

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

Monday, April 8, 2019
Regular Meeting
Law Department Conference Room

Committee: Elizabeth K. Krumeich, Chair; Karen Fassuliotis

BET: Jill Oberlander, BET Chair

Law: J. Wayne Fox, Town Attorney; Aamina Ahmad, Assistant Town Attorney;
Fernando F. de Arango, Assistant Town Attorney

The Chair called the meeting to order at 3:04 PM.

1. Approval of Minutes

Without objection, the Committee agreed to change the Agenda and take up the approval of the minutes first.

Upon a motion made by Ms. Krumeich, seconded by Ms. Fassuliotis, the Committee voted 2-0-0 to approve the Minutes of the Meeting of the Law Committee held on March 18, 2019. Motion carried.

Upon a motion made by Ms. Fassuliotis, seconded by Ms. Krumeich, the Committee voted 2-0-0 to approve the Minutes of the Special Meeting of the Law Committee held on March 27, 2019, as corrected. Motion carried.

2. Executive Session of Pending Cases in Litigation

Upon a motion made by Ms. Fassuliotis, seconded by Ms. Krumeich, the Committee voted 2-0-0 to go into Executive Session at 3:09 PM to discuss pending cases in litigation. Motion carried.

Upon a motion made by Ms. Krumeich, seconded by Ms. Fassuliotis, the Committee voted 2-0-0 to come out of Executive Session at 4:24 PM. Motion carried.

The Committee exited the Executive Session.

Upon a motion made by Ms. Fassuliotis, seconded by Ms. Krumeich, the Committee voted 2-0-0 to recommend to the Board of Estimate and Taxation a settlement of *Gerda v Town of Greenwich, et al* for \$12,000, of which the Town would pay \$8,000. Motion carried.

2. Executive Session regarding security

Upon a motion made by Ms. Fassuliotis, seconded by Ms. Krumeich, the Committee voted 2-0-0 to go into Executive Session at 4:26 PM to discuss security. Motion carried.

Upon a motion made by Ms. Krumeich, seconded by Ms. Fassuliotis, the Committee voted 2-0-0 to come out of Executive Session at 4:40 PM. Motion carried.

The Committee exited the Executive Session.

3. The Nathaniel Witherell - Title Search

Town Attorney Fox informed the Committee that he has informed the title search firm that he initially engaged that they would no longer be working on the project. The Town Attorney hired a different title searcher recommended by Stuart Title Company. Committee members asked to receive the Title Report as soon as possible and asked that Town Attorney Fox convey this urgent request to the title searcher.

4. Old Business

There was no old business.

5. New Business

a. Eversource

Town Attorney Fox was asked about when Eversource would be available to brief the Committee. He indicated that he would get dates from the Eversource representatives and would invite the Eversource representatives to meet with the Committee.

b. Right to Privacy in Municipal Building

Town Attorney Fox gave an update on the Freedom of Information Act (FOI) request received following the discovery of videotaping or photographing of members of the public in rooms in Town Hall (*i.e.* members of a political party participating in a phone bank for a First Selectman candidate). He indicated that members of the Law Department are gathering information on the FOI request. The Law Department has not done an investigation nor has the Town Attorney been asked to do so by the First Selectman. The Town Attorney has been asked, however, to research the right to privacy in a public building. It is also his understanding that the First Selectman's office is working on practices and procedures to avoid such an incident in the future. It is also the Town Attorney's understanding that a criminal complaint has been filed with the Greenwich Police Department.

6. Adjournment

Upon a motion made by Ms. Fassuliotis, seconded by Ms. Krumeich, the Committee voted unanimously to adjourn the meeting at 4:49 PM. Motion carried.

The next Regular Meeting of the Law Committee will be held on Monday, May 13, 2019, at 3:00 PM in the Law Department Conference Room.

Respectfully submitted,

Karen Fassuliotis

Karen Fassuliotis, Recording Secretary

Elizabeth K. Krumeich

Elizabeth K. Krumeich, Chair