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

Monday, January 14, 2019
Regular Meeting
Law Department Conference Room

Committee: Elizabeth K. Krumeich, Chair; Karen Fassuliotis
Law: J. Wayne Fox, Town Attorney; Aamina Ahmad, Assistant Town Attorney; Abby Wadler-Shin, Assistant Town Attorney
Staff: Lauren Elliott, Town Assessor
BOE: Mary Forde, Chief Pupil Personnel Service Officer, Greenwich Public Schools; Patricia Maranan, Financial Supervisor, Greenwich Public Schools; Lori O'Donnell, Chief Operating Officer, Greenwich Public Schools
Other: Lori Contadino, Director, Commission on Aging; Patricia Burns, Chair, Commission on Aging; Frances J. "Kip" Burgweger, Commission Member

The Chair called the meeting to order at 3:01 PM.

1. Approval of Minutes
Without objection the Committee agreed to take up the approval of the minutes.

Upon a motion by Ms. Fassuliotis, seconded by Ms. Krumeich, the Committee voted 2-0-0 to approve the Minutes of the Meeting of the Law Committee held on December 10, 2018, as amended. Motion carried.

2. Executive Session of Pending Cases in Litigation

Upon a motion by Ms. Fassuliotis, seconded by Ms. Krumeich, the Committee voted 2-0-0 to go into Executive Session at 3:05 PM to discuss pending cases in litigation. Motion carried.

Upon a motion by Ms. Krumeich, seconded by Ms. Fassuliotis, the Committee voted 2-0-0 to come out of Executive Session at 3:44 PM. Motion carried.

The Committee exited the Executive Session.

3. Senior Tax Relief Ordinance
The Town Assessor, the Director on the Commission on Aging, and members of the Commission on Aging (the Commission) explained the proposed changes to the Senior Tax Relief Ordinance that the Commission was seeking. The current Ordinance is scheduled to sunset in June 2019 so a reauthorization by the Board of Selectmen, BET and RTM is
Commission members have already presented the revised Ordinance to the RTM, who have asked for additional changes to the Ordinance. Mr. Burgweger explained that there were three modifications sought: (1) change the sunset provision from 5 years to 10 years so that the new Ordinance would now sunset in 2029; (2) require the Tax Collector to notify that tax relief is available; and (3) add additional levels in the grid for monetary eligibility levels. In addition, the Commission was proposing expanding the Ordinance to persons with total permanent disability to reflect Connecticut General Statute 12-129n. The Town Assessor explained that the number of individuals qualifying for the credit have been going down and speculated that the reason was that elderly residents are selling their homes, moving out of Town or have passed away.

4. FY2019-2020 Budget Resolutions
   - Medicaid Reimbursement - Attorney Wadler-Shin, and Lori O’Donnell, Mary Forde and Pat Maranan from the Greenwich Public Schools Administration joined the meeting to explain what is being requested in the Amendment to the Resolution relating to Medicaid reimbursements for special education. They explained the background for the request to allow funds received under Medicaid reimbursement for special education to be added to the appropriate account. The Board of Education (BOE) is requesting a Resolution which would streamline the processing of Medicaid reimbursement for special education payments. The BOE utilizes Compuclaim, a provider of Electronic Data Interchange (EDI) billing and compliance solutions for K-12, to manage submissions to the State. Currently, one BOE staff member manages the documentation on an almost full-time basis. The Administration expects approximately $150-200,000 on an annual basis in Medicaid reimbursement. Compuclaim charges the BOE a percentage of each claim, and any additional costs are borne by the BOE. The program has not been fully developed so the Administration does not know the full cost of the Medicaid reimbursement program.

   - Risk Fund - Attorney Ahmad discussed revisions to a proposed Resolution to allow the Comptroller to pay out of the Risk Fund a final judgment awarded by a Court without seeking approval from the BOS, the BET Law Committee, the BET and Claims Committee of the RTM (the Claims Approval Process). The Town Attorney explained the difference between a final judgment ordered by a Court in a legal action and a settlement agreed to by the parties. An issue was raised as to whether or not in the event that an insurance carrier negotiates a reduction of a judgment awarded by a Court in order to settle a legal action with the opposing party, this would constitute a settlement requiring the Claims Approval Process in order to pay out the funds from the Risk Fund. Town Attorney Fox opined that it is still a judgment that would not require the Claims Approval Process.

   The Committee asked Attorney Ahmad to determine how to move funds to the Risk Fund in the event that the funds in the Risk Fund have been exhausted. Attorney Ahmad agreed to report back to the Committee on this matter.

5. Executive Session of Pending Cases in Litigation
Upon a motion by Ms. Fassuliotis, seconded by Ms. Krumeich, the Committee voted 2-0-0 to go back into Executive Session at 4:56 PM to discuss pending cases in litigation. Motion carried.

Upon a motion by Ms. Krumeich, seconded by Ms. Fassuliotis, the Committee voted 2-0-0 to come out of Executive Session at 5:27 PM. Motion carried.

The Committee exited the Executive Session.

6. The Nathaniel Witherell - Title Search

The Committee was informed by the Town Attorney that the title search requested on the parcels comprising The Nathaniel Witherell had not been completed.

7. Adjournment

Upon a motion by Ms. Fassuliotis, seconded by Ms. Krumeich, the Committee voted unanimously to adjourn the meeting at 5:28 PM. Motion carried.

The next Regular Meeting of the Law Committee will be held on Monday, February 5, 2019, at 9:00 AM in the Law Department Conference Room.

Respectfully submitted,

Karen, Fassuliotis, Recording Secretary

Elizabeth K. Krumeich, Chair