



# Town of Griswold

28 Main Street  
Griswold, CT 06351

**Board of Selectman  
Special Meeting  
Wednesday, December 16, 2009  
6:30 pm**



## MINUTES

- 1. Call to Order:** P. Anthony called the meeting to order at 6:34 pm.

**Members Present:**

Philip Anthony, First Selectman  
Steve Mikutel, Second Selectman  
Theresa Madonna, Third Selectwoman

**Also Present:**

Attorney William Champlin  
Barbara Crouch, Finance Director  
Recording Secretary, Keleigh Baretincic  
Thirty Eight 38 Interested Persons

- 2. Informational Discussion on the outcome of mediation resulting from litigation between the Town of Griswold and a former employee:**

- P. Anthony opened the meeting and gave an overview of the Andrea Charron vs. the Town of Griswold case and the events that led up to the recent mediation attended by the Board of Selectmen on December 10, 2009 in West Hartford. He noted that the Town's insurance company has agreed to fund 50% of the liability in the settlement. Additionally the insurance company has covered all of the Town's legal fees relative to this matter. P. Anthony introduced Attorney William Champlin; the Town's Attorney as chosen by the insurance carrier to represent the Town in the appeals process for this case.
- Attorney William Champlin from the law firm of Hinckley, Allen & Snyder was appointed to handle the appeal portion of this lawsuit. Attorney Champlin described the appeals process that a case could follow all the way to the Connecticut Supreme Court should it continue to get appealed.
- Attorney Champlin explained that the mediation process could result in an agreed upon settlement that the Board of Selectmen are authorized to execute, should they vote to do so; this would result a Satisfaction of Judgment being filed in the courts, closing the case. The Satisfaction of Judgment would be filed once the final payment installments were made, should a settlement be authorized by the Board of Selectmen.
- Attorney Champlin detailed the settlement awards from the courts, which included various elements calculated into the award amounts for a grand total of \$1,298,519.50. Elements included; past wages (including benefits), a claim of a violation of the plaintiffs 2st amendment rights, punitive damages, damages for emotional distress and loss of reputation and legal fees.

*Continued from Page 1, item 2...*

- Attorney Champlin further explained the possible cost to the Town on appeal should the Town lose the appeal, as well as costs typically covered and not covered by municipal insurances.
- Additionally, Attorney Champlin described previous offers of settlement in this case, as well as the benefits and negatives should the Town continuing with the current appeal.
- Attorney Champlin reviewed the position of the Town upon entering into the mediation with the plaintiff. He noted that the Board of Selectmen (BOS) agreed that they did not want to formally accept any settlement without bringing informing the community of as many details as possible; while working within the confidentiality restraints of the mediation session. The BOS also agreed to a willingness to make a decision on the matter within a determined time frame after the informational meeting.
- Should the BOS accept the terms of the tentative settlement, the BOS has full legal authority to agree to the terms.
- Attorney Champlin outlined a payment timeline should the settlement be executed by the BOS: Payment must be made by December 31, 2009 by the insurance company for their portion of the costs. The balance owed for the Town's portion would be due by March 31, 2010 at the latest. Once the final payment is made, a Satisfaction of Judgment would be filed in the courts to indicate on record that the case is closed to the satisfaction of both parties.
- The trial transcript will be available on December 18, 2009.
- P. Anthony stated that the taxpayers have a right to know the Town's portion of the costs, which he indicated not exceed \$450,000.00. He also noted that he negotiated strongly with the Town's insurance company to have them agree to pay at least 50% of the total costs associated with this case. Further details would remain confidential other than items requested under any future Freedom of Information requests that may come forth.
- Attorney Champlin opened the floor to questions from the audience.
- A resident questioned the authority of the BOS to accept the settlement on behalf of the Town. P. Anthony responded that he has a legal opinion confirming the legal authority of the BOS to do accept the terms of the agreement.
- A resident questioned the previous offers of settlement. There was a discussion on the timeline; a \$300,000.00 offer was made in October 2007 as well as an offer to contribute legal fees of \$225,000.00 in November of 2007.
- A resident asked if the Town could bring suit against the former Selectwoman for costs associated with the case. Attorney Champlin responded that elected officials are afforded a certain amount of immunity and in this case, all three (3) selectmen voted in favor of the termination.
- S. Mikutel noted that although he is not pleased with the settlement, he feels that the Town needs to move forward and the tentative settlement would afford the Town the ability to move on.
- A resident asked if mediation was typical. Attorney Champlin responded that it was.

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- Various residents voiced support for the BOS to agree to the settlement and move the Town forward, even if the majority were not happy with having to pay out monies for this case; they still wanted to settle and move forward.
- Residents also voiced support and gratitude to the BOS for their part in coming to an agreement that was more reasonable than what the potential liability could have been.
- Two residents felt that the Town should move forward and learn from this experience by hiring a new secretary each time a new First Selectman is elected. Both also felt that it was time to pay the settlement and move forward.
- A few residents expressed that the case was without merit.
- T. Madonna thanked the audience for coming out to the meeting and understands that there may be some anger on this subject; she appreciated the confidence that the residents have expressed in the BOS. She also noted that the BOS would now be able to move on to more important issues that will be beneficial to the Town.
- Attorney Champlin explained that should the BOS agree to the settlement, it is expected that the Andrea Charron would accept.
- P. Anthony explained that the Town would pay out the settlement in a way that would have the least impact on residents.
- A resident expressed that the Town should look into hiring a Human Resources/Personnel Director to avoid issues such as this in the future that could be shared with between the general government and the board of education.
- Residents expressed an appreciation for the BOS willingness to work together cohesively.

3. **Adjournment: MOTION:** S. Mikutel motioned and was seconded by T. Madonna to adjourn. There was no discussion. All in favor; **motion carried.** P. Anthony adjourned the meeting at 8:00 pm.

**Respectfully Submitted,**

**Keleigh Baretincic**  
**Recording Secretary**