

BET LAW COMMITTEE
Minutes of Meeting Held on
March 6, 2009

DRAFT: SUBJECT TO APPROVAL

The meeting began at 10:00 A.M. Attendance:

Committee Members: Nancy Barton, Jim Campbell

Law Department: Wayne Fox

Fernando de Arango (part of the meeting)

Aamina Ahmed (part of the meeting)

Valerie Maze-Keeney (part of the meeting)

Also Present:

Leslie Tarkington (BET)

John Crary (Town Administrator)

Maureen Kast (Human Resources)

1. Approval of Minutes: The minutes of the Committee's meeting held on December 9, 2008, were approved.

2. The Committee voted 2-0 to take up the review of pending litigation and claims in executive session. Following review, the Committee voted 2-0 to return to regular session. The Committee approved, by a vote of 2-0, the requested authority to settle the case entitled Welch v. Town of Greenwich on the terms recommended by the Law Department, to be reviewed by the Budget Committee on March 10, 2009.

3. The Committee reviewed the proposed Budget Resolutions for 2009-2010.

With respect to the Table of Organization, referred to in the proposed resolutions and to be attached as a schedule in the 2009-2010 budget, the Town Attorney advised that the BET's authority over the number of full-time employees is consistent with the Town Charter, which gives the BET authority over any obligation for which there is not a current appropriation in place, and applies to the pension and healthcare obligations incurred for the benefit of full-time employees.

With respect to permanent part-time, temporary, and seasonal employees, however, since they do not receive pension and healthcare benefits, the BET's authority must be determined on a case-by-case basis. There was a question as to whether vacation, holiday, and sick-

day benefits for permanent part-time employees are budgeted, and it was later determined that they are included in the Department budgets. Estimates of the unemployment and worker's compensation benefits for permanent part-time, temporary, and seasonal employees are included in the Town's account for fixed charges. Accordingly, the BET's authority appears to be limited to the budget lines that provide for the dollar impact of such positions, and may not extend to the number of such positions at any particular point during the year. This is subject to a case-by-case evaluation of the financial impact of such positions beyond that budgeted.

In light of this , the Law Committee voted, 2-0, to recommend to the BET that the Table of Organization should be limited to the Town's full-time employees, with part-time, temporary, and seasonal employees to be monitored by the BET Human Resources Committee to ensure that any financial impact of those positions is properly budgeted.

The meeting was adjourned at 11:30 A.M.

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