

AGENDA  
SPECIAL CITY COUNCIL MEETING

MONDAY, JUNE 22, 2009

7:30 P.M.

CITY COUNCIL CHAMBERS, CITY HALL - 45 LYON TERRACE  
BRIDGEPORT, CONNECTICUT

Prayer

Pledge of Allegiance

Roll Call

**MATTER TO BE ACTED UPON:**

**92-07**

Ordinance Committee report re Proposed Ordinance to Dissolve the Bridgeport Port Authority.

**CITY COUNCIL SPECIAL MEETING  
CITY of BRIDGEPORT  
JUNE 22, 2009  
7:30 P.M.**

ATTENDANCE: Council members: Brannelly, Colon, Taylor-Moye, Brantley, Walsh, McCarthy, Austin, Lyons, Vizzo-Paniccia, Bonney, Blunt, dePara, Silva, Valle, Martinez, Paoletto, Curwen, Baker, Holloway

ABSENT: Council member: Crowe

RECEIVED  
CITY CLERKS OFFICE  
09 JUN 29 AM 11:45  
CITY CLERK

Council President McCarthy called the special meeting to order at 7:50 p.m.

Prayer - Council member Brantley offered the prayer.

Pledge of Allegiance - Mike Fremuth led the pledge.

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

Council President McCarthy announced that Mayor Finch was unable to attend the meeting, due to his attendance at Harding High School graduation, and he also had to address the tragedy that occurred in the north end tonight.

*Council member Vizzo-Paniccia emotionally asked for a moment of prayer for the tragedy that occurred tonight... Council President McCarthy stated that a shooting occurred tonight and a young child and mother had died. He expressed that they were personal friends of some of the city council members.*

**\*\* COUNCIL MEMBER BAKER MADE A MOTION TO ENTER INTO CAUCUS  
\*\* COUNCIL MEMBER BRANTLEY SECONDED  
\*\* MOTION PASSED UNANIMOUSLY**

**The city council entered into caucus at 7:52 p.m.**

**The city council came out of caucus at 9:30 p.m.**

Council President McCarthy reconvened the meeting at 9:31 p.m.

**MATTER TO BE ACTED UPON:**

**92-07** Ordinance Committee report re Proposed Ordinance to Dissolve the Bridgeport Port Authority.

Council member Baker stated that the item passed in committee to dissolve the Bridgeport Port Authority.

He said there was a lot of dialogue and all the committee members asked questions. There were some concerns about them not having enough information and they also questioned the urgency in which the matter was presented to the committee. However, all questions and concerns were asked.

**\*\* COUNCIL MEMBER BAKER MOVED TO APPROVE  
\*\* COUNCIL MEMBER CURWEN SECONDED**

Council member Walsh stated that he would vote yes to abolish the Bridgeport Port Authority as it was presently constituted. He stated that the #1 issue was if the city council allowed the state to restrict their power regarding the matter of actions that have gone on in the Bridgeport Port Authority. He further mentioned that they found out there were more issues that have gone on within the BPA, so he thought they seriously needed to be dissolved. He stressed that if they are found to be the best model in the future, they could then reconsider the matter, but currently, he felt the BPA was out of control. He urged his colleagues to vote to abolish the BPA and look in to the best model for the future.

Council member Martinez stated that based on all they heard from the city attorney and the people that spoke tonight, the potential issue of dissolving the BPA was unknown. He felt doing so presented a risk, whether it was a high or low risk, taking any risk was incomprehensible to him. He stressed the difficulty the city had now with development and now putting the port and harbor under the same administration leaves the question of who has the expertise to manage it. He said the potential impacts needed to be carefully considered.

Council member Brannelly said she agreed with both Council members Martinez and Walsh. She said they were all put in a bad position and it was a situation that she was struggling with. She believed that if the state takes on the matter, it will leave an unknown. There was also the matter whether or not the burden will fall on the taxpayer in the city. She stressed that if the BPA is out of control and they are keeping salaries high, then they are back to *"throwing the baby out with the bath water"*! and it's clear that someone is not doing their job and this needed to be addressed. She said she would vote against abolishing the Bridgeport Port Authority.

Council member Brantley said it was sad to see this situation. She recalled that as one of the first members on the Bridgeport Port Authority board, she stressed that it was sad how the director fell short. She went on to speak about the issue of Mr. Riccio and how he undermined his own commissioners and now they were between a rock and a hard place to pick and chose what to do. She further stressed that it had to be known what Mr. Riccio was doing.

**\*\* COUNCIL MEMBER CURWEN MOVED TO AMEND THE ORDINANCE AS READ:  
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRIDGEPORT THAT THE  
BRIDGEPORT PORT AUTHORITY AND THE PORT DISTRICT AND THE BOARD OF  
COMMISSIONES OF THE BRIDGEPORT PORT AUTHORITY BE, AND HEREBY ARE  
ABOLISHED, DISSOLVED AND TERMINATED**

**BE IT ORDAINED THAT BRIDGEPORT CODE OF ORDINANCES, CHAPTER 2.28 "PORT AUTHORITY"  
BE, AND HEREBY IS, REPEALED IN ITS ENTIRETY**

**FURTHER, ALL PORT OPERATIONS WITHIN THE CITY OF BRIDGEPORT SHALL REPORT TO THE  
CITY OF BRIDGEPORT CHIEF ADMINISTRATIVE OFFICER**

**THIS ORDINANCE WILL BECOME EFFECTIVE IMMEDIATELY UPON PASSAGE.**

City of Bridgeport  
City Council Special Meeting  
June 22, 2009  
Page 2

**\*\* COUNCIL MEMBER PAOLETTO SECONDED**

**\*A roll call vote was taken on the amendment only**  
**\*\* MOTION PASSED WITH SIXTEEN VOTES IN FAVOR AND THREE VOTES IN**  
**OPPOSITION (COUNCIL MEMBERS: VIZZO-PANICCIA, BONNEY and MARTINEZ)**

**\*\* COUNCIL MEMBER CURWEN MOVED TO APPROVE AS AMENDED**  
**\*\* COUNCIL MEMBER PAOLETTO SECONDED**

Council member McCarthy stated that on behalf of the city council, regarding them doing their due diligence. He clarified that they did their due diligence; however, where this matter was concerned, if it appeared it wasn't done, it was because of the last minute time constraint applied by the stated. In the limited time they had, they got the best information they could. He stressed that based on the time constraints, they absolutely did their due diligence and decisions were made as to the best way to run the port, but because of an outside entity, things were changed and language was changed. Overall, he said they would have liked more time, but again, there were time constraints and they needed to act now based on the information before them. He made it clear that no one should blame the city council for the outcome.

**\*\* MOTION PASSED WITH THIRTEEN VOTES IN FAVOR TO DISSOLVE THE BRIDGEPORT**  
**PORT AUTHORITY AND SIX VOTES IN OPPOSITION (COUNCIL MEMBERS:**  
**BRANNELLY, BRANTLY, VIZZO-PANICCIA, BONNEY, VALLE and MARTINEZ)**

*\*Let it be noted that Council member Brantley abstained from voting at first, but she was advised by the City Attorney that she couldn't cast an abstention vote unless there was a direct conflict of interest. With that said, Council member Brantley opted to vote no to dissolving the Bridgeport Port Authority.*

## **ADJOURNMENT**

**\*\* COUNCIL MEMBER PAOLETTO MOVED TO ADJOURN**  
**\*\* COUNCIL MEMBER CURWEN SECONDED**  
**\*\* MOTION PASSED UNANIMOUSLY**

The meeting adjourned at 9:55 p.m.

Respectfully submitted,

Diane Graham  
Telesco Secretarial Services



*OFFICE OF THE MAYOR*  
**CITY OF BRIDGEPORT, CONNECTICUT**

999 BROAD STREET  
BRIDGEPORT, CONNECTICUT 06604  
TELEPHONE (203) 576-7201  
FAX (203) 576-3913

**BILL FINCH**  
Mayor

RECEIVED  
CITY CLERKS OFFICE  
09 JUL -8 AM 11:20  
MEST  
CITY CLERK

July 6, 2009

The Honorable Fleeta Hudson  
City Clerk  
City of Bridgeport  
45 Lyon Terrace  
Bridgeport, CT 06604

Dear Fleeta:

I hereby Veto Ordinance 92-07 to Dissolve the Bridgeport Port Authority voted on at the June 22, 2009 Special meeting of the Common Council. The reason being, Governor Rell's veto of HB 6649 (Transportation Bill).

Should you have any questions, please do not hesitate to call me.

Sincerely,

  
Bill Finch  
Mayor

92-07 - Veto

**MAYORAL VETO MESSAGE**

**FROM:** BILL FINCH  
MAYOR

**RE:** RESOLUTION 92-07  
RESCINDING ORDINANCE RE PORT AUTHORITY  
ADOPTED JUNE 22, 2009

**CITY COUNCIL DATE:**

JULY 6, 2009  
(From the Floor for IMMEDIATE CONSIDERATION)

**VETO SUSTAINED:**

**VETO OVERRIDDEN:**

Attest:

  
Fleeta C. Hudson, City Clerk or  
Ann L. Murray, Assistant City Clerk

City Charter: Chapter 5 Section 11 excerpt:

Every affirmative vote, and every resolution, order or ordinance which passes the city council shall upon final passage be transmitted to the mayor, who shall either approve it, in which case it shall become operative and effectual, or disapprove it, in which case the mayor shall within twenty-one (21) days after it is transmitted to him/her, **return it to the city council with a statement of objections; and after such statement has been read in said board, another vote shall be taken on such vote, resolution, order or ordinance, and if it passes the city council by a two-thirds vote of the whole number of council members, it shall become operative and effectual without the approval of the mayor.**

Ordinance to Dissolve the Bridgeport Port Authority

**Report  
of  
Committee  
on  
Ordinances**

**Submitted: June 22, 2009 SPECIAL MEETING**

Adopted: \_\_\_\_\_

Attest: 

City Clerk

Vetoed: \_\_\_\_\_  
Approved: July 6, 2009

Mayor



# City of Bridgeport, Connecticut

*To the City Council of the City of Bridgeport.*

The Committee on **Ordinances** begs leave to report; and recommends for adoption the following resolution:

✦ **92-07 AS AMENDED AND APPROVED FROM THE FLOOR JUNE 22, 2009**

**BE IT ORDAINED**, by the City Council of the City of Bridgeport that the Bridgeport Port Authority and Port District, and the Board of Commissioners of the Bridgeport Port Authority be, and hereby are abolished, dissolved and terminated; and further

**BE IT ORDAINED**, that Bridgeport Code of Ordinances, Chapter 2.28 Port Authority be, and hereby is, repealed in its entirety; and further

All port operations within the City of Bridgeport shall report to the City of Bridgeport Chief Administrative Officer.

**This ordinance will become effective immediately upon passage.**

(Ordinance language to be repealed is set forth below in brackets.)



# City of Bridgeport, Connecticut

*To the City Council of the City of Bridgeport.*

The Committee on **Ordinances** begs leave to report; and recommends for adoption the following resolution:

92-07 \* See amended document.

~~WHEREAS, the Bridgeport Port Authority has failed in its established role; Now, therefore~~

~~BE IT ORDAINED, by the City Council of the City of Bridgeport that the Bridgeport Port Authority and the Board of Commissioners of the Bridgeport Port Authority be, and hereby are abolished and dissolved; and be it~~

~~RESOLVED, that all port operation within the City of Bridgeport report to the City of Bridgeport Chief Administrative Officer; and~~

~~BE IT ORDAINED, that Bridgeport Code of Ordinances, Chapter 2.28 Port Authority be, and hereby is, repealed in its entirety.~~

Respectfully submitted,  
**THE COMMITTEE ON ORDINANCES**

Richard M. Paoletto, Jr.  
Co-Chair

Andre F. Baker, Jr.  
Co-Chair

\_\_\_\_\_  
Daniel Martinez

M. Evette Brantley

Robert P. Curwen, Sr.

Richard Bonney

\_\_\_\_\_  
Brian Crowe

City Council Date: Special Meeting June 22, 2009

## Chapter 2.28

## PORT AUTHORITY

## Sections:

2.28.010	Purpose and intent of chapter.
2.28.020	Definitions.
2.28.030	Board of commissioners.
2.28.040	Board officers, committees and voting procedures.
2.28.050	Powers and duties of the authority.
2.28.060	District properties.
2.28.070	Regulations by the authority.
2.28.080	Investigations.
2.28.090	Acquisition of property.
2.28.100	Bylaws, rules and regulations.
2.28.110	Financial restriction.
2.28.120	Reporting requirement.

## 2.28.010 Purpose and intent of chapter.

In accordance with Chapter 105, Sec. 7-329a to 7-329f of the Connecticut General Statutes, the City establishes the Bridgeport port authority within its confines, to be created and operated according to procedures set forth in Chapter 105, Sec. 7-329a to 7-329f, Connecticut General Statutes. The purpose of the authority shall be: to foster and stimulate the shipment of freight and commerce through the ports of Bridgeport, Connecticut; to develop and promote port facilities with the district in order to create jobs, increase the city's tax base and provide special revenues to the city; to work with the government of the city to maximize the usefulness of available public funding by consolidating and coordinating private efforts to assist the city's waterfront and industrial development program, to cooperate with the state and federal agencies in the maintenance, development, improvement and use of district harbors, waterways and industrially zoned properties. (Ord. dated 7/6/92 (part): prior code § 31)

## 2.28.020 Definitions.

In the interpretation of this chapter the following words and terms shall be taken to include the following meanings when context shall require or permit:

"Authority" means the body politic and corporate created by the ordinance codified in this chapter known as the Bridgeport port authority.

"Board" means the board of commissioners, the five members of the executive body appointed by the mayor of the city.

"City" means the city of Bridgeport.

"City officials" means the mayor of the city, the president of the common council of the city, the director of economic and community development of the city, the

chairman of the harbor commission of the city, and the harbor master for the city, or his designee, who is an official appointed by a state agency.

"Commissioner" means any single member of the board of commissioners.

"Connecticut General Statutes" means the revision of 1958, as amended.

"District" means the port district as outlined in the Schedule A map attached to the ordinance codified in this chapter and found on file in the office of the city clerk and approved by the common council of the city; map will exclude residential and recreationally zoned properties from port authority jurisdiction except those that are water-related or water-dependent.

"Ex officio" means nonvoting member.

"Federal agency" means the United States of America, and any department of, or corporation, agency or instrumentality thereof, heretofore, or hereafter created, designated or established by the United States of America.

"Port facilities" means wharves, docks, piers, air or bus terminals, railroad tracks or warehouses, elevators, freight handling of freight, passengers and vehicles, and the establishment and operation of a port and any other works, properties, buildings, structures or other facilities necessary or desirable in connection with the development and operation of port facilities.

"State agency" means the state of Connecticut, and any department of, or corporation, agency or instrumentality thereof or hereafter created, designated or established by the state of Connecticut. (Ord. dated 7/6/92 (part): prior code § 31-31).

## 2.28.030 Board of commissioners.

A. The board of commissioners of the Bridgeport port authority shall consist of five voting members. The voting members shall include two city officials, the director of economic development and the harbor master, and three at-large members who shall be electors of the city and who shall be appointed by the mayor and approved by the common council. There shall be three ex officio city official members, the mayor, common council president, and harbor commission chairman. The commissioners shall serve without compensation, except for reasonable and necessary expenses.

B. City officials who are members of the board of commissioners shall retain this responsibility through their tenure as city officials. At-large members of the board of commissioners shall be appointed for terms of three years, except that of those first appointed, one shall be appointed for a term ending December 31, 1993, one for a term ending December 31, 1994 and one for a term ending December 31, 1995. (Ord. dated 7/6/92 (part): prior code § 31-32)

2.28.040

**Board officers, committees and voting procedures.**

The board shall elect one of their number chairman, and one vice-chairman. The secretary and treasurer do not necessarily have to be a commissioner. The board shall meet upon the call of the chairman and a majority of its members shall constitute a quorum. Any action of the board must have at least three votes in favor or against in order to be considered valid. The chairman shall appoint committee chairman from its ranks. Except for the committee chairman, committee members do not necessarily have to be commissioners, but must be approved by the chairman of the board. Committees shall only serve as an advisory role to the board. (Ord. dated 7/6/92 (part): prior code § 31-33)

2.28.090

**Acquisition of property.**

The authority may lease or acquire title to real or personal property and may condemn real property located within the district which it deems necessary for the development of port facilities in the district, subject to the provisions of Connecticut General Statutes, Sec. 48-12. (Ord. dated 7/6/92 (part): prior code § 31-38)

2.28.100

**Bylaws, rules and regulations.**

The authority shall have the power to adopt, alter or repeal its own bylaws, rules and regulations governing the manner in which its business may be transacted, in which the power granted to it may be enjoyed, and may provide for the appointment of such committees, and the functions thereof, as the authority may deem necessary or expedient in facilitating its business. (Ord. dated 7/6/92 (part): prior code § 31-39)

2.28.050

**Power and duties of the authority.**

The powers and duties of the authority are those set forth in Connecticut General Statutes Chapter 105, Sec. 7-329c. (Ord. dated 7/6/92 (part): prior code § 31-34)

2.28.110

**Financial restriction.**

No indebtedness of any kind incurred or created by the authority shall constitute an indebtedness of the city, or any political subdivision thereof, and no such indebtedness shall involve or be secured with faith, credit or taxing of the city or any political subdivision thereof. (Ord. dated 7/6/92 (part): prior code § 31-40)

2.28.060

**District properties.**

The properties included with the district shall be bounded and described as set forth in the Schedule A map attached to the ordinance codified in this chapter and found on file in the office of the city clerk, annexed hereto and made a part hereof. The boundaries should include the Schedule A map attached to the ordinance codified in this chapter and found on file in the office of the city clerk and exclude all residentially zoned and recreationally zoned areas except those that are water-dependent, and industrially zoned sites deemed necessary to support the port facilities. (Ord. dated 7/6/92 (part): prior code § 31-35)

2.28.120

**Reporting requirement.**

The authority shall issue a report to the common council of the city within six months at which time the authority shall request the transfer of city asset(s) deemed necessary for the purpose of developing port facilities and to recommend the method of payment for said asset(s). (Ord. dated 7/6/92 (part): prior code § 31-41)

2.28.070

**Regulations by the authority.**

The authority may make and enforce any reasonable regulations which it may determine to be necessary relating to the construction, equipment repair, maintenance, use and rental of any dock, wharf, slip, bus or air terminal, rail tracks or terminal or warehouse owned or leased by any individual or corporation within the district. (Ord. dated 7/6/92 (part): prior code § 31-36)

2.28.080

**Investigations.**

The authority may make any investigation which it may deem necessary to enable it to effectively carry out the provisions of Connecticut General Statutes Chapter 105, Sec. 7-329a to 7-329f, inclusive. The authority may enter upon any lands as in its judgment may be necessary for the purpose of making surveys and examinations to accomplish any purpose authorized by said section. (Ord. dated 7/6/92 (part): prior code § 31-37)