

**RTM Finance Committee:** Jeff Wieser, chair; Lee Arthurs, Allan Bomes, Richard Lowenstein, John McCarthy, and Lois Schine. Late: Gil Nathan\*

**RTM Public Protection Committee:** Sean Timmins, chair; Jimmy Izzo, Melissa Kane, Richard Lowenstein, Louis Mall, Stephen Rubin. Late: George Underhill\*

The joint committees met on Thursday, February 2, 2012 at Town Hall in Room 309 at 7:30PM. Also in attendance were Ryan Driscoll, attorney for the Town of Westport and Gary Conrad, Finance Director.

The purpose of the meeting was to review the Board of Finance recommendation and a request from the Town Attorney, the sum of \$34,908 from the Heart and Hypertension Reserve Fund for settlement of the Workers' Compensation claim brought by Michael Gudzik.

Attorney Ryan Driscoll presented the findings that the claimant met the three criteria for receiving a benefit under the State statute: he had been hired prior to July 1, 1996; he had passed a pre-employment physical; and he had become partially disabled due to hypertension. He then explained the methodology of arriving at the settlement amount of \$34,908. The attorney stated it was a compensable claim. The committees voted to go into executive session to discuss the specifics of the claim and came out of executive session to vote on the request.

Discussion centered around two issues: 1) what options did the Town have to challenge the claim; and 2) should future claims require a claimant to seek a separate second opinion by a Town-mandated physician.

Mr. Driscoll pointed out there had been a lapse in notifying the Town attorney's office of the certified claim well past the 28 days by which the Town was required to respond. RTM members strongly felt that administrative procedures be put in place to insure that claims are delivered to the Town attorney's office in a timely manner. RTM members also felt that a second opinion or a review of the claim by a Town-mandated physician be made regardless of the size of the settlement before any future settlement is brought before the RTM.

Action taken: Finance Committee voted 4-2 to approve (Wieser, Lowenstein, Arthurs, Schine YES; Bomes, McCarthy NO; Public Protection Committee also voted 4-2 to approve (Timmins, Izzo, Lowenstein, Rubin YES; Kane, Mall NO. \*Mr. Nathan and \*Mr. Underhill arrived late and did NOT participate NOR vote. Meeting adjourned at 8:30PM.

Respectfully submitted by Louis M. Mall RTM Public Protection Committee corrected 2/7/12

Cc: Jeff Wieser, Sean Timmins