

Meyers, Robert (COE)

INQ 07-57

From: Meyers, Robert (COE)
Sent: Tuesday, April 10, 2007 11:27 AM
To: Meyers, Robert (COE)
Subject: FW: Ethics Issue

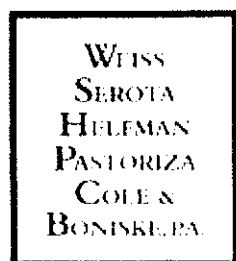
I spoke to David Wolpin and he wanted to know whether the Village Manager could put forward a favorable recommendation regarding an improvement to pension plan for police officers when the Manager is a member of this plan and stands to benefit from any improvements. The recommendation that the Manager present to the Village Council is required by Florida law – to avoid an unfair large practice charge against the Village – and state law does not permit the Manager to recommend against the change to the pension. The Village Manager has no assistant in Bal Harbour. Finally, the Village Council can reject the improvement that was agreed to during the collective bargaining stages.

I find that no conflict exists in this case, as the Village Manager, in order to comply with state law, must prepare such a memorandum with a favorable recommendation. The fact that he stands to benefit from any improvement adopted by the Council is not dispositive because he exercising his statutory authority by recommending the improvement should be passed.

Robert Meyers
 April 10, 2007

From: David M. Wolpin [mailto:DWolpin@wsh-law.com]
Sent: Tuesday, April 10, 2007 10:21 AM
To: Meyers, Robert (COE)
Subject: Ethics Issue

Hi Robert – do you have time to discuss a Bal Harbour ethics question?



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4/10/2007