeding unless the firm has received pre-approval from the Town Attorney.

3. New Claims

The Town Attorney reported on new claims and the Town Attorney or outside counsel handling the matter as follows:

- Three actions filed with Commission on Human Rights and Opportunities: Attorney Wadler to handle claim against Board of Education; Attorney Maze Keeney to handle another claim, and Attorney Courtney George of Marino, Zabel & Schellenberg PLLC will represent the Town on the third claim.

- Attorney Wadler handling a claim brought by a Special Education teacher who alleges not receiving pay promised and a due process claim against the Board of Education involving a student seeking outplacement

4. Executive Session to Discuss Pending Litigation

The Committee reconvened to enter an Executive Session on a separate virtual platform to discuss pending litigation.

Upon a motion made by Ms. Fassuliotis, seconded by Ms. Krumeich, the Committee entered an Executive Session to discuss pending litigation at 11:15 a.m.

Upon a motion made by Ms. Fassuliotis, seconded by Ms. Krumeich, the Committee exited the Executive Session at 12:25 p.m.

The Committee exited the Executive Session.

5. Action Items.

The Committee took up motions to approve various settlements of legal actions brought against the Town.

Upon a motion made by Ms. Krumeich, seconded by Ms. Fassuliotis, the Committee voted 2-0-0 to recommend to the full Board of Estimate and Taxation the amount of \$11,554.33 to settle Century-National v. Town of Greenwich. Motion Carried.

Upon a motion made by Ms. Krumeich, seconded by Ms. Fassuliotis, the Committee voted 2-0-0 to recommend to the full Board of Estimate and Taxation the amount of \$10,120.63 to settle Cincinnati Insurance v. Town of Greenwich. Motion Carried.

Upon a motion made by Ms. Krumeich, seconded by Ms. Fassuliotis, the Committee voted 2-0-0 to recommend to the full Board of Estimate and Taxation the amount of \$16,050.90 to settle AIG Property v. Town of Greenwich. Motion Carried.

Upon a motion made by Ms. Krumeich, seconded by Ms. Fassuliotis, the Committee voted 2-0-0 to recommend to the full Board of Estimate and Taxation the amount of \$24,370.10 to settle Mill Pond Company v. Town of Greenwich. Motion Carried.

Upon a motion made by Ms. Krumeich, seconded by Ms. Fassuliotis, the Committee voted 2-0-0 to recommend to the full Board of Estimate and Taxation the amount of \$8,334.25 (\$7,491.63 damages, \$842.62 deductible) to settle Allstate v. Vincole and Town of Greenwich. Motion Carried.

Upon a motion made by Ms. Krumeich, seconded by Ms. Fassuliotis, the Committee voted 2-0-0 to recommend to the full Board of Estimate and Taxation the amount of \$90,000 to reimburse Federal Emergency Management Agency

(FEMA) for its disallowance of a grant to raise the elevation of a home at 3 Ledge Road in the Town. Motion Carried.

6. Adjournment

Upon a motion made by Ms. Krumeich, seconded by Ms. Fassuliotis, the Committee voted unanimously to adjourn the meeting at 11:26 p.m. Motion carried.

Respectfully submitted,

Elizabeth K. Krumeich
Recording Secretary

Karen Fassuliotis
Chair, Law Committee

SUBJECT TO APPROVAL



**TOWN OF GREENWICH
BOARD OF ESTIMATE AND TAXATION**

**LAW COMMITTEE
REGULAR MEETING MINUTES**

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Elizabeth K. Krumeich
Recording Secretary



Karen Fassuliotis
Chair, Law Committee