

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

Monday, November 13, 2017
Law Department Conference Room

Committee: Leslie L. Tarkington, Chair; Elizabeth K. Krumeich

Other: John Wayne Fox, Town Attorney

The meeting was called to order at 9:35 A.M.

1. Discussion in Executive Session of Pending Cases in Litigation

The Committee voted to go into Executive Session at 9:35 A.M. to discuss pending cases in litigation. After some discussion, the Committee voted 2-0 to come out of Executive Session at 11:20 A.M.

2. Review and Approval of Proposed Applications

The Committee discussed with the Town Attorney Wayne Fox his request for an additional appropriation for the Law Department outside counsel account (A140-51400) for fiscal year 2017-2018. This amount is needed to meet attorney fees through the end of the current fiscal year. This is due to an additional need for outside counsel as a result of the Connecticut Siting Council litigation involving Eversource Energy and a significant negligence claim currently pending.

Further, the Committee discussed with the Town Attorney his recommendation based upon his discussions with the Town's insurance carrier, a decision to fund the self-insured retention ("SIR") in a case entitled *Collins v. Town of Greenwich, et al.* To date, the Town has incurred expenses in defense of this case of \$505,131.66. Consequently, the sum of \$494,868.34 is needed to fund the Town's SIR. These monies will be paid out of the Town's Risk Fund.

3. Review and Approval of the October 11, 2017 BET Law Committee Meeting Minutes

The Minutes of the BET Law Committee Meeting of October 11, 2017 were approved by a vote of 2-0.

The meeting recessed at 11:26 A.M. to continue at 1:10 P.M. The meeting continued in the small Law Conference Room at 1:10 P.M.

4. Review and Approval of Proposed Applications, continued

Upon a motion duly made and seconded, the Law Committee of the Board of Estimate and Taxation ("BET") members Tarkington and Krumeich present voted 2-0 upon review and advice of the Town Attorney to recommend to the Board of Estimate and Taxation an additional appropriation of \$500,000 for the Law Department outside counsel account (A140-51400).

Upon a motion duly made and seconded, the Law Committee of the Board

of Estimate and Taxation ("BET") members Tarkington and Krumeich present voted 2-0 upon review and advice of the Town Attorney to recommend to the Board of Estimate and Taxation to fund an additional \$494,868.34 to reach the SIR and transfer to the Town of Greenwich insurance carrier, the Collins v. the Town of Greenwich, et al case.

Adjournment

The meeting was adjourned at 1:20 P.M.



Leslie L. Tarkington, BET Law Committee Chairman