

1. BET Law Comm. Meeting Agenda 11-09-2022

Documents:

[BET LAW COMM MEETING AGENDA_11-09-2022.PDF](#)

1.I. SUB_TO_APP_BET Law Comm. Meeting Minutes_10-12-2022

Documents:

[SUB_TO_APP_BET LAW COMM MEETING MINUTES_10-12-2022.PDF](#)



**BET LAW COMMITTEE
REGULAR MEETING
Wednesday, November 9, 2022 - 3:00 P.M.
Mazza Room**

AGENDA

1. Approval of Minutes:
 - October 12, 2022 Regular Meeting
2. Old Business
 - COVID19 Update
 - Year to Date Law Department Budget Update
 - Law Department Staffing Update
 - Update on Fire Department Foam Incident at McDonalds (portions may be discussed in Executive Session by Law Committee, if appropriate)
 - Update on State of Connecticut Department of Economic and Community Development Grant – Senior Center
 - Update on TNW Draft Collection Policy
3. Discussion of plan of review of FY23 Budget Resolutions in Preparation for FY24 Budget Resolutions
4. Recent Court Filings
5. Executive Session Discussion of Legal Strategy for pending litigation for the following matters:
 - *Birdies Restaurant II, LLC v. Town of Greenwich*
 - *Erika Casas v. Town of Greenwich and Board of Education*
 - *Catherine Zarzecki v. Town of Greenwich*
 - *Angelo Perrone v. Town of Greenwich*
6. Possible vote on settlement for matters discussed in Executive Session
7. Adjournment

The next meeting of the BET Law Committee is scheduled for December 8, 2022 at 3 PM and will be either a virtual meeting, hybrid meeting, or in-person meeting, depending on the status of COVID restrictions.

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.



**TOWN OF GREENWICH
BOARD OF ESTIMATE AND TAXATION
LAW COMMITTEE
REGULAR MEETING MINUTES
October 12, 2022**

Committee: Karen Fassuliotis, Chair, Stephen Selbst
Law Department: Town Attorney Barbara Schellenberg; Assistant Town Attorney Aamina Ahmad
BET: Laura Erickson; Harry Fisher

The Chair called the meeting to order at 3.03 P.M.

1. Approval of Minutes

September 13, 2022 - Regular Meeting. Upon motion made by the Chair and seconded by Mr. Selbst, the Law Committee voted 2-0-0 to approve the minutes of the September 13, 2022 regular meeting.

2. Old Business

COVID19 Update. Ms. Schellenberg reported that there were no material changes since her last report.

Year to Date Budget. Ms. Schellenberg reported that the Law Department was under budget as of September 30, 2022.

Law Department Staffing. Ms. Schellenberg reported that the Law Department was considering two qualified candidates to fill a vacancy arising from the retirement of Fernando De Arango. Ms. Schellenberg stated that she hoped to be in a position for Human Resources to make a conditional offer during the week of October 17, 2022.

3. Recent Court Filings

Masouredis v. Town of Greenwich – Ms. Schellenberg reported that the plaintiff in this action was involved in an accident in which a Town truck, driven by a

Town employee, allegedly struck him while he was on a bicycle, and had commenced.

Greenwich Communities v Planning and Zoning Commission of the Town of Greenwich – Ms. Schellenberg reported that this action had recently been filed and that the Law Department was reviewing the allegations and potential responses.

4. Fire Department Foam Incident

There was a discussion about a recent incident in which an aqueous film-forming foam containing perfluoroalkyl and polyfluoroalkyl substances, or PFAS, was found to inadvertently contaminate fire tankers while the Greenwich Fire Department was fighting a fire at McDonald's restaurant. It also appears that the foam spilled to the ground causing McDonald's to close for a few days. The foam containing PFAS was banned in Connecticut, having been replaced by so-called "green foam". In the Audit Committee Meeting, the Fire Department indicated that there has been no guidance given by DEEP as to the disposal and that the tankers that were contaminated may be out of service due to the contamination. The Committee requested that the Law Department follow up with the Fire Department with environmental counsel to sort out the environmental issues surrounding this incident.

5. The Nathaniel Witherell Collection Policy

Harry Fisher of the BET Audit Committee presented a report on the collection of accounts receivable at The Nathaniel Witherell. The BET Audit Committee recently discovered that collection of accounts receivable at The Nathaniel Witherell had slowed. As a result, the Audit Committee is working with the staff to develop better policies for collection of those receivables. The Law Committee asked that the Law Department review the receivables policy and procedure that was circulated at the Audit Committee and to work with The Nathaniel Witherell staff in revising the procedure, if appropriate.

6. State of Connecticut Department of Economic and Community Development Grant – Senior Center

Aamina Ahmad of the Law Department reported on further developments with respect to the proposed \$300,000 grant from the State of Connecticut for the Senior Center. She reported that the State was unwilling to modify its grant to address the Law Committee's prior concerns about the negative pledge provision and the indemnity requirement.

After discussion, upon motion made by the Chair and seconded by Mr. Selbst, the Law Committee voted 2-0-0 to recommend approval of the grant by the BET. It is expected that the BET will consider the grant at its regular October 2022 meeting.

7. Executive Session

Upon motion made by the Chair and seconded by Mr. Selbst, the Law Committee voted 2-0-0 to go into executive session at 4.02 P.M.

Upon motion made by the Chair and seconded by Mr. Selbst, the Law Committee voted 2-0-0 to exit executive session at 5.15 P.M.

Adjournment.

Upon motion made by the Chair and seconded by Mr. Selbst, the Law Committee voted 2-0-0 to adjourn the meeting at 5.15 p.m.

Respectfully submitted,

Stephen Selbst, Recording Secretary

Karen Fassuliotis, Chair, Law Committee