

# SELECT COMMITTEE ON LEGAL REVIEW MINUTES

May 8, 2008  
7:00 p.m. Library

Meeting called to order at 7:05 p.m.

## Committee Members Present:

Lincoln Briggs  
Elayne Robertson Demby  
Steve Ezzes  
David Fleming  
Douglas Olin  
Dennis Tracey  
Keith Watanabe

### 1. Approval of Minutes

A motion was made by Mr. Fleming to approve the minutes of the meeting of the Committee on April 24, 2008. The motion was seconded by Ms. Demby. The motion carried unanimously.

### 2. Interview of Gay Schonbrunn

The committee interviewed Gay Schonbrunn, who provided information concerning her experience as a member of the Commission on the Elderly working with the Town Attorney. Ms. Schonbrunn stated that she was the Chair of the Tax Relief Committee, which addressed issues relating to tax relief for the elderly. In that regard, in an effort to protect the private information submitted by residents of Weston, Ms. Schonbrunn solicited the views of the Town Attorney as to whether the Freedom of Information Act would require disclosure of such private information. Ms. Schonbrunn stated that Kenneth Bernhard provided a memorandum on the issue within a few days that was very helpful to the Committee in addressing the issue, and that without the excellent and prompt work of Mr. Bernhard, the Committee would not have been able to resolve the issue so effectively. Ms. Schonbrunn also stated that Mr. Bernhard provided excellent assistance on the constitutionality of residency requirements for the elderly.

### 3. Record of Proceedings

The committee discussed whether it wished to record its proceedings on tape. After discussion, a motion was made by Mr. Briggs that the committee

should not record its proceedings. Mr. Fleming seconded the motion. The motion carried unanimously.

#### **4. Executive Session**

The next item on the committee's agenda was an interview of Kenneth Bernhard and Patricia Sullivan of Cohen & Wolf. Because the interview would reveal attorney-client privileged information and information protected by the attorney work product privilege, the committee determined that the interviews should be conducted in Executive Session. After discussion, a motion was made by Ms. Demby to conduct the interview in Executive Session. Mr. Olin seconded. The motion carried unanimously. An executive session was then held to interview Mr. Bernhard and Ms. Sullivan.

Meeting adjourned at 10:26 pm.

Respectfully submitted,

Dennis H. Tracey, III, Chair

**Approved May 22, 2008**