5. The Nathaniel Witherell – Title Search

Mr. Bruce Lowthert, who carried out the Title Search of the property on which both The Nathaniel Witherell and Parsonage Cottage are situated, reviewed his report with Committee members. The Committee discussed the original deeds conveyed by grantors to the Town and the subsequent releases given to the Town that were signed by various heirs to the grantors of the real property which stated that the Release was subject to the restriction that the “premises shall be used solely for non-profit hospital purposes.” In addition, Mr. Lowthert confirmed that adjacent property owners had given a grant for a sewer line. The Committee members requested that Mr. Lowthert complete his Title Search and determine the legatee grantors who would need to be contacted in the event the Town decided to change the legal structure of The Nathaniel Witherell.

6. Taxes - Delinquent Payments and Tax Sales

Ms. Fassuliotis reviewed the Connecticut State Statutes governing the obligations of residents of the Town to pay their taxes and the mechanisms available to the Tax Collector to collect delinquent taxes, up to and including tax sales of property. The Committee members discussed the proposed procedures prepared by Ms. Fassuliotis for undertaking a tax sale. The Tax Collector explained the procedure he had undertaken in order to collect delinquent taxes and the issues that have arisen as a result of notifying delinquent taxpayers that they must commence paying back taxes. There was discussion with both the Tax Collector and the Town’s Assessor as to the difficulty of seeking payment from some taxpayers whether it is because of their age, health, or undue hardship, as well as properties that are in foreclosure, in litigation or have a lis pendens (notice that a lawsuit has been filed concerning real property) filed on the property, in probate due to the death of the property owner, or back taxes have not been applied correctly to the property. It was noted that Federal tax liens have priority over other types of tax collections. The Committee members discussed the proposal to have a 3-person panel determine whether or not a taxpayer was suffering from “undue hardship” and
therefore tax claims would be waived or abated. Mr. Richman plans to evaluate the issues that have been raised since Tax Sales had not been held in the Town in many years. He has engaged Attorney Adam Cohen, who has an expertise in Tax Sales, to guide him through the process and to collect certain delinquent taxes that remain outstanding. The Tax Collector will continue discussing the procedures for Tax Sales and the criteria under which a taxpayer would be exempt from Tax Sales with Ms. Fassuliotis.

7. Old Business

None.

8. New Business

Dredging. Attorney Ahmad is handling the issues raised as a result of the planned dredging by the Army Corps of Engineers of the Greenwich Harbor and will be meeting with Joseph A. Siciliano, Director of the Parks and Recreation Department, to discuss access to Federal waters. The Committee discussed how to overcome the obstacles which could impact the Federal navigation channel. It is expected that the funds for dredging will go only to the navigation channel, with the goal of keeping the harbor open to everyone.

9. Adjournment

Upon a motion by Ms. Fassuliotis, seconded by Ms. Krumeich, the Committee voted unanimously to adjourn the meeting at 6:00 PM. Motion carried.

The next Regular Meeting of the Law Committee will be held on Monday, September 16, 2019, at 3:00 PM in the Law Department Conference Room (subsequently moved to September 18, 2019, at 1:00 PM in the Law Department Conference Room).

Respectfully submitted,

Karen, Fassuliotis, Recording Secretary

Elizabeth K. Krumeich, Chair