

BET LAW COMMITTEE
Minutes of Meeting Held on
November 14, 2007

The meeting began at 3:30 P.M. Attendance:

Committee Members: Mason, Barton

Other BET Members: Tarkington

Law Department: Fox and, for parts of the meeting, de Arango, Keeney, McLaughlin

1. Approval of October 5, 2007 Minutes: The draft minutes of the Committee's meeting held on October 5, 2007, were approved.
2. The Committee voted 2-0 to take up the review of pending claims out of order and in executive session. Following review, the Committee voted 2-0 to return to regular session, and approved, by a vote of 2-0, the proposed settlements of the claims captioned Bruce Park Ave. Greenwich LLC v. Plant Integration Assoc. et al. (\$1,000), Frey v. Northeast Utilities Service Co., et al. (\$1,200), and Hanscom v. Town of Greenwich (\$10,000), all as routine items for submission to the BET at the November meeting.
3. Proposed ordinance concerning sales, purchases, acquisitions, or leases of realty: The Law Department gave a report on the results of the legal research into the current BET authority over real estate acquisitions and dispositions. The conclusion was that there is no clear legal precedent or history to support the theory that the BET's authority under the Charter currently includes review and a vote upon such acquisitions and dispositions (in the absence of a need for an appropriation). Accordingly, the alternative courses available are a municipal ordinance or a Charter amendment.

The RTM had proposed to pursue the municipal ordinance approach, but some members indicated a desire for the BET to express a view on the proposal before it proceeded further. The Law Committee expressed its support of the proposal and agreed to recommend that the RTM process should go forward, with such assistance from the Law Department as the RTM may require.

Since there is currently no matter before the BET requiring a vote, the Law Committee determined that it would give a report to the BET at

the November meeting, substantially as stated above, in order for the members to express any contrary views.

The meeting was adjourned at 6:00 P.M.