

AGENDA
CITY COUNCIL MEETING
MONDAY, DECEMBER 2, 2013

7:00 P.M.
CITY COUNCIL CHAMBERS, CITY HALL - 45 LYON TERRACE
BRIDGEPORT, CONNECTICUT

Prayer

Pledge of Allegiance

Roll Call

Adoption of City Council Rules

Election of City Council President

Appointment of City Council Standing Committees

MINUTES FOR APPROVAL:

Approval of City Council Minutes: October 21, 2013

COMMUNICATIONS TO BE REFERRED TO COMMITTEES:

- 01-13** Communication from Public Facilities re: Application for Waiver to Extend Driveway Width (4) Entrances Located at the New Harding High School on Bond Street, referred to Public Safety and Transportation Committee.
- 02-13** Communication from City Attorney re: Twenty Day Notice to Settle Pending Litigation Pursuant to Municipal Code Section 2.10.130 with Curtis Coffield, **ACCEPTED AND MADE PART OF THE RECORD.**
- 03-13** Communication from City Attorney re: Proposed Request for an Executive Session Discussion and Potential Action as Appropriate with respect to Certain Litigation specifically the Pending Appeal concerning the Stratford ZBA's Granting of a Variance for the New Access Way Constructed by Mark IV Construction Co. Inc. on Sikorsky Memorial Airport Property, referred to Public Safety and Transportation Committee.
- 04-13** Communication from City Attorney re: Proposed Greater Bridgeport Regional Solid Waste Interlocal Agreement, referred to Contracts Committee.

THE FOLLOWING NAMED PERSON HAS REQUESTED PERMISSION TO ADDRESS THE CITY COUNCIL ON MONDAY, DECEMBER 2, 2013 AT 6:30 P.M., IN THE CITY COUNCIL CHAMBERS, CITY HALL, 45 LYON TERRACE, BRIDGEPORT, CT.

NAME	SUBJECT
Ethan Book 144 Coleman Street Bridgeport, CT 06604	Observed defects of the recent election process and a "to do" list.
John Marshall Lee 30 Beacon Street Bridgeport, CT 06605	City Council "Duties" in the coming year.
Cecil C. Young 99 Carroll Avenue Bridgeport, CT 06607	City and State Officials unethical tactics and cover-up.
Onte' Johnson (Sierra Club) 246 Louisiana Ave. Bridgeport, CT 06610	Connecticut's last remaining coal plant located in Bridgeport/Bridgeport Harbor Station.
Elaine Ward 73 Sixth Street Bridgeport, CT 06607	The Bridgeport Harbor Station.
Hon. David M. Walker 37 Beacon Street Bridgeport, CT 06605	Priorities for the new City Council.

**CITY OF BRIDGEPORT
CITY COUNCIL
PUBLIC SPEAKING SESSION
MONDAY, DECEMBER 2, 2013
6:30 PM**

ATTENDANCE: Council members: Brannelly, Torres, Banta, Taylor-Moye, Halstead, Swain, T. McCarthy, Austin, Lyons, Vizzo-Paniccia, McBride-Lee, Salter, DeJesus, Castillo, Martinez, Feliciano, Marella, Martinez-Walker, Holloway

ABSENT: Council member: Paoletto

**RECEIVED
CITY CLERK'S OFFICE
2013 DEC 10 3:00
ATTEST
CITY CLERK**

Council President McCarthy called the public speaking session to order at 6:40 p.m.

The city clerk took the roll call and announced there was a quorum.

THE FOLLOWING NAMED PERSON HAS REQUESTED PERMISSION TO ADDRESS THE CITY COUNCIL ON MONDAY, DECEMBER 2, 2013 AT 6:30 P.M., IN THE CITY COUNCIL CHAMBERS, CITY HALL, 45 LYON TERRACE, BRIDGEPORT, CT.

❖ *Statements were submitted to the city clerk's office.*

NAME	SUBJECT
Ethan Book 144 Coleman Street Bridgeport, CT 06604	Observed defects of the recent election process and a "to do" list.

Public Comments of Ethan Book Before the City Council of the City of Bridgeport

Mr. Council President, Members of the City Council and public:

I am Ethan Book, a recent candidate for this City Council to represent the important 131st District.

While I acknowledge that incumbent candidates Denese Taylor-Moye and Jack Banta received a greater number of votes than did my running mate David Goodman and I, there have been observed sufficient defects to the campaign and election process that these issues should be publicly exposed. In this regard, I provide attached to the hard copy of these comments (*submitted to city clerk*) and e-mail which I sent to Ms. Moye and Mr. Banta on November 14th. The unanswered message gives limited detail as to various

defects including issues of absentee ballots (with implications for both Ms. Moye and Mr. Banta) of the lack of constitutionality of the 75-foot campaign free zone and of inconsistent enforcement of that statutory guideline. These other defects have been more fully described in a formal complaint which I presented to the State Elections Enforcement Commission.

I also refer to my campaign flyer published in August and to a plank of my platform in which I point out the need for exposing the reality of the agenda for a New World Order and of the implications of that for Bridgeport municipal government. I made particular reference to the City participation in the United Nations-affiliated International Council for Local Environmental Initiatives (ICLEI).

Then in public comments made to the City Council on September 16th (copy of those comments again attached to the hard copy of these present comments-*submitted to the city clerk*), I described various real concerns about the implicit agenda of the United Nations, of issues of conflict of the UN Charter with our U.S. Constitution and of various worldwide practices of the UN which are in conflict with U.S. policy and even the UN Charter. To those comments, I can add here that in 1953, there was a measure introduced to Congress called the Bricker Amendment. "It stipulated that no treaty signed by the US could override the Constitution or infringe on the rights guaranteed [to] Americans. [That proposal] was born out of the painful retrospect of [the] Yalta [Conference] and the UN Charter". Unfortunately, with public ridicule of the proposed Amendment made by President Dwight Eisenhower, an active member of the Council on Foreign Relations, that proposal didn't have a chance.

And now we observe that the City of Bridgeport is an active member of the UN-affiliated ICLEI. As I further explained to this Council on September 16th, on August 13th, I had sent to Mayor Bill Finch a formal request for information (copy attached hereto-*submitted to city clerk*). I asked for items such as a copy of the City Council meeting minutes wherein there was approval for the City membership in ICLEI, a copy of the initial membership agreement between the City of Bridgeport and ICLEI, that documentation which evidences the amount of annual dues for membership in ICLEI, a copy of a carbon emissions inventory which is known to have been completed during about 2008, a copy of City Council meeting minutes wherein there was approval for the City to participate in the ICLEI Climate Resilience campaign, among other matters.

That formal request made pursuant to the Freedom of Information Act was hand-delivered to the Mayor's Office on August 13th. Despite the statutory limitation of four days for an agency to respond to a request for information, August went by, then September, then October and then the November election. On November 18th, Associate City Attorney Gregory Conte sent me a letter in which he indicated that the matters of City of Bridgeport participation in ICLEI and of the City participation in the Climate Resilience campaign were never presented to this Council. He also indicated that I could have copies of the initial agreement between the City and ICLEI and of the agreement for participation in the Climate Resilience campaign; in addition that I could have a copy of the documentation which reflects annual City dues paid for member ship in ICLEI and further that I could have a copy of the 2008 carbon emissions inventory; all for the payment of 50 cents each for the requested 159 pages. After fully paying the requested amount, on November 25th, I

received *some* of the items for which I had made payment. Although I had paid 50 cents per page for the initial agreement between the City and ICLEI as had been requested, upon my review, there was no such document provided. Upon my questioning at the City Attorney's Office, I was told that staff of that Office had attempted to contact the ICLEI office in Oakland, CA but they had not received any response. *That pertains to the UN-affiliated agency to which the City of Bridgeport pays annual membership due of \$1,750.*

This entire situation is *shocking*, not only for crass negligence by which the City administration conducts its activities but also for the implications of an unholy alliance with an entity which may not share the best interests of the City and further for the willful, excessive delay of the City Attorney's Office in responding to a matter which was clearly known to be politically, time sensitive. It is clear that the city administration did not want to run the risk of another political scandal just before a municipal election.

Finally, I point out that the only statement of a platform which I am aware was made publicly by Ms. Moye and Mr. Banta was with this campaign flyer which was distributed at the voting locations on election day (copy also attached-*submitted to city clerk*). In other words, there was *no known prior statement of a platform* and for being late presented on election day, *there was no opportunity for review, rebuttal or response*. In other words, it appears that Ms. Moye and MR. Banta attempted to win the election with a "hidden agenda". *This is horrific, it shocks the conscience and it denigrates the integrity of the election process.*

For all the above, can it be said that the recent election results are tainted?

I am compelled to refer to a quote federal Judge Kenneth Star: "It is decidedly unchristian to win at any cost".

Ethan Book

John Marshall Lee
30 Beacon Street
Bridgeport, CT 06605

City Council "Duties" in the coming year.

Please go to [www. SoundviewTV.org/Bridgeport](http://www.SoundviewTV.org/Bridgeport) to view or listen to the detailed comments that the speaker above addressed to the City Council on December 2, 2013.

Cecil C. Young
99 Carroll Avenue
Bridgeport, CT 06607

City and State Officials unethical tactics
and cover-up.

Mr. Young congratulated all the new elected council members. He expressed that he hoped they will do well with the lack of leadership that they had for the last few years.

He recalled the matter of his unjust termination while working for the city in the past, because of being so called a whistle blower. He stated that his attorney filed an appeal with the Supreme Court to further investigate the matter. He further recalled the incident that was unjust, because it was determined that he wasn't at work, which he disputes – *he held up a picture of his back injury that he alleges was injured by a council member attack.* He emphasized that he never received an apology for the attack and he stressed that the matter won't be over until he gets his day in court. He made it clear that he should have never been attacked, noting that he has doctor notes and medical back up to support his allegations.

Onte' Johnson (Sierra Club)
246 Louisiana Ave.
Bridgeport, CT 06610

Connecticut's last remaining coal plant located
in Bridgeport/Bridgeport Harbor Station.

Greetings Members of the Bridgeport City Council:

Congratulations on your recent election old faces and new ones. You have chosen to dedicate a portion of your life to public service and representing and serving the great citizens and residents of this community; and your constituents elected you to do that very thing.

My name is Onte Johnson, a born resident and also an Organizer for the Sierra Club. I stand before you today alongside of my colleagues to discuss the important issue of Connecticut's last remaining coal plant which is located in our house.

We have a huge historic opportunity to making Connecticut a coal free State and planning ahead for a clean renewable energy future not just for our city but for our State. Every person deserves the right to drink clean water and breathe clean air. Ask yourselves the question how many people do you know suffer with asthma?

Here in our city we have the highest asthma mortality rates in children and senior citizens according to the Department of Public Health records.

Here is the problem:

- The Bridgeport coal plant has poisoned our air with harmful soot, smog and sulfur dioxide pollution for more than 45 years. Every time it roars back into operation, it puts our kids' health at risk.

- Pollution from the Bridgeport coal plant contributes to asthma attacks and respiratory illness. Fairfield County has one of the highest asthma rates in CT and in Bridgeport, nearly 15% of school-aged kids suffer from asthma.
- Pollution from fossil fuels like coal and gas contributes to climate disruption, which puts our families at greater risk from extreme weather events like superstorms, flooding and heat waves.
- The coal plant is outdated and uneconomical. It's have trouble competing in the market right now, yet no one is seriously planning for Bridgeport's future beyond coal.

Here are some solutions:

- It's time to transition the Bridgeport coal plant and invest in healthier, more secure solutions for Bridgeport.
- Our city and state officials must work with the community and workers to develop a responsible transition plan that will strengthen Bridgeport's economy, secure jobs and cleanup the site for a more productive use for the future.

To date we already have 4 out of 6 State Representatives that have signed a letter to Governor Malloy urging him to develop a transition plant that would protect the interest of Bridgeport and the workers.

Here are the benefits:

- The dirty plant is and eyesore on our valuable waterfront. Transitioning the plant and cleaning up the site could be a key component of a transition plan that would jumpstart our economy and revitalize the city.
- There are already 77 solar companies creating jobs in CT. Developing a responsible plan to transition away from coal can help create more jobs like these.
- Retiring the Bridgeport plant would make CT a regional leader as one of the first coal free states in New England.

Here is your call to action:

- Call, write or meet with your state representative to tell them we need a responsible plan to retire the Bridgeport plant, clean up the air we breathe and grow our local economy.
- Consider adopting a city resolution, a task force, and opportunities to become innovative.
- Support the new Carbon Pollution Standards proposed by EPA.

Elaine Ward
73 Sixth Street
Bridgeport, CT 06607

The Bridgeport Harbor Station.

Ms. Ward mentioned The Healthy CT Alliance. She stated that the Bridgeport family has the right work, live and play where there is clean air. She went on to address the Mayor about changing the coal plant into a natural gas plant, noting that this could also pose a health issue with people that have asthma; recalling a past incident where this occurred. She asked the Mayor and city council to read over the information and reconsider their desires. She stated that if a natural gas plant is coming in, she questioned whether the current employees would continue to work there. She ended her comments and made a request for them to take her comments into consideration for future discussion.

Hon. David M. Walker
37 Beacon Street
Bridgeport, CT 06605

Priorities for the new City Council.

Comments by Hon. David M. Walker

Congratulations on your election and thank you for your willingness to serve the City. I attended the swearing-in ceremony last evening and enjoyed it. Yesterday's activities were largely ceremonial and celebratory, but tonight your real work begins.

I hope that all of you have studied the City Charter, the City Ordinances, including the ethics rules, and the City's Comprehensive Annual Financial Report (CAFR). Doing so is of critical importance to ensuring your individual effectiveness and the City Council's overall effectiveness as representatives of the people and in providing a meaningful check and balance on the Mayor and executive branch of Bridgeport's government.

As a concerned and caring citizen of Bridgeport, I have studied the City Charter, City Ordinances and the City's financial condition. I have also attended a number of City Council and Board of Education meetings. In doing so, it has become clear that Bridgeport is at a critical crossroads. It can either continue to pursue the failed policies and approaches of the past or it can change course and create a better future. Whether it changes course largely depends on the actions of the Mayor and this City Council.

To help put things in perspective, I am providing a copy of an Op-Ed from yesterday's Connecticut Post along with a copy of my comments to the City Clerk tonight for entry into the official record. The Op-Ed was written by Mark Funkhouser, who is a former Mayor of Kansas City, MO and the current head of the Governing Institute.

In his Op-Ed, Dr. Funkhouser noted three key challenges that Bridgeport faces – governance, debt and demographics. First and foremost, Bridgeport has major governance challenges, including the fact that four members of this City Council are also City employees. No matter what anyone thinks about these individuals personally, their involvement on the City Council is a clear violation of the current City Charter as well as basic good governance practices. It is only a matter of time before the related state law is revised to restore the basic concept of home rule on local governance issues. In the

interim, irrespective of the individuals involved, this Council should not elect or appoint City employees to leadership positions or committees that violate the basic principal-agent relationship referenced in the Op-Ed.

Irrespective of any related legal arguments, it's important for all of us to remember that the law is the floor of acceptable behavior. There are higher ethical and moral standards that people should strive to meet, especially elected officials and other public servants. For example, all public officials should avoid any action or activity that might raise even an appearance of a conflict of interest. Unfortunately, Bridgeport does not have a good track record in this regard. For example, I filed a major ethics complaint almost six months ago that involves some of the top officials in City Government! Candidly, it is unacceptable, and possibly even illegal, that this matter has gone so long without resolution.

The truth is, past conflicts have caused this City and it's residents significant embarrassment. These conflicts have also served to reduce the willingness and ability of the City Council to effectively and credibly address the financial and economic development challenges facing the City. Furthermore, these conflicts and the related embarrassments clearly serve to reduce the willingness of businesses to locate in Bridgeport.

Second, Bridgeport is in poor financial condition with about four times the total liabilities and unfunded promises per person as Stockton, CA and Stockton is currently in bankruptcy. Bridgeport must restructure its existing retirement plans in an equitable and sustainable manner, and grow the taxable Grand List faster than the city budget if it expects to avoid bankruptcy in the future.

Finally, Bridgeport has huge demographic challenges with a per capital income that is significantly below the national average combined with a much higher unemployment rate than the national average. It also faces much larger achievement gaps and dropout rates in its education system than the national and state averages.

Let me be clear, it's not too late to create a comeback in Bridgeport. Bridgeport has certain strengths, including its geographic location and the amount of property it has available for development. However, creating a comeback will require the Mayor and the City Council to fact the facts, speak the whole truth, and start making tough choices. As I mentioned, a top priority must be to grow the tax base faster than the City budget. To do so, the City Council should have independent and professional help in connection with key financial, legal and other matters. You should also seek input from qualified citizens in the City.

In that regard, last April I provided several pages of budget related recommendations to the City Council which were largely ignored. I respectfully request that you take another look at them and the sooner the better. I also suggest that you engage in constructive discussions with the Mayor regarding those suggestions and other issues that you feel are appropriate in order to help inform his next proposed budget.

Under our current City Charter, the Mayor has by far the most power when it comes to determining the final City budget. Therefore, the Mayor and I have recently agreed to meet to discuss my past suggestions and other issues of mutual interest and concern. I am also willing to meet with members of this Council at mutually convenient times in the future.

In closing, effective government starts with good governance. Your actions tonight are critical in that regard. According to tonight's agenda, you will elect a City Council President, make Committee assignments, and presumably make Committee Chair appointments.

In my opinion, such elections and appointments should be based primarily on Council Members interests, backgrounds and abilities. In addition, they should ensure that any potential conflicts are avoided.

Your actions tonight will demonstrate how serious you are about doing the right thing and leading by example. The people and the press are watching and Bridgeport's future is at stake.

Thank you for your time and attention.

The public speaking session ended at 7:10 pm.

CITY OF BRIDGEPORT

CITY COUNCIL MEETING

MONDAY, DECEMBER 2 2013

7:00 PM

City Council Chambers, City Hall - 45 Lyon Terrace

Bridgeport, Connecticut

ATTENDANCE: Council members: Brannelly, Torres, Banta, Taylor-Moye, Halstead, Swain, T. McCarthy, Austin, Lyons, Vizzo-Paniccia, McBride-Lee, Salter, DeJesus, Castillo, Martinez, Feliciano, Marella, Martinez-Walker, Holloway

ABSENT: Council member: Paoletto

Mayor Finch called the meeting to order at 7:00 pm.

Prayer - Council member McBride-Lee offered the prayer.

Pledge of Allegiance - Council member Swain led the pledge of allegiance.

Roll Call - the city clerk took the roll call and announced there was a quorum.

Adoption of City Council Rules

Council President McCarthy stated that copies of the city council rules were distributed, noting that they contain the same rules that previously applied.

**** COUNCIL PRESIDENT MCCARTHY MOVED TO ACCEPT THE ADOPTION OF CITY COUNCIL RULES**

**** COUNCIL MEMBER AUSTIN SECONDED**

Council member Holloway stated that any rules that couldn't be found in the City Council Rules, could be found in Roberts Rules of Order. He urged all the council members to review those rules.

**** MOTION PASSED UNANIMOUSLY**

Election of City Council President

**** COUNCIL MEMBER MARELLA MOVED TO NOMINATE SITTING COUNCIL PRESIDENT McCARTHY**

**** COUNCIL MEMBER TAYLOR-MOYE SECONDED**

Mayor Finch clarified that the elections must be done by a roll call vote according to the charter.

Council member Torres questioned if the election of City Council President was open to other nominations.

**** COUNCIL MEMBER TORRES MOVED TO NOMINATE COUNCIL MEMBER HALSTEAD**

**** COUNCIL MEMBER SWAIN SECONDED**

**** COUNCIL MEMBER HALSTEAD MOVED TO NOMINATE COUNCIL MEMBER TORRES**

**** COUNCIL MEMBER SWAIN SECONDED**

-see below for the motion outcomes-

Council member Torres stated that the purpose of the nomination is to provide the city council an opportunity to vote for someone that isn't conflicted in his duties, noting the potential for a conflict of interest and reasons that could apply. He emphasized that this should be the most professional city council in Bridgeport and he felt to achieve that; they must avoid any conflict of interests.

A roll call vote was taken for the election of City Council President:

The outcome was as follows:

- o 15 votes Council member McCarthy
- o 2 votes Council member Halstead
- o 2 votes Council member Torres

**** ROLL CALL VOTE CARRIED TO ELECT COUNCIL MEMBER McCARTHY AS CITY COUNCIL PRESIDENT**

Mayor Finch announced that Council President McCarthy had been re-elected as City Council President

Council President McCarthy expressed his thanks to the council members voting their confidence re-electing him. He further expressed that he hoped to gain the confidence of those council members that didn't vote for him.

Appointment of City Council Standing Committees

Council President McCarthy read the Committees of the City Council 2013-2014 that outlined the council members that would serve on those committees below:

COMMITTEES OF THE CITY COUNCIL 2013-2014

First two named Councilmembers serve as Co-Chairmen

COMMITTEE ON BUDGET AND APPROPRIATIONS

Councilmembers: Brannelly, Marella, Martinez, Vizzo-Paniccia, Swain, Austin, Taylor-Moye

COMMITTEE ON PUBLIC SAFETY AND TRANSPORTION

Councilmembers: Lyons, Feliciano, Banta, Salter, Castillo, Martinez-Walker, Paoletto

COMMITTEE ON ECONOMIC AND COMMUNITY DEVELOPMENT AND ENVIRONMENT

Councilmembers: Martinez, Banta, McBride-Lee, Lyons, DeJesus, Martinez-Walker, Marella

COMMITTEE ON MISCELLANEOUS MATTERS

Councilmembers: Vizzo-Paniccia, Swain, Taylor-Moye, Brannelly, Feliciano, Halstead, Banta

COMMITTEE ON CONTRACTS

Councilmembers: Austin, DeJesus, Brannelly, Salter, Holloway, Castillo, Paoletto

COMMITTEE ON EDUCATION AND SOCIAL SERVICES

Councilmembers: Taylor-Moye, McBride-Lee, Holloway, Torres, Halstead, Marella, Feliciano

CITY COUNCIL PRESIDENT: Thomas McCarthy

PRESIDENT PRO TEMPORE: Denese Taylor-Moye

MAJORITY LEADER: Lydia Martinez

MINORITY LEADER: Rick Torres

***A) DEPUTY MAJORITY LEADER/SGT AT ARMS: Richard M. Paoletto**

***B) DEPUTY MAJORITY LEADER: Michelle Lyons**

***C) DEPUTY MAJORITY LEADER: Richard DeJesus**

LIAISONS TO VARIOUS BOARDS AND COMMISSIONS

Liaison to the Chamber of Commerce: AmyMarie Vizzo-Paniccia

Liaison to Fire Commission: Michael Marella Jr.

Liaison to Harbor Commission: Jack Banta

Liaison to Housing Authority: Denese Taylor-Moye & Alfred Castillo

Liaison to the Library Board: Susan T. Brannelly

Liaison to Parks Commission: Howard Austin, Sr.

Liaison to Police Commission: Milta Feliciano

Liaison to WPCA: Jack Banta

Liaison to Historic Commission: Robert Halstead

School Buildings Committee Members: Holloway, Banta, Martinez

**** COUNCIL PRESIDENT McCARTHY MOVED TO APPROVE THE COMMITTEE ASSIGNMENTS**

**** COUNCIL MEMBER AUSTIN SECONDED**

A roll call vote was taken and the following council members abstained:

Council members: Torres, Swain, Salter, Halstead

Council member Holloway mentioned to those that weren't aware of the City Council Rules and Roberts Rules of Conduct, if they abstain; they must state the reason why they are abstaining.

Council member Torres stated that he abstained because he felt that he was well capable of handling budgets as he has done in the past. He said he was confident and capable in this area and thought that he would be a good resource to the city council to act in a responsible way to sit on the Budget & Appropriations Committee.

Mayor Finch polled the council members to ask if there were any members that would like to change their vote.

Council member Halstead stated that he abstained due to the issue he had with no transparency in government.

Council member Salter stated that he abstained because he sat on the Board of Education board for many years and he felt that he was qualified to sit on the Committee on Education and Social Services. He stated that he also had an issue with how the committee selections were done.

Council President McCarthy explained that the committee selections were based on determining the best fit for each council member. Mayor Finch commented that it's not always possible as a new council member to be assigned to the committee that they desire.

Council member Halstead said his main concern was how each committee member was chosen. He questioned if the selections were based on their qualifications. Council President McCarthy relayed that for those that abstained, every council member was selected to a major important committee.

Council member Brannelly mentioned that for those new to the process, every council member is vital to the process. She clarified that every council member is welcomed to attend all committee meetings. Overall, she said all council members are a very important part of a committee's decisions and their voice is encouraged and will be respected. Mayor Finch concurred to say that the committee process is where the action and compromising occurs.

Council member Salter stated that he thought it was slightly unethical to select him to a committee because he was officially sworn in.

Mayor Finch urged all the council members to address and further questions they had to the city clerk's office regarding the matter.

**** MOTION PASSED WITH FIFTEEN VOTES IN FAVOR AND FOUR ABSTENTIONS (COUNCIL MEMBERS: TORRES, HALSTEAD, SWAIN, SALTER)**

MINUTES FOR APPROVAL:

Approval of City Council Minutes: October 21, 2013

Council President McCarthy questioned if the minutes that were recorded from the previous city council could be voted on. City Attorney Anastasi clarified that only those council members that were present at the meeting could vote to accept the minutes; noting that there needed to be a majority of those council members present tonight to make a quorum.

Mayor Finch requested a roll call of those who attended the meeting on October 21, 2013.

**** COUNCIL PRESIDENT MCCARTHY MOVED TO ACCEPT THE MINUTES**

**** COUNCIL MEMBER LYONS SECONDED**

**** MOTION PASSED UNANIMOUSLY**

COMMUNICATIONS TO BE REFERRED TO COMMITTEES:

- 01-13** Communication from Public Facilities re: Application for Waiver to Extend Driveway Width (4) Entrances Located at the New Harding High School on Bond Street, referred to Public Safety and Transportation Committee.
- 02-13** Communication from City Attorney re: Twenty Day Notice to Settle Pending Litigation Pursuant to Municipal Code Section 2.10.130 with Curtis Coffield, **ACCEPTED AND MADE PART OF THE RECORD.**
- 03-13** Communication from City Attorney re: Proposed Request for an Executive Session Discussion and Potential Action as Appropriate with respect to Certain Litigation specifically the Pending Appeal concerning the Stratford ZBA's Granting of a Variance for the New Access Way Constructed by Mark IV Construction Co. Inc. on Sikorsky Memorial Airport Property, referred to Public Safety and Transportation Committee.
- 04-13** Communication from City Attorney re: Proposed Greater Bridgeport Regional Solid Waste Interlocal Agreement, referred to Contracts Committee.

**** COUNCIL MEMBER HOLLOWAY MOVED TO REFER COMMUNICATIONS TO BE REFERRED TO COMMITTEES**

**** COUNCIL MEMBER MARTINEZ SECONDED**

**** MOTION PASSED UNANIMOUSLY**

Announcements:

Council President announced that the city clerk's office was working on scheduling a training session for the newly elected council members.

ADJOURNMENT

**** COUNCIL PRESIDENT HOLLOWAY MOVED TO ADJOURN**

**** COUNCIL PRESIDENT McCARTHY SECONDED**

**** MOTION PASSED UNANIMOUSLY**

The meeting adjourned at 7:45 pm.

Respectfully submitted,

Diane Graham
Telesco Secretarial Services

City of Bridgeport
City Council Meeting
December 2, 2013
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OFFICE OF THE
DEPARTMENT OF PUBLIC FACILITIES

999 BROAD STREET
BRIDGEPORT, CONNECTICUT 06604
TELEPHONE (203) 576-7130

CHARLES M. CARROLL
Director Public Facilities

BILL FINCH COMM. #01-13 Ref'd to Public Safety & Transportation Committee
Mayor on 12/02/2013.

ATTEST
CITY CLERK

RECEIVED
CITY CLERK'S OFFICE
2013 NOV - 6 A 10:20

Date: October 24, 2013

To: Frances Wilson
Assist. City Clerk

From: Charles M. Carroll, Director
Public Facilities

Re: **Application for Waiver of City Council Ordinance to Extend
Driveway Width (4) Entrances - New Harding High School - Bond
Street**

The attached application is from Antonozzi Associates requesting extension of (4) driveway entrances for the new Harding High School on Bond Street.

See letter attached from Jon Urquidi, Engineering Supervisor with his recommendation to include additional comments for approval of permit City Ordinance 12.08/030.

Please place on the next City Council agenda for referral to the Public Safety Committee.

Attachment

cc: Dave Ferris, Antinozzi Associates
Larry Schilling, O&G
File



CITY OF BRIDGEPORT
ENGINEERING DEPARTMENT

CITY HALL - 45 Lyon Terrace
Bridgeport, Connecticut 06604-4023
Telephone (203) 576-7211
Fax (203) 576-7154

October 17, 2013

Charles Carroll
Director Public Facilities
Bridgeport, Connecticut 06604

Re: **New Harding High School - Bond Street – Application for Waiver of City Council Ordinance 12.08.07 to Extend Driveway Width**

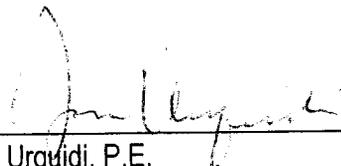
Dear Mr. Carroll:

Please be advised that we have reviewed the attached plan labeled "Site Materials Plan" Prepared by Stantec Engineering Dated August 19, 2013, and the letter from Mr. Antonio Di Camillo dated October 8, 2013, for the extension of a driveway width of four (4) driveway entrances for the new Harding High School Facility on Bond Street. The purpose of the extended driveway curb cut is to provide adequate turning movements for emergency vehicles and buses into the school property.

We recommend that approval be granted for the driveways as depicted on the plans based on the following additional comments:

1. Provide stop bars and "stop" signs at the driveway locations on the development property and not in the Right of Way.
2. Provide any additional traffic signage such as "One way" or "Do Not Enter" signs where needed.
3. Additional turning restriction signage may be required based on the finding in the developments traffic impact study.
4. The petitioner's request must be formally referred to City Council for any waiver requests to City Ordinances. The request should be accompanied by a recommendation by the Fire Marshal's office that wider driveways are required to facilitate emergency vehicle movements in and out of the subject property.

Very truly yours,



Jon Urquidi, P.E.
City Engineer

JPU/p

c: Bobby Kennedy, Public Facilities
Fire Chief Brian Rooney

Jorge Garcia, Public Facilities/BOE



Stantec Consulting Services Inc.
2321 Whitney Avenue
Hamden CT 06518
Tel: (203) 281-1350
Fax: (203) 281-1470

Stantec

October 8, 2013

Mr. James Holloway
Supervisor
Permits and Inspections
Bridgeport City Hall (Room No. 225)
45 Lyon Terrace
Bridgeport, CT 06604

**Re: Harding High School
Permit to Extend Width of Driveway Approaches**

Dear Mr. Holloway:

In accordance with City of Bridgeport driveway approaches ordinances (Section 12.08.07), we are hereby requesting that the City of Bridgeport provide the above noted project approval for extending maximums driveways widths. Specifically, the project entails the construction of four (4) total driveways to access the site. All 4 of these driveway cuts with widths of will be in excess of the maximum permitted 30 ft at the curb line. The extended width requested is to accommodate bus, delivery and emergency vehicles (fire) movements into and out of the site. We are enclosing a site layout plan reflecting required information for your review.

Should you require any additional information from this office, please do not hesitate to contact me.

Very truly yours

A handwritten signature in black ink, appearing to read 'Antonio Di Camillo'.

Antonio Di Camillo, PE
Project Engineer

Cc: Dave Ferris, Antinozzi Associates
Charlie Carroil – Bridgeport Public Facilities
Larry Schilling – O&G

**MAP TOO LARGE TO SCAN BUT
AVAILABLE ON FILE IN CITY CLERK'S OFFICE**

CITY OF BRIDGEPORT
OFFICE OF THE CITY ATTORNEY

999 Broad Street
Bridgeport, Connecticut 06604-4328

CITY ATTORNEY
Mark T. Anastasi

DEPUTY CITY ATTORNEY
Arthur C Laske, III

ASSOCIATE CITY ATTORNEYS
Gregory M. Conte
Betsy A. Edwards
Richard G. Kascak, Jr.
Russell D. Liskov
John R. Mitola
Ronald J. Pacacha
Lisa R. Trachtenburg



ASSISTANT CITY ATTORNEYS
Salvatore C. DePiano
R. Christopher Meyer
Edmund F. Schmidt
Eroll V. Skyers

Telephone (203) 576-7647
Facsimile (203) 576- 8252

Comm. #02-13 ACCEPTED AND MADE PART OF THE RECORD
On 12/02/2013

November 13, 2013

The Honorable City Council
City of Bridgeport
45 Lyon Terrace
Bridgeport, CT 06604

Re: **SETTLEMENT OF CLAIM**
CURTIS COFFIELD v. CITY OF BRIDGEPORT

Dear Honorable Members:

The Office of the City Attorney proposes to settle the above referenced litigation in the amount of \$15,000.00 payable to Law Office of Robert M. Berke, Trustee for Curtis Coffield. The action was claiming personal injuries to Mr. Coffield when, on November 2, 2009, he fell down the escalator stairs in City Hall Annex. He alleges the City of Bridgeport failed to repair the broken escalator and failed to warn of its non-working condition.

Pursuant to the City Council's amended Ordinance Section 2.10.130, this office hereby provides notice of its intent to settle this matter in accordance with the terms set forth in said Section 2.10.130.

If you wish to discuss the details of this case or have any questions, please feel free to contact me. If I am not immediately available, please speak with my paralegal, Shakira Simpson, who will then follow-up with me. Further, if I do not hear from you within the twenty (20) day time period provided by the Ordinance, I will proceed to finalize settlement of this matter.

Very truly yours,

Mark T. Anastasi
City Attorney

MTA/ss

CITY OF BRIDGEPORT
OFFICE OF THE CITY ATTORNEY

999 Broad Street
Bridgeport, Connecticut 06604-4328



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Mark T. Anastasi

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Gregory M. Conte
Betsy A. Edwards
Richard G. Kascak, Jr.
Russell D. Liskov
John R. Mitola
Ronald J. Pacachia
Lisa R. Trachtenburg

November 26, 2013

ASSISTANT CITY ATTORNEYS

Salvatore C. DePiano
R. Christopher Meyer
Edmund F. Schmidt
Erol V. Skyers

Telephone (203) 576-7647
Facsimile (203) 576-8252

The Honorable City Council
of the City of Bridgeport
45 Lyon Terrace
Bridgeport, CT 06604

Re: EXECUTIVE SESSION Discussion and Potential Action as Appropriate with respect to Certain Litigation - specifically the Pending Appeal Concerning the Stratford ZBA's Granting of a Variance for the New Access way Constructed by Mark IV Construction Co. Inc. on Sikorsky Memorial Airport Property pursuant to the ongoing Congressionally Mandated Airport Safety Zone Enhancement Project

Dear City Council Persons:

Kindly refer this correspondence to the Council's Public Safety and Transportation Committee at next Monday's December 2, 2013 organizational meeting. It is my intention to request the Committee to hear this matter at a meeting prior to the City Council meeting on December 16, 2013, in order to enable the full Council to take action as appropriate on the 16th.

Thank you for your assistance with this matter.

Very truly yours,

Mark T. Anastasi
City Attorney

Cc: Fleeta C. Hudson, City Clerk
Pauline A. Mize, Airport Manager
Adam Wood, Chief of Staff
Andrew Nunn, CAO
Arthur C. Laske, III, Deputy City Attorney
Edmund Schmidt, Asst. City Atty.
Ira Bloom, Esq.

Ortiz, Frances

From: Anastasi, Mark T
Sent: Tuesday, November 26, 2013 1:05 PM
To: Ortiz, Frances
Cc: Hudson, Fleeta; McCarthy, Tom
Subject: Dec. 2nd City Council Agenda
Attachments: cityattorneycopier1@bridgeportct.gov_20131126_131248.pdf

Importance: High

Frances: Kindly place the attached correspondence on the 12/2 Agenda for referral to committee. Thanks.

-----Original Message-----

From: cityattorneycopier1@bridgeportct.gov [<mailto:cityattorneycopier1@bridgeportct.gov>] On Behalf Of cityattorneycopier1@
Sent: Tuesday, November 26, 2013 1:13 PM
To: Anastasi, Mark T
Subject: Scanned image from MX-5111N

Reply to: cityattorneycopier1@bridgeportct.gov <cityattorneycopier1@bridgeportct.gov>
Device Name: Not Set
Device Model: MX-5111N
Location: Not Set

File Format: PDF (Medium)
Resolution: 150dpi x 150dpi

Attached file is scanned image in PDF format.

Use Acrobat(R)Reader(R) or Adobe(R)Reader(R) of Adobe Systems Incorporated to view the document.

Adobe(R)Reader(R) can be downloaded from the following URL:

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<http://www.adobe.com/>

CITY OF BRIDGEPORT
OFFICE OF THE CITY ATTORNEY

999 Broad Street
Bridgeport, Connecticut 06604-4328

CITY ATTORNEY
Mark T. Anastasi

DEPUTY CITY ATTORNEY
Arthur C. Laske, III

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Gregory M. Conte
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Salvatore C. DePiano
R. Christopher Meyer
Edmund F. Schmidt
Eroll V. Skyers

Telephone (203) 576-7647
Facsimile (203) 576-8252

Comm. #04-13 Referred to Contracts Committee on
12/02/2013

November 26, 2013

The Honorable City Council
of the City of Bridgeport
45 Lyon Terrace
Bridgeport, CT 06604

Re: Proposed Greater Bridgeport Regional Solid Waste Interlocal Agreement

Dear City Council Persons:

Kindly refer the above-reference proposed agreement to the Council's Contracts Committee at next Monday's December 2, 2013 organizational meeting.

Thank you for your assistance with this matter.

Very truly yours,


Mark T. Anastasi
City Attorney

Cc: Fleeta C. Hudson, City Clerk
Frances Ortiz, Asst. City Clerk
Adam Wood, Chief of Staff
Andrew Nunn, CAO
Charles Carroll, Dir. Public Facilities
John Cottell, Utilities Director

RECEIVED
CITY CLERK'S OFFICE
2013 NOV 26 P 4:24
ATTEST
CITY CLERK

Draft 11/7/13

**GREATER BRIDGEPORT REGIONAL SOLID
WASTE INTERLOCAL AGREEMENT**

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**Greater Bridgeport Regional Solid Waste
Interlocal Agreement**

THIS AGREEMENT, dated as of January 1, 2014, is by and among the Municipalities signatory to this Agreement ("Municipalities").

1. **PURPOSE.** The purpose of this Agreement is to create the Greater Bridgeport Regional Solid Waste Committee (the "Committee") as the body to deal with all matters affecting the Municipalities in connection with the delivery of municipal solid waste to one or more resources recovery facilities with which it contracts (each, a "Facility"), and the purchase of electric power if the terms of such delivery include the supply of electric power.

2. **COMMITTEE MEMBERSHIP.** (a) Each of the following Municipalities which has ratified this Agreement pursuant to Section 7-339c of the General Statutes of Connecticut shall be a member of the Committee:

Town of Bethany
City of Bridgeport
Town of Easton
Town of Fairfield
City of Milford
Town of Monroe
Town of Orange
Town of Stratford
Town of Trumbull
Town of Westport
Town of Woodbridge

(b) If an additional municipality is contractually entitled or obligated to deliver municipal solid waste to the Facility through the Committee and ratifies this Agreement pursuant to C.G.S. Section 7-339c, it shall become a member of the Committee with all rights and obligations of a member pursuant to this Agreement; provided that the Committee consents to such municipality becoming a member of the Committee by a majority vote.

3. DURATION OF AGREEMENT. The Agreement shall be in effect from its effective date until June 30, 2034, unless at any time there are not two Municipalities continuing to be members, in which event it shall automatically terminate.

4. EFFECTIVE DATE. The effective date of this Agreement shall be January 1, 2014.

5. ESTABLISHMENT OF GREATER BRIDGEPORT REGIONAL SOLID WASTE COMMITTEE. The "Greater Bridgeport Regional Solid Waste Committee" is hereby established, as authorized by Sections 7-339a and 22a-221(c) of the General Statutes of Connecticut. The Committee shall be an operating committee constituting a public instrumentality and political subdivision of the State of Connecticut.

6. ORGANIZATION OF THE COMMITTEE. Within sixty days of the effective date of this Agreement, the representatives to the Committee designated by the member Municipalities shall meet and organize and select from among the designated representatives a Chairman, Vice Chairman, Secretary, Treasurer, and such other officers as the representatives deem appropriate. The initial term of office shall expire at 12:00 p.m. (Midnight) on December 31, 2014. New officers shall be elected annually and each term of office shall commence at 12:01 a.m. on the first day of January each year. In the absence or incapacity of the Chairman, the Vice Chairman shall be vested with all powers of the Chairman.

7. POWERS AND RESPONSIBILITIES OF COMMITTEE. (a) The Committee is authorized to negotiate, execute and deliver a contract for the delivery of municipal solid waste to a Facility as it shall determine to be in the best interests of the Municipalities. The contract shall be for a term the Committee shall determine, but shall not extend beyond the term of this Agreement and shall not exceed a term, including options for extension, exceeding 30 years.

The Committee is authorized to obligate each Municipality to deliver municipal solid waste to the Facility, which obligation may be in the form of (i) a minimum annual tonnage commitment of each Municipality, (ii) a commitment of a Municipality to deliver all municipal solid waste under its control, (iii) a minimum annual tonnage commitment of the Municipalities in the aggregate, (iv) a commitment to deliver tonnage from particular sources or classes of sources (such as residential or commercial), or (v) some combination of the foregoing. The Committee is authorized to determine, by resolution or in the contract, the consequences to each Municipality of any default in the performance of any delivery commitment made by the Committee or on behalf of any Municipality. The Committee shall be responsible for representing the interests of the Municipalities in all matters relating to the delivery of municipal solid waste to the Facility, and shall be the authorized representative of each Municipality for purposes of any such contract including, without limitation, all matters stated therein to be determined by the Committee. Any such contract may provide for:

(i) Arrangements for the billing and payment of tipping fees directly between the operators of the Facility and a Municipality;

(ii) Arrangements for the delivery of electric power by the Facility to the Municipality, and billing and payment of electric power purchase payments directly between the operators of the Facility and a Municipality, or payment in the form of a credit against tipping fees;

(iii) Billing of an aggregate administrative cost (whether or not in the form of a per ton charge) authorized and approved by the Committee, to a Municipality and payable to the Committee, or to the operators of the Facility for further credit to the Municipality.

(b) The Committee shall analyze all reports, communications and other data received by it and advise member Municipalities and make recommendations as appropriate. The Committee shall inquire and investigate any matter deemed by it to justify such action and shall keep member Municipalities advised of all developments. The Committee shall prepare and

distribute to the member Municipalities an annual report of its activities and recommendations and such additional reports as deemed appropriate.

(c) The Committee shall have the following additional powers:

(i) to retain by contract or employ counsel, auditors, private consultants and advisers;

(ii) to conduct such hearings, examinations and investigations as may be necessary and appropriate to the conduct of its operations and the fulfillment of its responsibilities;

(iii) to examine alternatives to disposal of municipal solid waste at the Facility, including alternatives to renewal of contractual arrangements with respect to the Facility; and

(iv) to otherwise do all things necessary or desirable in connection with the performance of its duties, the conduct of its operations, and its relationships with the Municipalities and the Facility.

8. REGULAR, SPECIAL AND EMERGENCY MEETINGS. (a) The Committee shall hold regular quarterly meetings, or more frequent regular meetings, at such times and places as determined by the Committee. In the event the Chairman of the Committee determines that it is not necessary to hold a regular meeting, he/she may cancel such meeting by giving written or telephone notice of such cancellation at least 24 hours prior to the time of the meeting.

(b) The Chairman of the Committee may call a special or emergency meeting as he/she determines appropriate, giving, in each instance, as much advance notice as circumstances permit. The Chairman or Secretary of the Committee shall promptly call a special or emergency meeting upon the request of representatives from three or more member Municipalities.

(c) The Committee shall conduct its affairs in compliance with the Freedom of Information Act.

9. VOTING, QUORUM. (a) Each member Municipality shall be entitled to one representative on the Committee with one vote on all matters except for the City of Bridgeport which shall be entitled to three representatives each with one vote on all matters. Such representatives shall be the chief elected official of such member Municipality or his or her designated alternate, and in the case of the City of Bridgeport, two additional representatives named by the Mayor of the City. Representatives to the Board shall serve without compensation.

(b) A quorum for conducting business at any meeting of the Committee shall consist of the presence of representatives collectively holding a majority of the total membership votes.

(c) Unless otherwise specifically provided herein, all matters shall be decided by a majority vote of the representatives present. Should the Committee become involved in any

dispute or controversy requiring resolution by a third party, the Committee shall give priority to the use of Alternative Dispute Resolution means in resolving such dispute or controversy.

10. BUDGET; PAYMENT OF EXPENSES. The Committee shall prepare a proposed annual expense budget and shall distribute it to the Municipalities for comments at least 45 days prior to the Committee voting to adopt a budget. When a budget is adopted by the Committee, such budget shall be binding upon the Municipalities. The Committee shall give notice of such expense budget to the Authority, which shall include such budgeted expense amount as the Committee's Administrative Fee under its contracts with the Municipalities.

11. AMENDMENT; WITHDRAWAL. The Agreement may be amended by vote of the legislative bodies of two-thirds of the member Municipalities.

A member Municipality may request permission from the Committee to withdraw from the Committee at any time, but any such withdrawal shall be subject to approval by a majority vote of the Municipality. The approval of a request to withdraw may be conditioned by the Committee in its discretion as to time, breakage costs, damages or other matters, and on such withdrawal not being in breach of any contract for delivery of municipal solid waste then in effect.

12. MISCELLANEOUS

12.1 Binding Effect of Agreement. This Agreement shall inure to the benefit of and shall be binding upon each of the Municipalities and their respective successors and assigns.

12.2 Entire Agreement. The provisions of this Agreement shall constitute the entire agreement among the Municipalities with reference to their obligations to each other relating to the Facility.

12.3 Severability. In the event any provision of this Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provisions hereof.

12.4 Relationship of the Parties. Except as otherwise explicitly provided herein, nothing in this Agreement shall be deemed to constitute any party hereto a partner, agent, or legal representative of any other party thereto or to create any fiduciary relationship between or among such parties.

12.5 Notices. All notices or other communications hereunder shall be sufficiently given and shall be deemed given when mailed by first class mail, postage prepaid, to each representative as follows:

To the Town of Bethany, Connecticut:

The Town of Bridgeport
Town Hall
40 Peck Rd.
Bethany, Connecticut 06524
Attention: First Selectman

To the City of Bridgeport, Connecticut:

The City of Bridgeport
City Hall
Room 124
45 Lyon Terrace
Bridgeport, Connecticut 06004
Attention: Mayor

To the Town of Easton, Connecticut:

The Town of Easton
Town Hall
225 Center Road
Easton, Connecticut 06612
Attention: First Selectman

To the Town of Fairfield, Connecticut:

The Town of Fairfield
Town Hall
611 Old Post Road
Fairfield, Connecticut 06430
Attention: First Selectman

To the City of Milford, Connecticut:

The City of Milford
City Hall
Milford, Connecticut 06460
Attention: Mayor

To the Town of Monroe, Connecticut:

The Town of Monroe
Town Hall
7 Fan Hill Road
Monroe, Connecticut 06468
Attention: Town Manager/First Selectman

To the Town of Orange, Connecticut:

The Town of Orange
Town Hall
617 Orange Center Road
Orange, Connecticut 06477
Attention: First Selectman

To the City of Stratford, Connecticut:

The City of Stratford
Stratford Town Hall
2725 Main Street
Stratford, Connecticut 06497
Attention: Town Manager

To the Town of Trumbull, Connecticut:

The Town of Trumbull

Town Hall
5866 Main Street
Trumbull, Connecticut 06611
Attention: First Selectman

To the Town of Westport, Connecticut:

The Town of Westport
Town Hall
110 Myrtle Avenue
Westport, Connecticut 06880
Attention: First Selectman

To the Town of Woodbridge, Connecticut:

The Town of Woodbridge
Town Hall
11 Meetinghouse Lane
Woodbridge, Connecticut 06525
Attention: First Selectman

To the Committee:

c/o Connecticut Resources Recovery Authority
100 Constitution Plaza
6th Floor
Hartford, Connecticut 06103
Attention: President

12.6 Law Governing Construction of Agreement. The law of the State of Connecticut applicable to contracts made and to be performed in such State shall govern the construction of this Agreement.

This Agreement has been approved by the vote of the legislative body of each of the following towns and cities:

Date of Approval
By Legislative Body:

Town or City

TOWN OF BETHANY

By: _____
Its: _____

CITY OF BRIDGEPORT

By: _____
Its: _____

TOWN OF EASTON

By: _____
Its: _____

TOWN OF FAIRFIELD

By: _____
Its: _____

CITY OF MILFORD

By: _____
Its: _____

TOWN OF MONROE

By: _____
Its: _____

TOWN OF ORANGE

By: _____
Its: _____

TOWN OF STRATFORD

By: _____
Its: _____

TOWN OF TRUMBULL

By: _____
Its: _____

TOWN OF WESTPORT

By: _____
Its: _____

TOWN OF WOODBRIDGE

By: _____
Its: _____