

**CITY OF BRIDGEPORT
MISCELLANEOUS MATTERS COMMITTEE
DECEMBER 26, 2006**

ATTENDANCE: Rafael Mojica, Co-chair; AmyMarie Vizzo-Paniccia, Richard Paoletto, Robert Walsh, Andres Ayala, Council President, Andre Baker (6:35 p.m.)

OTHERS: Robert Curwen, Council Member; Donna Curran, Council Member; Elaine Piviroto, Council Member, Thomas Mulligan, Council Member; Fleeta Hudson, City Clerk; Ann Murray, Assistant City Clerk, Barbara Freddino, Joseph Ianniello, City Attorney Mark Anastasi, Angel de Para, Council Member

CALL TO ORDER

Co-chair Mojica called the meeting to order at 6:32 p.m. There was a quorum present.

APPROVAL OF MINUTES FROM THE NOVEMBER 22, 2006 MEETING

Co-chair Mojica asked if the members of the committee had received their copies of the minutes from the previous meeting. It was stated that the minutes had not been received from the secretarial service. Co-chair Mojica disagreed, saying he remembered reading the minutes from the November meeting. In view of the fact that the members did not have a copy of the minutes available, it was decided to table the issue.

**** COUNCIL MEMBER PAOLETTO MOVED TO TABLE THE APPROVAL OF MINUTES FROM THE NOVEMBER 22, 2006 MEETING.**

**** COUNCIL MEMBER VIZZO-PANICCIA SECONDED.**

**** THE MOTION PASSED UNANIMIOUSLY.**

**#298-05 CORRECTION OF A CLERICAL ERROR ON TERM EXPIRATION:
HOWARD T. OWEN – ETHICS COMMISSION (#79-05 ADOPTED 4/3/06).**

Ms. Murray explained to the Committee that Judge Owens's term is scheduled to expire this year. She said that she had been asked to allow the issue to die in committee because Judge Owens was going to be re nominated for a new term in 2007.

**** COUNCIL MEMBER PAOLETTO MOVED TO TABLE ITEM 298-05 CORRECTION OF A CLERICAL ERROR ON TERM EXPIRTATION: HOWARD T. OWEN – ETHICS COMMISSION (#79-05 ADOPTED 4/3/06).**

**** COUNCIL MEMBER VIZZO-PANICCIA SECONDED.**

**** THE MOTION PASSED UNANIMIOUSLY.**

#11-06 REAPPOINTMENT OF BARBARA FREDDINO (D) TO THE PLANNING AND ZONING COMMISSION.

Ms. Freddino greeted the Commission and stated that she resides at 31 Russell Place and had been a member of the Planning and Zoning Commission since December 1999.

Council Member Walsh asked her for clarification on a recent issue that had appeared in a newspaper article about the Planning and Zoning Commission and the Zoning Board of Appeals regarding the withdrawal of an application 72 hours before the scheduled hearing. She stated that it is in the bylaws that a withdrawal must be submitted 72 hours before a hearing in writing. Ms. Freddino stated that she was not at the meeting when the applicant withdrew the entire petition. Ms. Freddino then reviewed the process of withdrawing an application and also explained the procedure involved when a decision is reached on an application “without prejudice” by the Planning and Zoning Commission. Council Member Walsh stated that this was an issue that he had attempted to have the Council render an opinion on, but the City Attorney was reluctant for the Council to take action on this matter. A discussion about the by laws and this issue followed.

Council Member Paoletto complimented Ms. Freddino on her past performance on the Commission. Council Member Pivrotto said that Ms. Freddino was extremely knowledgeable and that she could not think of a better person for the position. Council Member Baker commented that he had served on the Planning and Zoning Commission with Ms. Freddino and that Ms. Freddino is acutely aware of the details of an application and is often able to direct the Commission to important information. Council Member Mulligan concurred. Council President Ayala complimented Ms. Freddino on her excellent attendance record.

Council Member Walsh stated that the one area that needed some type of written opinion from the City Attorney was the composition of the various Boards. Council Member Walsh stated that Council Member Baker was still listed on the Planning and Zoning page with the notation that his term was expired and another former member who moved to North Carolina. Council Member Walsh wished to know what would happen if these two members happened to be the minority party representatives and were no longer serving, if the City was at the most “skirting” the law if not outright breaking it by this practice. Council Member Walsh pointed out that the Commission member who moved to North Carolina was a Republican, which might affect the minority party representation. Council Member Walsh asked if the Chair could address these concerns to the City Attorney and request a written opinion because Council Member Walsh was concerned that the City may be in technical violation of the law regarding expired terms.

Co-chair Mojica asked Ms. Freddino about the situation where a member has either moved away or the term has expired. He asked if the chairperson sends a letter to the Mayor’s office notifying the Mayor that the slot is vacant. Ms. Freddino stated that it has been done in the past. Co-chair Mojica also stated that Ms. Freddino still visits the sites

and asked why the other members of the Commission stopped doing that. Ms. Freddino stated that the Commissioners should visit all the sites in order to have a clear understanding when the blueprints are presented as to how the building will be positioned on the lot. She concluded that it is recommended that the Commissioners visit the site and that she could only speak for herself. Co-chair Mojica stated that he would speak to the Mayor about the vacant slots on the Board. He also asked Ms. Freddino to contact her Chair and request that if there are vacancies, to please contact the Mayor about this. Council President Ayala stated that he knew that there were appointments forthcoming for those vacant slots on the P&Z and other vacant seats. Council President Ayala suggested that the Legislative Director draft a letter to the Mayor on behalf of the Co-chairs of the Committee with the suggestion that this matter was discussed in committee.

Mr. White commented that regarding the listings of Boards and Commission members tends to have a serious time lag. He suggested that this might be where the problem. Council Member Curran commented that with the Bridgeport Redevelopment Agency, there were three vacancies and that only one appointment was made. She suggested that all three seats be appointed at once to insure that there is minority party representation. Co-chair Mojica commented that as members of the Miscellaneous Matters Committee that the Committee members should have lists of all the Boards and Commission members with their expiration dates so that the Committee members know in advance when a term is expiring. Council Member Mulligan commented that the City Clerk's office used to keep the up to date records on the Boards and Commissions. He also commented that the City Clerk's Office used to publish a book with the names of the aldermen embossed on it. He said that he was not sure what happened in the interim with computers and such. The website is not kept up to date. Council Member commented that it is difficult to locate groups of qualified people to serve on the various Boards.

**** COUNCIL MEMBER PAOLETTO MOVED TO APPROVE ITEM #11-06 REAPPOINTMENT OF BARBARA FREDDINO (D) TO THE PLANNING AND ZONING COMMISSION.**

**** COUNCIL MEMBER BAKER SECONDED.**

City Clerk Hudson stated that the City Clerk's Office does have the official Oath book in the office. She stated that if the Commissions and Boards do not use it, as far as the City Clerk's Office is concerned, no official swearing in has taken place. If someone is sworn in and the City Clerk's Office is not notified, it is not entered into the official Oath book, which is the elected official office and is the official record. City Clerk Hudson said that if the swearing in takes place elsewhere; she often does not get a copy of the event.

**** THE MOTION PASSED UNANIMOUSLY.**

Co-chair Mojica requested that this be included on the consent calendar.

#12-06 APPOINTMENT OF JOSEPH IANNIELLO (R) TO THE ETHICS COMMISSION.

Mr. Ianniello greeted the Committee and stated that he lived at 128 Balmforth Street. Mr. Ianniello gave a brief history of his background and education and stated that he has lived in Bridgeport since 1972.

Co-chair Mojica asked Mr. Ianniello what he thought the Ethics Commission's task was. Mr. Ianniello stated that he believe it to be the body that determines if complaints have grounds. Council Member Paoletto asked Mr. Ianniello if he had served on the Police Commission. Mr. Ianniello replied that he had in fact served on the Police Commission. Council Member Paoletto also noted that Mr. Ianniello had served on the Charter Revision Commission during the Gannon administration. Mr. Ianniello confirmed this. Council Member Walsh asked Mr. Ianniello was aware of the fact that the Ethics Commission could launch an investigation. Mr. Ianniello said that he was aware of this. Council Member Walsh stated that with all the transgressions that had taken place in the past, it was important to bear in mind that Ethics Commission could instigate an investigation without a complaint, although he has never heard of them doing so.

Council Member Curran stated that Mr. Ianniello is a friend and a neighbor and that she would recommend his appointment.

Co-chair Mojica asked City Clerk Hudson about the procedure for administration of the oath. City Clerk Hudson replied that it was the responsibility of the person administering the oath to notify the City Clerk. She stated that if she is not the person administering the oath, she should at least be present for the administration of the oath. She stated that in the past she had been notified and gone to the Annex to witness the swearing ins, but notifications were no longer being received. City Clerk Hudson stated that if she is not present, then there is no entry made in the book. A letter may be in the file, but nothing is entered into the book.

**** COUNCIL MEMBER PAOLETTO MOVED TO APPROVE ITEM #12-06 APPOINTMENT OF JOSEPH IANNIELLO (R) TO THE ETHICS COMMISSION.**

**** COUNCIL MEMBER VIZZO-PANICCIA SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

Co-chair Mojica requested that this be included on the consent calendar.

Due to the fact that City Attorney Anastasi had not yet arrived, Co-chair Mojica stated that the Committee would not discuss the matter of the suit settlement until the end of the meeting. This was agreeable to all.

**#137-05 RECOMMENDATION COMMUNICATION FOR THE CHIEF
ADMINISTRATIVE OFFICER.**

Co-chair Mojica stated that this document had been authored by Council President Ayala and therefore the Council President would present the proposal.

Council President Ayala stated that the purpose of this proposal was to give direction and to bring professionalism to the Office of Legislative Director. He stated that it was important to move projects and business ahead. This was being done on the recommendation of the Council in an effort to separate the Executive branches of the administration from the legislative branches. Council President Ayala stated that this was merely an attempt to provide some definition to the role of the Legislative Director. He also commented that he would be allowing Mr. White to give input on the issue.

Attorney Anastasi joined the meeting.

Co-chair Mojica stated that he was personally disappointed that the issues covered by #317-05 and #318-05 could not have been handled in-house.

Mr. White then distributed copies of Resolution # 317-05 to the Committee.

Council President Ayala said that he felt it was important to codify the issue rather than handle the matter in-house. It is important to plan for the future and to set the procedures for all those who may hold this office in the future.

Mr. White said that he hoped that some action by the Council would have lead to a meeting with the Chief Administrative Officers. He said that he had hoped the CAO would review these items and suggest how they would prefer to handle the matter. Initially, Mr. White said, the recommendations were talking points and over time evolved into recommendations. He said that the reason that he was making these recommendations was to help him better manage the office.

#1 - All communications directed to City Council Members should also include the Office of Legislative Services.

Mr. White explained that regarding Item #1, presently he does not received copies of the communications that are generated. Simply by being aware of the various communications, he would be in a better position to know what the issues are.

Attorney Anastasi stated that he had several concerns with both proposals regarding the clarity of language used. He stated that the word "communications" was unclear. He also pointed out that there were confidentiality issues involved. Attorney Anastasi stated that it would be good to discuss each item. Mr. White agreed, saying that was an

excellent point. His concern was with receiving general communications that were addressed to the entire City Council.

Council Member Mulligan asked if this would include the resolutions or ordinances. Mr. White agreed. Council Member Mulligan said that this would simply be a case of an item being sent to the City Clerk with a copy to Mr. White.

Council Member Curwen commented that there had been numerous times when the Council Members had gone to their Committee meetings without receiving the documentation to read beforehand, particularly with the budgets.

Council Member Mulligan asked if Mr. White was talking about issues that would ultimately be voted on by the Council or made part of the record or the agenda. Attorney Anastasi said that everyone was agreeing that the phrase "all communications" needed to be clarified. He suggested that Mr. White might have meant "all written communications" from the various departments. Council Member Paoletto suggested some alternative wording. A discussion on the wording of the first point followed.

Council Member Walsh stated that he preferred to receive all the referrals to the various committees by email. Council Member Curran commented that when Public Facilities was preparing the documentation on the issue of the kennel, she had to make four separate trips to pick up the documents. Council Member Pivrotto also said that it would be helpful to have everyone emailed with the committee information. When asked by Council Member Curwen if copies of the resolutions could be sent to all Council Members, Assistant City Clerk Murray replied that this would be ideal but she does not have the staff to do so.

#2 All presentations to City Council Committees must include a synopsis (executive summary) of the item being submitted for approval.

Mr. White then presented the second point of the resolution, which requested that all presentation to the Council for approval include a short synopsis. Council President Ayala stated that this practice should have been done. The synopsis simply needed to explain what the resolution was attempting to accomplish. Attorney Anastasi stated that it would be helpful to both the Council and the Administration. He said that he had spoken to Mr. Feeny about this issue in the past. Attorney Anastasi said that he fully supported this proposal.

#3 Items of significant detail are to be reviewed by Legislative Director for completeness prior to submittal to the City Clerk for City Council approval.

Regarding the third recommendation, Mr. White explained that when the kennel issue had come before the Council, it was an eleventh hour presentation. Mr. White had worked with Mr. Estrada to get the proposal to the Council. Attorney Anastasi pointed

out a danger in that by submitting the proposal to the Legislative Directors office before it was sent to the City Clerk, the Legislative Director could road block the issue. Council Member Walsh agreed. Council Member Mulligan suggested that the Committee clarify what this point would apply to. A synopsis would not need to be more than a very brief summary. He concluded by stating he agreed with Council Member Walsh.

Council Member de Para stated regarding the second recommendation, he felt that the summary should include a brief financial impact statement. Council Member Curran agreed that a financial statement should be included with the executive summary, stating that it was difficult to get an overview on some of the larger, multiple phase projects and contracts.

#4 City web page site plan needs to be altered to reflect the equal status of the Office of Mayor and City Council. Appropriate example is Providence RI.

Recommendation four concerns itself with the official Bridgeport website. Mr. White commented that the front page of the site is all about the Mayor. He reminded everyone that there are two branches of government, the administrative and the legislative. He suggested that the Council speak to this.

#5 Add Legislative Director to contact lists of City Department Heads to assure receipt of communications that may impact the department.

Regarding Recommendation Five, Attorney Anastasi commented that the Legislative branch is perceived as being separate from Administration, which would explain why the Legislative Director was not included on the mailing lists.

#6 Include Legislative Director in any planning for upgrading of Council Chambers facility and equipment.

Recommendation six was a result of the fact that the only way Mr. White had learned about the upgrading of the microphones in the Council Chambers was because he happened to be on site that day.

Council Member Paoletto remarked in reference to Recommendation Four that without the Council, the Mayor would not be able to do his job.

Council President Ayala pointed out that the Committee was changing the various items in order to have things work better. Council Member Vizzo-Paniccia thanked everyone that worked on these items. She said that she had mentioned to the IT Department that Bridgeport needed to have a people friendly site. She also confirmed that the Legislative Director was not listed on the emails that she had received.

City Clerk Hudson expressed concerns about the wording in Recommendation Three. Mr. White suggested alternative wording for that Recommendation.

Council Member Mulligan asked if these items had been discussed with Mr. Feeney. He felt that it made the Council look weak by passing a resolution rather than having a discussion with Mr. Feeney. Council Member Curwen stated that it was important to have the formal process in order to hold people accountable. Council Member Mulligan suggested writing a letter rather than passing a resolution. Council President Ayala said that he would like to have these issues as procedure; otherwise the Council can not insure that the Legislative Director gets the information he needs to perform his job.

**** COUNCIL MEMBER PAOLETTO MOVED TO AMEND
RECOMMENDATION #1**

**FROM: #1 - ALL COMMUNICATIONS DIRECTED TO CITY COUNCIL
MEMBERS SHOULD ALSO INCLUDE THE OFFICE OF LEGISLATIVE
SERVICES**

**TO: #1 - ALL WRITTEN COMMUNICATIONS DIRECTED TO ALL CITY
COUNCIL MEMBERS / OR ALL MEMBERS OF ANY ONE COMMITTEE
SHOULD ALSO INCLUDE THE OFFICE OF LEGISLATIVE SERVICES.**

**** COUNCIL PRESIDENT AYALA SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

Council Members Walsh and Baker left the meeting room.

**** COUNCIL MEMBER PAOLETTO MOVED TO AMEND
RECOMMENDATION #2**

**FROM: #2 ALL PRESENTATIONS TO CITY COUNCIL COMMITTEES MUST
INCLUDE A SYNOPSIS (EXECUTIVE SUMMARY) OF THE ITEM BEING
SUBMITTED FOR APPROVAL**

**TO: #2 ALL SUBMITTALS OF TWENTY PAGES OR MORE TO CITY
COUNCIL COMMITTEES MUST INCLUDE A SYNOPSIS (EXECUTIVE
SUMMARY) OF THE ITEM BEING SUBMITTED FOR APPROVAL.**

**** COUNCIL MEMBER VIZZO-PANNICIA SECONDED.**

Council Member de Para strongly urged the Committee to include the request for the financial impact statement in this recommendation. Council Member Curwen agreed, saying it only needed to be a paragraph or two. Council Member Curran said that she had not wanted to set a page length for the summary.

**** COUNCIL MEMBER PAOLETTO MOVED TO AMEND HIS AMENDMENT OF RECOMMENDATION #2**

FROM: #2 ALL SUBMITTALS OF TWENTY PAGES OR MORE TO CITY COUNCIL COMMITTEES MUST INCLUDE A SYNOPSIS (EXECUTIVE SUMMARY) OF THE ITEM BEING SUBMITTED FOR APPROVAL.

TO: : #2 ALL SUBMITTALS TO CITY COUNCIL COMMITTEES MUST INCLUDE A SYNOPSIS (EXECUTIVE SUMMARY) OF THE ITEM BEING SUBMITTED FOR APPROVAL AND A FINANCIAL IMPACT STATEMENT WHEN APPROPRIATE.

**** CHAIRMAN MOJICA SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

**** COUNCIL MEMBER PAOLETTO MOVED TO AMEND RECOMMENDATION #3**

FROM: #3 ITEMS OF SIGNIFICANT DETAIL ARE TO BE REVIEWED BY LEGISLATIVE DIRECTOR FOR COMPLETENESS PRIOR TO SUBMITTAL TO THE CITY CLERK FOR CITY COUNCIL APPROVAL.

TO: #3 ITEMS OF SIGNIFICANT DETAIL ARE TO BE REVIEWED BY LEGISLATIVE DIRECTOR FOR COMPLETENESS UPON SUBMITTAL TO THE CITY CLERK FOR CITY COUNCIL APPROVAL.

Council Members Walsh and Baker returned to the meeting.

**** COUNCIL MEMBER PAOLETTO MOVED TO AMEND RECOMMENDATION #5**

FROM: #5 ADD LEGISLATIVE DIRECTOR TO CONTACT LISTS OF CITY DEPARTMENT HEADS TO ASSURE RECEIPT OF COMMUNICATIONS THAT MAY IMPACT THE DEPARTMENT.

TO: #5 ADD LEGISLATIVE DIRECTOR TO CONTACT LISTS OF CITY DEPARTMENT HEADS.

**** COUNCIL MEMBER VIZZO-PANICCIA SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

Council Member Walsh then stated that an additional recommendation should be added to the list requesting that all communications to the Council Members be done by email.

Council Member de Para said that the City should be looking towards e-government. A discussion about the pros and cons of transmitting scanned documents followed.

**** COUNCIL MEMBER WALSH MOVED TO ADD AN ADDITIONAL RECOMMATION TO ITEM # 317-06 AS FOLLOWS:**

7. ALL SUBMITTALS TO CITY COUNCIL AND/OR ITS COMMITTEES SHOULD BE SUBMITTED IN HARD COPY AND ELECTRONICALLY.

**** COUNCIL MEMBER PAOLETTO SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

**** COUNCIL MEMBER PAOLETTO MOVED TO APPROVE ITEM #317-06 AS AMENDED:**

RECOMMENDED COMMUNICATIONS TO CHIEF ADMINISTRATIVE OFFICER

1. ALL WRITTEN COMMUNICATIONS DIRECTED TO ALL CITY COUNCIL MEMBERS / OR ALL MEMBERS OF ANY ONE COMMITTEE SHOULD ALSO INCLUDE THE OFFICE OF LEGISLATIVE SERVICES.

2. ALL SUBMITTALS TO CITY COUNCIL COMMITTEES MUST INCLUDE A SYNOPSIS (EXECUTIVE SUMMARY) OF THE ITEM BEING SUBMITTED FOR APPROVAL AND A FINANCIAL IMPACT STATEMENT WHEN APPROPRIATE.

3. ITEMS OF SIGNIFICANT DETAIL ARE TO BE REVIEWED BY LEGISLATIVE DIRECTOR FOR COMPLETENESS UPON SUBMITTAL TO THE CITY CLERK FOR CITY COUNCIL APPROVAL.

4. CITY WEB PAGE SITE PLAN NEEDS TO BE ALTERED TO REFLECT THE EQUAL STATUS OF THE OFFICE OF MAYOR AND CITY COUNCIL. APPROPRIATE EXAMPLE IS PROVIDENCE RI.

5. ADD LEGISLATIVE DIRECTOR TO CONTACT LISTS OF CITY DEPARTMENT HEADS.

6. INCLUDE LEGISLATIVE DIRECTOR IN ANY PLANNING FOR UPGRADING OF COUNCIL CHAMBERS FACILITY AND EQUIPMENT.

7. ALL SUBMITTALS TO CITY COUNCIL AND/OR ITS COMMITTEES SHOULD BE SUBMITTED IN HARD COPY AND ELECTRONICALLY.

**** COUNCIL MEMBER VIZZO-PANICCIA SECONDED.**

Council Member Curran stated that she would like the Legislative Director to be included in the Executive meetings. Council Member Mulligan replied that this could violate the separation of the two branches of government.

Assistant City Clerk Murray commented that there were two different mailing lists, one at the Clerk's Office and a second at the Mayor's Office.

**** THE MOTION PASSED UNANIMOUSLY.**

RECESS

Co-chair Mojica declared a recess at 8:40 p.m. The Committee reconvened at 8:50 p.m.

#318-05 RECOMMENDATION DIRECTED TO CITY CLERK

Co-chair Mojica stated that Council President Ayala was one of the authors of the proposal and turned the floor over to him. Council President Ayala stated that the recommendations in the proposal had not been done in a vacuum. City Clerk Hudson asked why these issues had not been discussed with the City Clerk's Office. Council President Ayala said that was one route that could have taken but the Council was looking to move these procedures forward regardless of who held the offices. He reiterated his earlier statement that this proposal was a means of codifying the procedures. Mr. White said that he hoped that this would be a better way and would lead to a better relationship. City Clerk Hudson replied that it was too late for that, since the recommendations have now been put into writing.

Council Member Curwen commented that there had been incidents in the past when Mr. White had called the Assistant Clerk for assistance regarding an issue and had been told the Clerk's Office could not help him. Council Member Baker asked if these things could have been worked out in a meeting. He then suggested that the Committee table the issue and work out the problems between the offices.

**** COUNCIL MEMBER BAKER MOVED TO TABLE THE MATTER OF ITEM #318-05 RECOMMENDATION DIRECTED TO CITY CLERK.**

**** COUNCIL MEMBER WALSH SECONDED.**

**** THE MOTION FAILED WITH TWO IN FAVOR (BAKER & WALSH) AND THREE AGAINST (AYALA, PAOLETTO AND VIZZO-PANICCIA).**

Council Member Curran stated that this was an attempt to make the work move more efficiently and was not a criticism. She stated that she was in favor of a formal motion for each of the recommendations.

1. ADD TO ALL LISTINGS OF CITY COUNCIL MEMBERS: (HARD-COPY, WEB PAGE, ETC.) OFFICE OF LEGISLATIVE SERVICES, 999 BROAD STREET, CITY HALL ANNEX, BRIDGEPORT, CT 06604 TEL: 203-332-3006 FAX: 203-332-3013

Council Member Mulligan stated that he did not see the need for this additional information. Council Member Vizzo-Paniccia replied that it was the staff address. Council President Ayala added that this was where the office was located, not at the City Clerk's Office. Council Member Baker said that the Council needed to choose one address. Council Member de Para commented that this would just provide the public with one more avenue for access and further institutionalized the office. Council Member Curran stated that this was just a means of being more professional and maintaining the independence of the Legislative branch. Council Member Walsh stated that this was simply more bureaucracy and stated that he did not want anyone else involved. When constituents contact Council Member Walsh, he does not want the Legislative Director to interfere. Council Member Curwen stated that this was a key element of the constituent trying to contact him. He said that it puts the issue on the legislative staff rather than the City Clerk's office. Attorney Anastasi said that the Council needed to distinguish between constituent services and legislative services and decided which role they wished to have the Legislative Office perform. Council Member Mulligan said that this needed to go to the Council first and that the Council should decide if they wished to have the calls routed to the Legislative Office.

Council Member Paoletto commented that the Office is there for the Council Member's convenience. He stated that it is much easier to have Tom and Chris return phone calls than for individual Council members who work full time jobs to do so. He also pointed out that it would be up to the individual Council Members to decide to have the Legislative Office do this. In conclusion, Council Member Paoletto reminded everyone that the Legislative Office is the Council's office, not the City Clerk's.

Council President Ayala commented that when someone calls the Legislative Office, they would actually be able to speak to someone. This is intended to make life easier for both the Council and for the City Clerk's Office.

Council Member Vizzo-Paniccia said that options are good. She said that change can be difficult but she is personally learning how to make her life easier and that requires some changes.

2. Update informational material and web site to reflect the need for all communications to Council Members from City Departments and outside organizations and individuals to include the Legislative Services Department.

Council Member Walsh objected to the fact that the Legislative Office must be included in the mailings. Mr. White explained that currently all the mailings to the Council are

going to the City Clerk's Office. City Clerk Hudson asked the Committee to clarify what they were asking her to do and then stated she would be the one who would decide whether or not she would comply.

Council Member Pivrotto asked if regarding the first recommendation if the contact information could include the email address.

Regarding Recommendation Two, Mr. White suggested that a developer or non profit organization could send their information to the Legislative Office. Council Member Curran said that this was only just updating a directory and building up the office function. Council Member Mulligan commented that this was duplicating the recommendation that was made on #317-06 for the CAO. He also pointed out that the City Clerk has nothing to do with the website, that is under the care of the IT department. There was some further discussion on the details of this issue.

3. Forward to Legislative Services by the following day, a copy (preferably electronic) of all items submitted for City Council approval.

Attorney Anastasi pointed out that this particular recommendation was a duplicate of the recommendation in the #317-06 for the CAO. Council Member Curwen said that the operative question was whether or not directives to the Chief Administrative Office also apply to the City Clerk. Attorney Anastasi stated that the City Clerk does not generate documents, she transmits them to the appropriate parties.

4. Forward to Legislative Services by the following day, a copy (preferably electronic) of committee meeting minutes.

City Clerk Hudson said that the minutes are posted on the City website and Mr. White could download them from there. Mr. White said that he would prefer if the recommendation remained.

5. Notice of Council Committee meetings emailed to Council Members should replace "If you are unable to attend please contact Co-chair....." with "Please confirm your attendance by contacting the Office of Legislative Services at 332-3006 or by e-mail.

Council Member Pivrotto repeated her request that the email address be included. There was a brief discussion regarding what the Council Members email address should be. Mr. White said that he would contact the IT Department about this.

Council Member Walsh stated that he had never called to ahead to confirm his attendance at a Council or committee meeting. Council President Ayala replied that there had been times when it was difficult to attain a quorum. Council Member then challenged Council

President Ayala to name one time when Council Member Walsh's absence had resulted in a lack of a quorum.

Council Member Mulligan suggested that the wording be changed to "If you are unable to attend please contact the Office of Legislative Services at 332-3006 or by e-mail." There was a discussion about why the Council Members should call the Legislative Office rather than the Co-chairs. Council President Ayala stated that he and other members of the Council worked full time jobs. As a teacher, Council President Ayala can not take phone calls during the day while he is class. It would be much better to receive one call from Mr. White informing him that the Committee meeting had been cancelled due to a lack of a quorum rather than two or three calls.

6. Advise City Clerk that Legislative Director and staff are authorized to schedule, cancel or make changes in Council committee meeting arrangements as directed by Council Committee Co-Chairs.

Council Member Mulligan pointed out that only Co-chairs can cancel the meetings. Attorney Anastasi commented that the phrase "as directed by the Council Committee Co-Chairs" was included in the recommendation. Council President Ayala stated that Mr. White could not do this without direction. City Clerk Hudson said that if this recommendation does not work, the Council should not blame the City Clerk's Office.

Mr. White summarized the changes made to #318-05 as amendments to Recommendations #1, 2, 4, 5, & 6. He also noted that Recommendation #3 was being omitted.

Regarding Recommendation 1, Council Member Vizzo-Paniccia suggested that the IT department be approached about putting a link on the opening page to the Council page. City Clerk Hudson stated that she had listed the Council Members names on her page, but felt that the Council should have its own page.

Recommendation #2 needed no adjustments.

Recommendation 3 was being omitted.

Recommendation #4's number was now #3. There were no additional changes to the language.

Recommendation #5's number was now #4. The language was amended.

**** COUNCIL MEMBER PAOLETTO MOVED TO AMEND RECOMMENDATION #5 IN ITEM 318-05 FROM:**

5. NOTICE OF COUNCIL COMMITTEE MEETINGS EMAILED TO COUNCIL MEMBERS SHOULD REPLACE “ IF YOU ARE UNABLE TO ATTEND PLEASE CONTACT CO-CHAIR.....” WITH “PLEASE CONFIRM YOUR ATTENDANCE BY CONTACTING THE OFFICE OF LEGISLATIVE SERVICES AT 332-3006 OR BY E-MAIL.

TO:

4. NOTICE OF COUNCIL COMMITTEE MEETINGS SUBMITTED TO COUNCIL MEMBERS SHOULD REPLACE “ IF YOU ARE UNABLE TO ATTEND PLEASE CONTACT CO-CHAIR.....” IF YOU ARE UNABLE TO ATTEND, PLEASE CONTACT THE OFFICE OF LEGISLATIVE SERVICES AT 332-3006 OR BY E-MAIL.

**** COUNCIL PRESIDENT AYALA SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

Attorney Anastasi remarked that according to the Charter, the City Clerk is independent but that the Office of the City Clerk has assigned duties.

Mr. White stated that Recommendation #6's number was now #5. Following some discussion, the language of the recommendation was amended.

**** COUNCIL MEMBER PAOLETTO MOVED TO AMEND RECOMMENDATION #5 IN ITEM 318-05 FROM:**

6. ADVISE CITY CLERK THAT LEGISLATIVE DIRECTOR AND STAFF ARE AUTHORIZED TO SCHEDULE, CANCEL OR MAKE CHANGES IN COUNCIL COMMITTEE MEETING ARRANGEMENTS AS DIRECTED BY COUNCIL MEMBERS.

TO:

5. ADVISE CITY CLERK THAT LEGISLATIVE DIRECTOR AND STAFF ARE AUTHORIZED TO SCHEDULE, CANCEL OR MAKE CHANGES IN COUNCIL COMMITTEE MEETING ARRANGEMENTS AS DIRECTED BY COUNCIL COMMITTEE CO-CHAIRS.

Council Member Mulligan asked why the Committee did not table this issue earlier and said that he agreed with Council Members Walsh and Baker.

**** COUNCIL PRESIDENT AYALA SECONDED.
** THE MOTION PASSED WITH THREE IN FAVOR (AYALA, PAOLETTO AND VIZZO-PANICCIA) AND TWO AGAINST (BAKER & WALSH).**

**** COUNCIL PRESIDENT AYALA MOVED TO APPROVE THE AMENDED ITEM 318-05 AS FOLLOWS:**

RECOMMENDATIONS DIRECTED TO CITY CLERK

**1. ADD TO ALL LISTINGS OF CITY COUNCIL MEMBERS:
(HARD-COPY, WEB PAGE, ETC.)**

**OFFICE OF LEGISLATIVE SERVICES
999 BROAD STREET, CITY HALL ANNEX
BRIDGEPORT, CT 06604
TEL: 203-332-3006
FAX: 203-332-3013**

2. UPDATE INFORMATIONAL MATERIAL AND WEB SITE TO REFLECT THE NEED FOR ALL COMMUNICATIONS TO COUNCIL MEMBERS FROM CITY DEPARTMENTS AND OUTSIDE ORGANIZATIONS AND INDIVIDUALS TO INCLUDE THE LEGISLATIVE SERVICES DEPARTMENT.

3. FORWARD TO LEGISLATIVE SERVICES, A COPY (PREFERABLY ELECTRONIC) OF COMMITTEE MEETING MINUTES.

4. NOTICE OF COUNCIL COMMITTEE MEETINGS SUBMITTED TO COUNCIL MEMBERS SHOULD REPLACE “ IF YOU ARE UNABLE TO ATTEND PLEASE CONTACT CO-CHAIR.....” IF YOU ARE UNABLE TO ATTEND, PLEASE CONTACT THE OFFICE OF LEGISLATIVE SERVICES AT 332-3006 OR BY E-MAIL.

5. ADVISE CITY CLERK THAT LEGISLATIVE DIRECTOR AND STAFF ARE AUTHORIZED TO SCHEDULE, CANCEL OR MAKE CHANGES IN COUNCIL COMMITTEE MEETING ARRANGEMENTS AS DIRECTED BY COUNCIL COMMITTEE CO-CHAIRS.

**** COUNCIL MEMBER PAOLETTO SECONDED.**

**** THE MOTION PASSED WITH THREE IN FAVOR (AYALA, PAOLETTO AND VIZZO-PANICCIA) AND TWO AGAINST (BAKER & WALSH).**

Co-chair Mojica instructed Mr. White to be sure that all the amendment changes were given to the stenographer. Mr. White said that he would.

14-06 Suit Settlement for Dolores, Rafael and Melanie Fonseca.

**** COUNCIL MEMBER VIZZO-PANICCIA MOVED TO ENTER INTO EXECUTIVE SESSION TO DISCUSS THE MATTER OF ITEM 14-06 SUIT SETTLEMENT FOR DOLORES, RAFAEL AND MELANIE FONSECA.**

**** COUNCIL MEMBER WALSH SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The Miscellaneous Matters Committee and Attorney Anastasi entered into executive session to discuss the matter of 14-06 Suit Settlement for Dolores, Rafael and Melanie Fonseca at 10:23 p.m. The Committee reconvened into public session at 10:55 p.m.

**** COUNCIL MEMBER PAOLETTO MOVED TO APPROVE A SUIT SETTLEMENT OF \$40,000 FOR DOLORES, RAFAEL AND MELANIE FONSECA.**

**** COUNCIL MEMBER WALSH SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

ADJOURNMENT

**** COUNCIL MEMBER PAOLETTO MOVED TO ADJOURN.**

**** COUNCIL PRESIDENT AYALA SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 10:56 p.m.

Respectfully submitted,

Fleeta C. Hudson
City Clerk

**CITY OF BRIDGEPORT
MICELLANIOUS MATTERS COMMITTEE
FEBRUARY 26, 2007**

ATTENDANCE: Keith Rodgerson, Co-Chairman; Rafael Mojica, Co-Chairman
Amy Marie Vizzo-Paniccia, Councilwoman; Andre Baker,
Councilman; Richard Paoletto, Councilman; Robert Walsh,
Councilman.

ABSENT: Warren Blunt.

OTHER: Cecil Young, City Sheriff; Pat Young, HRS; Maria Valle,
Councilwoman; Leticia Colon, Councilwoman. John Kenyhercz,
Deputy Conner; Bridgeport Fire Department, Barbara Messario

CALL TO ORDER

Chairman Rodgerson called the meeting to order at 6:30.

APPROVAL OF THE MINUTES

**** COUNCILMAN PAOLETTO MOVED TO APPROVE THE MINUTES OF
NOVEMBER 27, 2006.**

**** COUNCILMAN BAKER SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

**** COUNCILMAN PAOLETTO MOVED TO APPROVE THE MINUTES OF
JANUARY 22, 2007.**

**** COUNCILWOMAN VIZZO-PANICCIA SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

ITEM 17-06

**Item 17-06: Appointment of John Kenyhercz (R) to the Planning and Zoning
Commission.**

Mr. Kenyhercz was present to follow up some paperwork that had not been submitted at
the last meeting.

**** COUNCILMAN PAOLETTO MOVED TO APPROVE ITEM 17-06:
APPOINTMENT OF JOHN KENYHERCZ (R) TO THE PLANNING AND
ZONING COMMISSION.**

**** COUNCILMAN BAKER SECONDED THE MOTION.**

****THE MOTION PASSED UNANIMOUSLY.**

Mr. Kenyhercz will be replacing Andre Baker on the Planning and Zoning commission.

Mr. Kenyhercz left the meeting at 6:40 P.M

There was a re-arranging of the agenda at this point.

ITEM 48-06

Item 48-06: Resolution to Establish Guidelines for Renaming and Honorary Designations of Streets.

Deputy Conner voiced a concern that people would use the wrong name when calling in a fire, costing the Fire Department valuable time in responding to the fire.

After Deputy Conner spoke, there was a brief discussion in which Councilwoman Vizzo-Paniccia voiced her concerns over the continued tabling of the item.

**** COUNCILMAN MOJICA MADE A MOTION TO TABLE ITEM 48-06:
RESOLUTION TO ESTABLISH GUIDELINES FOR RENAMING AND
HONORARY DESIGNATIONS OF STREETS UNTILL GUIDELINES COULD
BE PROVIDED FOR VOTEING ON.**

**** COUNCILMAN WALSH SECONDED THE MOTION.**

**** THE MOTION PASSED BY A VOTE OF FOUR IN FAVOR (Mojica, Baker,
Paoletto, Walsh) AND ONE AGAINST (Vizzo-Paniccia).**

Deputy Conner left the meeting at 6:55 P.M.

ITEM 56-06

Item 56-06: Resolution to Establish the Requirement for Audio recording of Council Meetings.

A lengthy discussion followed debating the pros and cons of a “short-hand stenographer” vs. Audio recordings vs. Video recordings. Points such as cost, accuracy, and how quickly the information could be procured were raised.

Councilman Paoletto left the meeting at 7:42.

**** COUNCILMAN MOJICA MADE A MOTION TO TABLE ITEM 56-06:RESOLUTION TO ESTABLISH THE REQUIREMENT FOR AUDIO RECORDING OF COUNCIL MEETINGS UNTIL FURTHER INFORMATION REGARDING THE COST OF ITEM 56-06 COULD BE OBTAINED.**

**** COUNCILMAN WALSH SECONDED THE MOTION.**

**** THE MOTION WAS UNANIMOUS.**

CHAIRMAN RODGERSON THEN REQUESTED THAT A NOTE FOR THE CITY CLERK REQUESTING THAT A COPY OF THESE MINUTES PLEASE BE FORWARDED TO THE LEGISLATIVE OFFICE.

ITEM 26-06

Item 26-06: The Fair and Equitable Assignment of all City Sheriff Work to all elected City Sheriffs.

At 7:52 Councilman Paoletto rejoined the meeting.

Chairman Rodgerston said that this item had been previously tabled because the Committee was awaiting a report on the distribution of work to the City Sheriffs.

Councilwoman Pivirotto asked if she could add to the agenda item. Chairman Rodgerston stated that Councilwoman Pivirotto could request the Committee to amend the item if she wished to do so. Councilwoman Pivirotto cited a recent article in the papers about New Haven, which has established a five-man rotation.

Councilman Walsh then said that he had been looking for a letter from Barbara Messario to Cecil Young that Councilman Walsh wished to show Attorney Anastasi in order to request that Attorney Anastasi clarify some of the language in the letter. Councilman Walsh stated that Ms. Messario's letter basically stated that as part of the settlement, Mr. Young would retain his job and continue to perform his duties as City Sheriff as long as Mr. Young was not seeking a monetary award. Councilman Walsh stated that to the best of his recollection, the language in Ms. Messario's letter was very clear.

Secondly, Councilman Walsh stated that there was a procurement ordinance, which Councilman Walsh believes Atty. Anastasi does not believe should apply to him as City Attorney. Councilman Walsh stated that he was prepared to move for approval on this and send it to the full Council. Chairman Rodgerston asked Councilman Walsh for clarification and Councilman Walsh stated that at the last Council meeting, Attorney Anastasi had said that the Council could not tell him what to do. Councilman Walsh said

that in light of this, the Committee could amend the agenda item to include the rotation of the sheriffs, but that Attorney Anastasi would not adhere to the resolution.

Councilwoman Vizzo-Paniccia pointed out that the Committee members did not have the minutes from the last Council meeting available. She then requested that this issue be tabled until someone from the City Attorney's office could verify which rules were on the books. She reminded the Committee that there had been some question about that in the past.

Councilman Baker asked for clarification on the information that had been requested. Chairman Rodgeron stated that the information requested was a list of the distribution of work that has been assigned in regard to the City Sheriff's office by the City Attorney's Office.

Councilman Walsh stated that in Attorney Anastasi's letter included a statement that there was no bias in the assignment of work, which was part of his legal opinion as to why this resolution has no legal standing. Councilman Walsh stated that he had requested that Attorney Anastasi provide detailed information to prove this was so and to have it prepared by the next Committee meeting. Attorney Anastasi was not present at the meeting.

**** COUNCILWOMAN VIZZO-PANICCIA MOVED TO TABLE ITEM 26-06: THE FAIR AND EQUITABLE ASSIGNMENT OF ALL CITY SHERIFF WORK TO ALL ELECTED CITY SHERIFF'S UNTIL THE CITY ATTORNEY AND THE C.A.O. COULD ATTEND THE MEETING WITH THE REQUESTED INFORMATION.**

**** COUNCIL MEMBER MOJICA SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

Chairman Rodgeron noted that the Committee was still awaiting the requested information from the City Attorney's Office on this matter. Councilman Mojica asked if his question from the last meeting had been answered. Mr. Young stated that he could not believe that Councilman Mojica would flip flop on the issue. Councilman Mojica requested that Mr. Young not get personal about the issue. Mr. Young stated that he never got personal in meetings and then stated that he had lost respect for Councilman Mojica.

Council Member Walsh commented that he would like to see a list of any service given to State Marshals that could be given to City Sheriffs.

ITEM 55-06

Item 55-06: Resolution to Establish the Requirement for updating and posting of City Board and Commission Information.

A discussion followed and several instances were recounted where the City Board and Commission Information had been either inaccurate or out of date.

Councilman Baker stepped out of the meeting at 7:58 and rejoined at 8:00

****COUNCILWOMAN VIZZO-PANICCIA MADE A MOTION TO APPROVE ITEM 55-06: RESOLUTION TO ESTABLISH THE REQUIREMENT FOR UPDATING AND POSTING OF CITY BOARD AND COMMISSION INFORMATION.**

**** COUNCILMAN MOJICA SECONDED THE MOTION.**

**** THE MOTION WAS APPROVED UNANIMOUSLY.**

ITEM 46-06

Item 46-06: Amendment to Council Rules of Order: To Elect Committee Co-Chairs individually by vote of members of that committee.

A discussion followed about what the amendment would change and how important the change would be. The effect the amendment has had in towns where the amendment was already in effect was also discussed. There were also some concerns raised about the change in the balance of power.

**** COUNCILWOMAN VIZZO-PANICCIA MADE A MOTION TO APPROVE ITEM 46-06: AMENDMENT TO COUNCIL RULES OF ORDER: TO ELECT COMMITTEE CO-CHAIRS INDIVIDUALLY BY VOTE OF MEMBERS OF THAT COMMITTEE.**

**** COUNCILMAN WALSH SECONDED THE MOTION.**

**** THE MOTION FAILED WITH TWO (Vizzo-Paniccia, Walsh) IN FAVOR AND THREE AGAINST (Mojica, Baker, Paoletto).**

****COUNCILMAN PAOLETTO MADE A MOTION TO DENY ITEM 46-06: AMENDMENT TO COUNCIL RULES OF ORDER: TO ELECT COMMITTEE CO-CHAIRS INDIVIDUALLY BY VOTE OF MEMBERS OF THAT COMMITTEE.**

**** COUNCILMAN BAKER SECONDED THE MOTION.**

**** THE MOTION PASSED WITH THREE (Mojica, Baker, Paoletto) IN FAVOR AND TWO (Vizzo-Paniccia, Walsh) AGAINST.**

ADJOURNMENT

**** CHAIRMAN RODGERSON MADE A MOTION TO ADJOURN.**

**** COUNCILMAN PAOLETTO SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:30 P.M.

Respectfully submitted,
Ian Soltes
Telesco Secretarial Services.

**CITY OF BRIDGEPORT
MISCELLANEOUS MATTERS COMMITTEE
MARCH 26, 2007**

ATTENDANCE: Chairman Mojica, Council Member Rodgerson, Council Member Walsh, Council Member Baker.

OTHERS: David J Sullivan, Jose A. Rivera, James W. Giles, Peter J. Holecz, Johanna T. Dorgan, Thomas Mulligan, Council Member, Patricia Fardy, Planning and Zoning Chairwoman, Council Member Johnny Dye, Council Member Maria Valle, Attorney Melanie Howlett, Associate City Attorney; Attorney Mark Anastasi, City Attorney; Mr. Cecil Young.

CALL TO ORDER

Chairman Mojica called the meeting to order at 6:35 p.m.

APPROVAL OF MINUTES.

Ms. Fardy asked Chairman Mojica if it would be possible to consider the appointment of Ms. Dorgan first as there was a Planning and Zoning Meeting scheduled for later in the evening. Chairman Mojica agreed.

Council Member Mulligan asked to speak to the Committee regarding two of the appointees on the agenda. Chairman Mojica agreed.

Council Member Mulligan stated that David J. Sullivan Jr. was to be considered appointment to the Ethics Commission. Mr. Sullivan was a former State Representative and also a local trial lawyer. Council Member Mulligan said that he felt that Mr. Sullivan would bring a wealth of experience to the position.

Council Member Mulligan then said that Peter J. Holecz is to be considered for reappointment to the Harbor Commission. Mr. Holecz has served on the Harbor Commission for a number of years and also was a former Alderman for the Common Council of the City of Bridgeport. He is also a manager for the Black Rock Oriels Little League Team. Council Member Mulligan said that he could heartily endorse Mr. Holecz for reappointment.

Council Member Mulligan said that he had known Ms. Dorgan for a number of years and that she served well on the Planning and Zoning. He said that he would also endorse Ms. Dorgan's reappointment.

Council Member Mulligan then left to attend another meeting.

104-06 Reappointment of Johanna T. Dorgan (D) to the Planning & Zoning Commission.

Miss Dorgan stated her name, and stated her address. She informed the Committee that she had been a Commissioner for three years and this would be her second term.

Council Member Baker said that he was a former Commissioner and that he had served with Ms. Dorgan. Council Member Baker said that Ms. Dorgan was very open and helpful when he first came on the Commission. Ms. Dorgan evaluated the facts and also took into consideration residents of an area regarding the zoning. Council Member Baker said he would recommend reappointment.

**** COUNCIL MEMBER RODGERSON MOVED TO APPROVE ITEM 104-06 REAPPOINTMENT OF JOHANNA T. DORGAN (D) TO THE WATER POLLUTION CONTROL AUTHORITY.**

**** COUNCIL MEMBER BAKER SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

Chairman Mojica asked that this item be included on the consent calendar.

74-06 REAPPOINTMENT OF JOSE A. RIVERA, JR. (D) TO THE WATER POLLUTION CONTROL AUTHORITY.

Mr. Rivera was asked about how the liens were handled by the WPCA. He explained that 99% of the complaints are handled by the attorneys for the WPCA. Complaints from the residents about the odor are referred to Aquarion. When liens are appealed, the WPCA holds an open meeting and assess the situation. Mr. Rivera pointed out that the WPCA is governed by statutes.

Council Member Walsh asked about paying the bills online. Mr. Rivera explained that the WPCA is not involved in that aspect. Bill payment is handled by Aquarion. Council Member Walsh said that he felt that the WPCA should pursue having the bills paid online. Mr. Rivera said that this issue has never come before the WPCA. Council Member Walsh stated that he pays his Aquarion bill online, but never the WPCA. Mr. Rivera repeated that this has never come before the WPCA Board for discussion and he was not sure this was part of their job to insure that the bills were payable online. Mr. Rivera then said that if Council Member Walsh would care to write a letter to the WPCA Board, Mr. Rivera said he would be sure to have it included on the agenda. Council Member Walsh said that he would like to have this brought up at the next meeting. Mr. Rivera agreed to have online payment included on the next agenda.

Chairman Mojica asked about the lien process. Mr. Rivera then reviewed the process with the Committee. He explained that he believed most of the people who are on the list owe over \$5,000.

Council Member Dye said that he has known Mr. Rivera for a number of years and worked with him on other committees and organizations. Council Member Dye said that he fully supported the reappointment of Mr. Rivera.

Council Member Colon then said that she knows Mr. Rivera and fully supports him. She also expressed her sincerest sympathy to Mr. Rivera and his family.

**** COUNCIL MEMBER RODGERSON MOVED TO APPROVE ITEM 74-06 REAPPOINTMENT OF JOSE A. RIVERA, JR. (D) TO THE WATER POLLUTION CONTROL AUTHORITY.**

**** COUNCIL MEMBER BAKER SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

Chairman Mojica asked that this item be included on the consent calendar.

101-06 Appointment of James W. Giles (D) to the Parks Commission.

Mr. Giles stated his name and address for the Committee. Mr. Giles said that he has served the City in various capacities for thirty years; he felt that he could bring his experience to the Commission. He stated that he was a retired Bridgeport Police Captain.

Council Member Walsh said that he had spoken with the State Senator and that he would support this appointment.

Council Member Valle asked whom Mr. Giles was replacing on the Police Commission. Chairman Mojica said that he did not have that information and thought Mr. Giles was filling a vacancy. Council Member Valle said that she was familiar with Mr. Giles' work in the community and would recommend the appointment.

Chairman Mojica said that he had requested in writing that the various Committees receive a list of board members, with the information on the terms. He said that he would check on this later in the week. Council Member Walsh said that he would be asking to have this information available prior to the Council meeting because there are State laws regarding minority party representation and without knowing which slot Mr. Giles was filling, it was difficult to know if the Committee was doing the right thing.

Council Member Dye said that he would like to support the appointment of Mr. Giles to the Parks Commission. Council Member Dye also informed the Commission that he had spoken with the Parks Department about this process and was fairly sure that the

Commission position that Mr. Giles was filling was for a former member who moved to Milford and was no longer on the Parks Commission.

Council Member Baker asked Mr. Giles about the various activities he was involved in. Mr. Giles said that he was involved in the tennis program for the City. Council Member Baker then asked Mr. Giles to name two things that he would like to see the Parks Commission do.

Mr. Giles said that he had concerns about activities that take place in the parks after the closings of the parks.

**** COUNCIL MEMBER BAKER MOVED TO APPROVE ITEM 101-06
APPOINTMENT OF JAMES W. GILES (D) TO THE PARKS COMMISSION.
** COUNCIL MEMBER RODGERSON SECONDED THE MOTION.
** THE MOTION PASSED UNANIMOUSLY.**

103-06 Reappointment of Peter J. Holecz to the Harbor Commission

Mr. Holecz stated his name and address and informed the Committee that he has been on the Harbor Commission for eighteen years, which is as long as it has been in existence. He said that he was originally appointed by Mayor Bucci. He said that he likes to be part of the advancement and development of the Harbor.

Council Member Baker asked what the Harbor Commission's responsibilities are. Mr. Holecz explained that their first task was to develop a Harbor Management Plan. This outlines what exists today in terms of conditions and recommendations, including goals and objectives. Currently the Harbor Management Plan has recently been revised. Mr. Holecz then gave a quick overview of their various tasks.

Council Member Baker asked about plans for Pleasure Beach. Mr. Holecz said that there were plans for temporary use of boat traffic to Pleasure Beach. Money for a bridge has not been forthcoming. Council Member Baker then asked how many times the Harbor Commission meets. Mr. Holecz said that the Commission meets twice a month, on the first and third Tuesday. He also explained that the Port Jefferson Ferry is handled by the Port Authority.

Council Member Rodgeron asked about the city's boats. The Harbor Commission owns a 42 foot long boat, and a seventeen foot boat that was recently replaced. The Port Authority has two vessels. He then gave some details about the berthing and location of the boats.

Council Member Walsh asked if the Harbor Commission raises revenue. Mr. Holecz then explained that the boat registration and some of the permit fees go to the Harbor Management Plan. Boating violation fees go to the State. Mr. Holecz said that many of the municipalities are working together to change the laws in favor of the municipalities.

**** COUNCIL MEMBER RODGERSON MOVED TO APPROVE ITEM 103-06 REAPPOINTMENT OF PETER J. HOLECZ TO THE HARBOR COMMISSION.**
**** COUNCIL MEMBER WALSH SECONDED THE MOTION.**
**** THE MOTION PASSED UNANIMOUSLY.**

26-06 The Fair and Equitable Assignment of all City Sheriff Work to all elected City Sheriffs

Chairman Mojica stated that this was the third time Item 26-06 had come before the Committee. After a discussion, the item was tabled pending an opinion from the City Attorney's Office. The Commission also heard from many of the Council Members and Mr. Young. Following this, the item was tabled once again in order to find out how other municipalities assign the sheriff's work. Chairman Mojica said that he believed that all the parties concerned have been heard from.

Attorney Howlett said that Council Member Pivrotto had been relying on an ordinance that addressed setting salaries for elected officials. Attorney Howlett said she had done some State and Federal case law studies about this. Unfortunately, the ordinance that Council Member Pivrotto had cited will not be helpful in this scenario. Attorney Howlett said that she had checked with a number of towns, including Stamford, Milford, and Danbury about how these assignments are handled. She reported that these municipalities had also had difficulties with various sheriffs and litigations or other problems. Many of them have part time Corporation Counsels with a full time salaried Deputy Corporation Counsels. Danbury allows the Counsels to weigh in on issues regarding litigation or creditability. Outside employees must be approved by their Corporation Counsel. This means that they reserve the right to reject an applicant. Stamford and Milford were more like Bridgeport. Chairman Mojica then summarized Attorney Howlett's report by saying that the other municipalities do not use a rotating system. Attorney Howlett agreed and said that an applicant can be eliminated from being allowed to serve if there are issues or problems. Chairman Mojica then asked if there were some towns that use a rotating system. Attorney Howlett agreed that there were, but she had attempted to contact cities similar to Bridgeport. In terms of infrastructure, there are only four or five cities similar to Bridgeport. These were the ones that she spoke with.

Council Member Walsh asked Attorney Howlett if she was familiar with the memo from January 2007. Attorney Howlett said that she was and she agreed with it. Council

Member Walsh asked about paragraph four, which deals with sheriff's selection regardless by race, religion, gender or affiliation. He then asked Attorney Howlett for a break down on the various sheriffs employed by the City. Attorney Howlett said that while she could give an overview, she did not have that information available because she had not been asked to analyze that aspect. Attorney Anastasi said that it wasn't a judgment based on race, or other criteria but a determination on whether or not the sheriffs were being treated similarly. Attorney Anastasi pointed out that Mr. Young, who had been used by the City Attorney's Office for a number of years, is not similarly situated. Attorney Anastasi said that he would like Mr. Young to put on the record whatever pending claims or litigation he is currently pursuing against the City of Bridgeport. Then Attorney Anastasi requested that the Committee go into Executive Session to discuss some confidential information under the ordinances.

Council Member Walsh stated that he felt it was unacceptable that the City Attorney did not have the information he had asked for three months ago. Attorney Anastasi said that he would provide Council Member Walsh with the break down information. Council Member Walsh said that he no longer wanted it. Council Member Walsh cited Chapter 7 of the Charter and stated that he did not believe that the phrase "other assistants" was in the Charter. He then quoted that "the City Council does not have the authority to direct the City Attorney as to the manner in which to exercise said Charter powers." He then asked if that means that the ordinance, which has established a minority contracting goal for the City of Bridgeport, does not apply to the City Attorney's Office. Attorney Howlett said that this was correct.

Attorney Howlett said that when she needs a sheriff, there is a posted list of all the sheriffs available per county. Her secretary starts calling down the list and the first sheriff who answers and has the time to perform the duty is the one who gets the task. Attorney Howlett said that Attorney Liskov might have records of who is assigned for his sheriff's duties. Every secretary has the same list. Council Member Walsh said that he totally disagreed with Attorney Howlett's interpretation of the ordinance. Attorney Howlett said that it is a contract. Council Member Walsh disagreed saying that every time an attorney is hired, it is contract. Attorney Anastasi stated that he felt this was irrelevant to the issue. The key issue is why Mr. Young is distinct from any other sheriff. Attorney Anastasi reiterated that the Committee needs to ask Mr. Young what pending litigation he has against the City. He also suggested that Mr. Young be called into Executive Session with Attorney Anastasi and the Committee to gain a better sense of why it is that Mr. Young is in the situation that is unique.

Council Member Baker asked if Mr. Young would be out of the picture, if this ordinance would fit into the picture. Attorney Howlett said that because of the way that the Charter is written she does not feel the issue would fit. She also stated that she is first and the only black attorney hired by the City of Bridgeport in house. Because of this, Attorney Howlett said that in her opinion that the criteria for having minority contractors does not apply to expert personnel. No one would hire an attorney to appear before the Supreme

Court based on race. The lawyers who appear before the Supreme Court are there based on their experience and their ability to win. Under the Code of Ethics, this has ramifications on a lawyer is to protect their clients. Attorney Howlett explained that there is a license, which obligates and binds a lawyer on how they represent a client in court and these ethics and obligations supercede the City's ordinances. Attorney Howlett pointed out that attempting to order the City Attorney's office on how they should take care of litigation, who will be assigned to deliver it and what is going to happen actually interferes with the ethical responsibilities under the statutes. This could result in arrest and loss of license to practice. Attorney Anastasi pointed out that this also applies to hiring medical experts, accident reconstruction experts and other professions. Council Member Baker then said that the Attorney's Office needs to reserve the right pick and choose who they wish to use to serve the warrants. Attorney Anastasi said that it can't be done in an discriminatory manner. Attorney Howlett stated that it is their legal obligation and responsibility to put forth the best case to protect the client. She explained that it is vitally important to be able to trust the person that is being given the job and secondly, it is important to rely on their abilities to do the job. There isn't any time to watch the sheriff, it has to be done by trust. Attorney Howlett then gave an example of a case that was thrown out of Federal court because the sheriff lied on affidavit. The attorney will not use that sheriff again. Attorney Howlett said that it is imperative that the lawyers in a firm trust one another and also the sheriffs that they work with.

Council Member Rodgeron asked Attorney Anastasi how long Mr. Young had worked for the City Attorney's Office. Attorney Anastasi said that it was for a long time until recently. Someone commented that Mr. Young had worked as a sheriff for sixteen years. Council Member Rodgeron then asked when the problems began to arise. Attorney Anastasi said he thought it may have been May of 2005 or 2006. When asked about the distribution of work five years ago, Attorney Anastasi said that Mr. Young and another sheriff caught the bulk of Attorney Liskov's work. He went on to say that a great deal of the work assignment came because Mr. Young was always available. Attorney Anastasi then reviewed various assignments that could be given to various types of sheriff's.

****COUNCIL MEMBER RODGERSON MOTIONED TO ENTER INTO EXECUTIVE SESSION.**

****COUNCIL MEMBER BAKER SECONDED THE MOTION.**

Council Member Walsh then asked about the Freedom of Information Act. Both Attorney Howlett and Anastasi stated that this comes under pending litigation. Attorney Anastasi also pointed out that the Ethics Code for the City of Bridgeport, which prohibits the disclosure of information.

**** THE MOTION PASSED.**

The Committee, Mr. Young, Attorney Anastasi and Attorney Howlett then moved into Executive Session at 7:35 p.m. to discuss 26-06 The Fair and Equitable Assignment of all City Sheriff Work to all elected City Sheriffs.

**** COUNCIL MEMBER RODGERSON MOVED TO END THE EXECUTIVE SESSION.**

**** COUNCIL MEMBER BAKER SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

**** COUNCIL MEMBER RODGERSON MOVED TO ENTER BACK INTO PUBLIC SESSION.**

**** COUNCIL MEMBER WALSH SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The Committee returned to public session at 8:15 p.m.

Council Member Walsh then reiterated one comment that he believes that the action taken here is punitive in nature and is aimed at discouraging Mr. Young from pursuing legal avenues that are available to him and that the removal of work was because Mr. Young had done so. That is why this resolution was put forward to begin with and Council Member Walsh said that he had yet to hear anything that led him to think otherwise.

Council Member Pivrotto then asked that the same be done as was done for Ms. Woodward. She said that she could appreciate that the City Attorney needs discretion when they hire an attorney, but the service of process is a very simple thing. Council Member Pivrotto then outlined the requirements. She added that Sheriff Young is duly elected, as are five other duly elected sheriffs. To Council Member Pivrotto, that implies an equal distribution of work.

Council Member Baker said that he felt it was a shame that the matter has come to this point where Committee has to make a decision based on fairness and equality of sheriff's work in the City based on the situation with Mr. Young. He said that he wished that it was not directly related to the fact that someone felt that he was being alienated from the process.

Attorney Howlett commented that regardless of the substantive matter, she said that on a procedural basis, this issue was beyond the scope of the Committee's jurisdiction.

Chairman Mojica repeated that he believed that this item had been before the Committee long enough and that the Committee needs to make a decision. Chairman Mojica said that previously Mr. Young had been a reliable employee. At some point, this had changed and the trust and confidence was broken. Whether or not the Committee has the jurisdiction to tell the City Attorney how to run their office, which Chairman Mojica did

not believe that the Committee has, shedding some light such as a rotating basis would prevent something like this happening in the future.

**** COUNCIL MEMBER BAKER MOVED TO APPROVE ITEM 26-06 THE FAIR AND EQUITABLE ASSIGNMENT OF ALL CITY SHERIFF WORK TO ALL ELECTED CITY SHERIFFS**

Council Member Rodgeron asked for a point of clarification. He said that the resolution was in the Miscellaneous Matters Committee. Attorney Howlett agreed and said that if it was something that would occur more than once, the resolution needed to go before the Ordinance Committee. Council Member Rodgeron stated that an ordinance is a law. He then said that the jurisdiction of the Miscellaneous Matters Committee and of this resolution is of such a nature that this resolution is a non binding because it is not an ordinance. Attorney Howlett agreed.

Council Member Baker stated that he wanted to move the resolution and add to it that the rotating basis has to be for those sheriffs qualified to work only within the City of Bridgeport. Chairman Mojica asked if this would only be a recommendation. Attorney Howlett agreed and said that Council Member Rodgeron had pointed out that lacking an ordinance, the resolution is unenforceable. She said that Congress would call it a “non-binding resolution/recommendation”.

**** COUNCIL MEMBER WALSH SECONDED.**

There was a discussion regarding whether the resolution should be amended in Committee or on the Council floor. Council Member Walsh asked if anyone had the original resolution. No one had a copy at the meeting. Council Member Walsh then said that the motion could be passed in Committee and Council Member Baker could amend it when it comes before the full Council.

**** THE MOTION PASSED UNANIMOUSLY.**

102-06 Reappointment of John I. Tenn to the Harbor Commission

Chairman Mojica then suggested that Agenda Item 102-06 Reappointment of John I. Tenn to the Harbor Commission be tabled until next month because the appointee was not present.

**** COUNCIL MEMBER RODGERSON MOVED TO TABLE ITEM 102-06 REAPPOINTMENT OF JOHN I. TENN TO THE HARBOR COMMISSION UNTIL NEXT MONTH.**

**** COUNCIL MEMBER WALSH SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

71-06 Appointment of David J. Sullivan Jr. to the Ethics Commission

Chairman Mojica then suggested that Agenda Item 71-06 Appointment of David J. Sullivan Jr. to the Ethics Commission be tabled until next month because the appointee was not present.

**** COUNCIL MEMBER RODGERSON MOVED TO TABLE ITEM 71-06 APPOINTMENT OF DAVID J. SULLIVAN JR. TO THE ETHICS COMMISSION TO NEXT MONTH.**

**** COUNCIL MEMBER WALSH SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

Chairman Mojica asked Attorney Anastasi about adding items to the agenda. Attorney Anastasi said that this Committee has jurisdiction over litigation and settlements. There have been a number of times over the years when there has been a need to act expeditiously because Mr. Bowhannen needs expertise and guidance. Council Member Walsh stated that the rules state that the matter can be added to the agenda if it has been brought before the Committee. Council Member Walsh said that this item had not been brought before the Committee. Attorney Anastasi repeated that the Committee has general jurisdiction over matters of litigation. There have been a number of matters over the years where there were discussion to control risk. Chairman Mojica said that he had discussed this with the City Clerk and that the City Clerk had said that the past practice was wrong. The last time Chairman Mojica added something to the agenda, there was a problem. Attorney Anastasi said that he would discuss the matter with the City Clerk. Council Member Walsh objected. Attorney Anastasi said that he agreed that it was not expressly clear under the rules and believes it is consistent with past practice. Attorney Anastasi said that he believes that there needs to be rule that expressly says the Miscellaneous Matter it is proper to come to the Committee to get advise. Council Member Rodgeron asked the City Attorney to draft a rule about this. Chairman Mojica took a quick poll of the Committee about this that resulted in two Council Members being for hearing the matter (Rodgeron, Baker) and one against (Walsh).

**** COUNCIL MEMBER RODGERSON MOVED TO ADD THE MATTER OF LANGER VS CITY OF BRIDGEPORT FOR DISCUSSION ONLY.**

**** COUNCIL MEMBER BAKER SECONDED.**

**** THE MOTION PASSED WITH TWO IN FAVOR (RODGERSON AND BAKER) AND ONE AGAINST (WALSH).**

**** COUNCIL MEMBER RODGERSON MOVED TO ENTER INTO EXECUTIVE SESSION TO DISCUSS THE TWO FOLLOWING MATTERS:**

LANGER VS CITY OF BRIDGEPORT FOR DISCUSSION ONLY AND;

87-06 PROPOSED SETTLEMENT OF AFSCME LOCAL 15 POLICE UNION GRIEVANCE/LITIGATION.

**** COUNCIL MEMBER BAKER SECONDED.**

**** THE MOTION PASSED WITH TWO IN FAVOR (RODGERSON AND BAKER) AND ONE AGAINST (WALSH).**

The Committee, Attorney Anastasi and Attorney Howlett entered into Executive Session in order to discuss the matters of Langer vs. the City of Bridgeport and 87-06 Proposed Settlement of AFSCME Local 15 Police Union Grievance/Litigation at 8:36 p.m.

**** COUNCIL MEMBER RODGERSON MOVED TO APPROVE 87-06 PROPOSED SETTLEMENT OF AFSCME LOCAL 15 POLICE UNION GRIEVANCE/LITIGATION.**

**** THE MOTION FAILED DUE TO LACK OF A SECOND.**

**** COUNCIL MEMBER RODGERSON MOVED TO DENY 87-06 PROPOSED SETTLEMENT OF AFSCME LOCAL 15 POLICE UNION GRIEVANCE/LITIGATION.**

**** COUNCIL MEMBER BAKER SECONDED.**

**** THE MOTION PASSED WITH TWO IN FAVOR (WALSH AND BAKER) AND ONE AGAINST (RODGERSON).**

Council Member Walsh stated that someone had to step up to the plate and take responsibility for this settlement.

80-06 Refund of Excess Payments

**** COUNCIL MEMBER RODGERSON MOVED TO TABLE 80-06 REFUND OF EXCESS PAYMENTS.**

**** COUNCIL MEMBER BAKER SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

93-06 Refund of Excess Payments

**** COUNCIL MEMBER RODGERSON MOVED TO TABLE 93-06 REFUND OF EXCESS PAYMENTS.**

**** COUNCIL MEMBER BAKER SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

ADJOURNMENT

**** COUNCIL MEMBER RODGERSON MOVED TO ADJOURN.**

**** COUNCIL MEMBER WALSH SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 9:35 p.m.

Respectfully submitted,

Sharon L. Soltes
Telesco Secretarial Services

CITY of BRIDGEPORT
JOINT COMMITTEE on MISCELLANEOUS MATTERS and ORDINANCE
APRIL 2, 2007

ATTENDANCE

Ordinance Committee: Council members - McCarthy, Walsh, Holloway, Lyons, Curwen, Silva,

Miscellaneous Committee: Council members – Rodgerson, Paoletto, Walsh

OTHERS PRESENT: Associate City Attorney Howlett

Co-Chair Council member Rodgerson called the meeting to order at 5:52 p.m.

86-06 Proposed Settlement of Federal Law Suite brought by TelComm Technologies

** COUNCIL MEMBER PAOLETTO MOVED TO GO INTO EXECUTIVE SESSION
** COUNCIL MEMBER SILVA SECONDED
** MOTION PASSED UNANIMOUSLY

The committee moved into executive session at 5:53 p.m.

The committee came out of executive session at 6:03 p.m.

** COUNCIL MEMBER CURWEN MOVED TO APPROVE THE CITY ATTORNEY'S
RECOMMENDATION AS IT PERTAINED TO ITEM 86-07 PROPOSED SETTLEMENT
OF FEDERAL LAW SUITE BROUGHT BY TELCOMM TECHNOLOGIES
** COUNCIL MEMBER SILVA SECONDED
** MOTION PASSED WITH SIX VOTES IN FAVOR AND ONE ABSTENTION

* It was noted for the record that Council member Holloway abstained due to a conflict of interest, in that he works for the Public Facilities Department.

ADJOURNED

** COUNCIL MEMBER CURWEN MOVED TO ADJOURN
** COUNCIL McCARTHY SECONDED
** MOTION PASSED UNANIMOUSLY

The meeting was adjourned at 6:05 p.m.

Respectfully submitted,
Diane Graham
Telesco Secretarial Services

City of Bridgeport
Joint Committee on Miscellaneous Matters and Ordinance
April 2, 2007
Page 1

CITY of BRIDGEPORT
MISCELLANEOUS MATTERS COMMITTEE
APRIL 23, 2007

ATTENDANCE: Council members – Mojica, Rodgerson, Paoletto, Walsh

ABSENT: Council members – Vizzo-Paniccia, Blunt, Baker

OTHERS: Council members Mulligan, *Holloway

* = left the meeting before it was called to order

Council member Rodgerson called the meeting to order at 6:37 p.m.

Approval of joint committee meeting minutes: April 2, 2007

** COUNCIL MEMBER PAOLETTO MOVED TO ACCEPT THE MINUTES
** COUNCIL MEMBER WALSH SECONDED
** MOTION PASSED UNANIMOUSLY

71-06 Appointment of David J. Sullivan Jr. to the Ethics Commission

Council member Mojica stated that Mr. Sullivan called him to let him know he intended to attend the meeting tonight. The committee waited a few minutes to give Mr. Sullivan time to show up, however, he didn't appear, so:

** COUNCIL MEMBER PAOLETTO MOVED TO TABLE
** COUNCIL MEMBER MOJICA SECONDED
** MOTION PASSED UNANIMOUSLY

80-06 Refund of Excess Payments

Council member Mojica stated that he received a call from Kelly Lenz, Acting Tax Collector requesting that these two items be tabled.

** COUNCIL MEMBER PAOLETTO MOVED TO TABLE
** COUNCIL MEMBER MOJICA SECONDED
** MOTION PASSED UNANIMOUSLY

93-06 Refund of Excess Payments

-same information as above-

** COUNCIL MEMBER PAOLETTO MOVED TO TABLE
** COUNCIL MEMBER WALSH SECONDED
** MOTION PASSED UNANIMOUSLY

102-06 Reappointment of John I. Tenn to the Harbor Commission

Council member Rodgerson asked Mr. Tenn to tell the committee about his experience serving on the commission. Mr. Tenn said he worked with the other commission members and they work together to solve any problems that come up. He expressed that if his services were still needed, it would be a pleasure to serve.

Council member Rodgerson asked what the duties were of the commission. Mr. Tenn explained that if someone was looking to build on the water, the commission takes into consideration construction; drainage issues etc. and then they decided whether or not to approve or disapprove.

Council member Paoletto commented that Mr. Tenn has served on the board for ten years and he commended him for helping the city for that period of time. He further noted that his attendance indicated he was really dedicated to attending each meeting. Again, he commended him for this service to the city.

Council member Mojica stated that Mr. Tenn was due to attend the last meeting, but the following week he received several calls from him indicating that he didn't get the notice in time, but that he wanted to attend the next meeting to address the committee, he said he appreciated his calls and service to the city.

** COUNCIL MEMBER PAOLETTO MOVED TO APPROVE
** COUNCIL MEMBER MOJICA SECONDED
** MOTION PASSED UNANIMOUSLY

*Consent calendar

ADJOURNED

** COUNCIL MEMBER PAOLETTO MOVED TO ADJOURN
** COUNCIL MOJICA SECONDED
** MOTION PASSED UNANIMOUSLY

The meeting was adjourned at 6:52 p.m.

Respectfully submitted,

Diane Graham
Telesco Secretarial Services

City of Bridgeport
Miscellaneous Matters Committee
April 23, 2007
Page 2

RE: Miscellaneous Matters Committee – Meeting April 23, 2007

Note: Prior to the meeting being called to order, Council member Holloway addressed Council member Rodgerson to recall a matter that came up at the joint meeting between Miscellaneous Matters and Ordinance committees on April 4, 2007. He referred to the issue of Council member Rodgerson disallowing him to state his reason for wanting to abstain on an agenda item, which he thought was wrong. He recalled that after the meeting was adjourned, Council member Curwen requested that the recording secretary indicate his abstention for the record, due to the fact that he works for the Public Facilities Department. He also apologized to Council member Rodgerson for calling him a derogatory name referencing a particular body part, noting that he was wrong as well for doing that. Council member Rodgerson acknowledged the apology and said it would be noted for the record.

**CITY OF BRIDGEPORT
MISCELLANEOUS MATTERS
MAY 29, 2007**

ATTENDANCE: Keith Rodgerson, Chairman; Rafael Mojica, Co-chair; Richard Paoletta, Andre Baker, Robert Walsh

OTHERS: Council Member Thomas Mulligan, Anne Kelly-Lenz, Acting Tax Collector; Bruce N. Gallo, the Honorable Howard T. Owens, Jr.; Ann Owens, David Sullivan

CALL TO ORDER

Chairman Rodgerson called the meeting to order at 6:38 p.m.

**80-06 REFUND OF EXCESS PAYMENTS
& 93-06 REFUND OF EXCESS PAYMENTS**

Ms. Kelly-Lenz came forward and reviewed the three funds. Item 80-06 was for taxes that had already been paid and a court ordered refund was due. The second case, Item 93-06, had to do with two separate parties, one of whom issued a duplicate check to the City for payment and the second party sending in a check that including an overpayment.

**** COUNCIL MEMBER PAOLETTA MOVED TO APPROVE AGENDA ITEM 80-06– REFUND OF EXCESS PAYMENT.**

****COUNCIL MEMBER MOJICA SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

Chairman Rodgerson requested that this item be added to the Consent Calendar.

**** COUNCIL MEMBER PAOLETTA MOVED TO APPROVE AGENDA ITEM 93-06– REFUND OF EXCESS PAYMENT.**

****COUNCIL MEMBER MOJICA SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

Chairman Rodgerson requested that this item be added to the Consent Calendar.

**261-06 APPOINTMENT OF BRUCE N. GALLO (D) TO REDEVELOPMENT
AGENCY**

Mr. Gallo came forward and introduced himself to the Committee. Council Member Mojica stated that the last time that Mr. Gallo had come before the Committee, the motion has been tabled because there was some paperwork that needed to be processed

by the Mayor's Office. Council Member Mojica then stated that all the paperwork was now in order.

Council Member Mulligan then stated that Mr. Gallo was from the 130th District and that he was a participant in the various community activities.

**** COUNCIL MEMBER MOJICA MOVED TO APPROVE ITEM 261-06
APPOINTMENT OF BRUCE N. GALLO (D) TO REDEVELOPMENT AGENCY.
** COUNCIL MEMBER PAOLETTA SECONDED.**

Council Member Baker said that he had asked Mr. Gallo a question about moderate income redevelopment in particular areas. He then asked if Mr. Gallo had the same views regarding allowing developers to come in and disregard the zoning rules and various districts plans. Mr. Gallo replied that he could not say in good conscious that he would allow developers to do whatever they wanted and that smart planning was the way to go. Mr. Gallo said that each case would have to be evaluated on its own. He added that he had thought about Council Member Baker's comments in the interval between meetings and said he would be open to Council Member Baker's showing him the neighborhoods that he might not have as much knowledge about in order to understand Council Member Baker's idea and plans. Council Member Baker replied that there are a number of NRZs working in various districts and those people are the stakeholders. The Boards need to take the NRZs comments into consideration because the NRZs are the ones that will have to live with the decisions.

Council Member Walsh asked if the Committee had a list showing the most recent make up of the Redevelopment Agency Board. He stated that he had checked the City's website and found a partial listing of the Board. Council Member Mojica pointed out that the application paperwork indicates which slot Mr. Gallo would be filling. Chairman Rodgerson also commented that Ms. Nieves appointment to the Redevelopment Agency was also on the agenda for the Committee's approval. Council Member Mojica said that there was a copy of the proposed Committee members at his seat in the Council Chambers and excused himself to retrieve that.

Council Member Walsh said that Mr. Gallo had been outspoken about the Black Rock Arts Center in the past. Mr. Gallo said that he believed that this had been discussed at the last meeting. Council Member Walsh said that there were emails being distributed about this issue. Mr. Gallo reiterated that this had been discussed at the last meeting. Council Member Walsh then asked Mr. Gallo if he was acknowledging that he had been outspoken about the Black Rock Arts Center. Mr. Gallo replied that he was. Council Member Walsh then said that Mr. Gallo had never been at the Center but had formed an opinion. Mr. Gallo replied that he had been at the Center once. Council Member Walsh then asked if Mr. Gallo would at this point in time, agree to recuse himself from any votes having to do with the Black Rock Arts Center that come before the Redevelopment Agency. Chairman Rodgerson said that this was a first and that a Committee member

would intervene and asked an appointee about their particular political views and to recuse themselves from business on a committee agenda because of the person's predisposition in regard to a certain action. Council Member Walsh replied that the Mayor had publicly gone on record as saying he planned on having the Redevelopment Agency serve as the Board to review any RFPs or RFQs for that property. This individual has spoken out against the Black Rock Arts Center in the past and Council Member Walsh felt that Mr. Gallo should recuse himself from all business regarding the Black Rock Arts Center for that building. Chairman Rodgeron then said that with all due respect, if Council Member Walsh wished to vote down this candidate because of his views in regard to a situation, whether past or present, that would be acceptable. However, Chairman Rodgeron said he did not think it was appropriate for Council Member Walsh to request that Mr. Gallo recuse himself future business of the agency. Council Member Walsh stated that if Mr. Gallo wanted his vote, that was what he would have to do. Chairman Rodgeron then stated that Mr. Gallo was free to respond or not respond to that request and the Committee would move on. Mr. Gallo said that he would not respond.

Council Member Mulligan said that it was unprecedented that Council Member Walsh would require this stipulation and that if he asked that pledge of anyone who might be voting on the Black Rock Arts Center, Council Member Mulligan stated that the City Council might have to recuse itself almost in its entirety from any kind of voting. Council Member Mojica agreed. Council Member Mulligan then stated that he did not believe that the Committee members could ask a candidate to recuse himself regarding future votes.

Mr. Gallo then pointed out that the Council Members had expressed opinions on various issues before a vote but had not recused themselves from the votes. He said that he felt this request was improper and premature.

Council Member Paoletta then said he felt it was ludicrous that Mr. Gallo would be asked to recuse himself from that vote because he does not agree with Council Member Walsh on the Black Rock Arts Center. Council Member Paoletta then said that he agreed with his colleagues that the Council Members all have opinions on the Center and are allowed to vote. Council Member Paoletta then said in all due fairness that if this was the only issue, he would like to move the question.

Council Member Walsh said that he had more issues. Chairman Rodgeron recognized Council Member Mojica.

Council Member Mojica said that he would have to agree with Council Member Paoletta and Mulligan. He also pointed out that this had gone through the Ethics Committee and been approved. Council Member Mojica said that if the Ethics Committee had thought that there would be a conflict of interest, they would not have approved this appointment. Secondly, Council Member Mojica pointed out that everyone is entitled to their personal

opinion on the matter and that should not be held against them. He stated that Mr. Gallo meets more than the criteria requirements. Council Member Mojica said that the first time Mr. Gallo had come before the Committee, this same approach was taken against him. Council Member Mojica said that he did not believe that this had any basis in this Committee.

Council Member Walsh reiterated that the Mayor was the one that indicated that the Redevelopment Agency Board would be serving as the evaluator of the RFP and RFQ process. He then challenged anyone to indicate when the Redevelopment Agency had ever been involved in this type of arrangement before. Chairman Rodgerson pointed out that the Committee was not present to evaluate the Redevelopment Agency. Council Member Walsh said that the circumstances leading up to his question was unprecedented. Chairman Rodgerson then stated that for Council Member Walsh to assume that every candidate for every agency was arriving with complete blank slate would be unrealistic. Council Member Walsh said that if a candidate comes forward and is predisposed on a matter this important, Council Member Walsh did not see why the Committee should go ahead and approve it because everyone had an opinion.

Council Member Baker said that the purpose of the Board was to review the paperwork and determine if the candidate would serve properly on the Boards.

Council Member Walsh then asked about past taxes on a vehicle when Mr. Gallo was originally nominated. Mr. Gallo replied that the situation had been cleared up. Council Member Walsh then pointed out that Mr. Gallo was behind in his real estate taxes in May. Mr. Gallo said that he was able to pay up his mortgage but there were subsequent problems with the paperwork. Mr. Gallo stated that he was one of the highest residential taxpayers in the City. When he discovered there was a problem, he paid the money. Council Member Walsh said that with all the emphasis placed on taxes in the City, he was amazed that there was twenty thousand dollars due. Mr. Gallo repeated that he had paid those taxes.

Council Member Walsh then said that there was no one present who could answer his next question, but he wished to find out how the Redevelopment Agency was constituted. He said that there is no ordinance on the City's books establishing this Agency. It is by State Statute and then proceeded to read the statute. Absence of that, Council Member Walsh stated that the municipality could designate the Housing Authority of the Municipality. Council Member Walsh then asked how the Committee knew that prior Councils did not dictate such action. When this email was sent to the City Clerk in September, he received a response that said the request required some research and that the City Clerk believed that the Redevelopment Agency was created by resolution rather than ordinance a long time. He then stated that he had not received any further explanation as to how the body was created.

Chairman Rodgerson said that Council Member Walsh would need to be discuss this issue with the City Attorney, the CAO or the Administration. This Committee has previously approved candidates for the Redevelopment Agency and will continue to do so until such time as directed otherwise. Council Member Walsh then said he had questions about how the body is constituted and whether the Committee legally has the power to approve these appointments. Chairman Rodgerson then reiterated that Council Member Walsh contact the City Attorney's office and request an opinion regarding that. Chairman Rodgerson said this matter should not be dropped on the Committee members in the middle of a meeting when the Committee was considering appointments to the Board. He concluded with the statement that this was not the forum for the issue because it was not the Ordinance Committee or the City Attorney's office. If this issue needs to be put on the Council agenda, Chairman Rodgerson encouraged Council Member Walsh to do so.

Council Member Mojica said that the Committee was present to conduct City business and that were any questions that needed to be answered should be forwarded to the City Attorney. He stated that he never heard any previous questions regarding whether the Committee had the authority to approve members to this particular Board and if this proved not to be the case, the Committee will be notified.

Council Member Walsh then stated as a point of order that there is an ordinance on the books that requires the Mayor to name who any nominee is replacing. Council Member Walsh stated that there was no paperwork present that indicating that the Mayor has done so. Council Member Walsh then stated that the nomination was out of order and should not be acted upon.

Council Member Paoletta stated that no one, including Council Member Walsh, had the original resolution that was sent to the Committee. Council Member Paoletta stated that he truly believed that the designation was on the original because it has been on every single one that he has received. Council Member Walsh said that it was a simple question of whom Mr. Gallo was replacing. Council Member Mojica said that Mr. Gallo was replacing the seat held by Mr. Dennis O'Malley and the term is set to expire on March 1st. Council Member Walsh objected, saying that the current list does not show a seat held by Dennis O'Malley. Chairman Rodgerson commented that this was because the term had expired on March 1st and was now listed as vacant.

Chairman Rodgerson then called for a repeat of the motion.

**** COUNCIL MEMBER MOJICA MOVED TO APPROVE ITEM 261-06
APPOINTMENT OF BRUCE N. GALLO (D) TO REDEVELOPMENT AGENCY.
** COUNCIL MEMBER PAOLETTA SECONDED.
** THE MOTION PASSED WITH THREE IN FAVOR (BAKER, MOJICA AND
PAOLETTA) AND ONE OPPOSED (WALSH).**

**130-06 REAPPOINTMENT OF THE HONORABLE HOWARD T. OWENS, JR.
TO THE ETHICS COMMISSION**

Judge Owens gave the Committee a quick overview of the work that the Ethics Commission had done during his previous term on the Commission.

Council Member Mulligan said that he would like to recommend Judge Owens, who was a former State Senator, and an attorney from the 132nd District.

Council Member Paoletta said that he did not have a question for the Judge, but stated that the Judge's reputation as a man of integrity and hard work has preceded him. He said that he was aware that the Ethics Commission had done due diligence with the various issues that have been sent to them.

**** COUNCIL MEMBER PAOLETTA MOVED TO APPROVE 130-06
REAPPOINTMENT OF THE HONORABLE HOWARD T. OWENS, JR. TO THE
ETHICS COMMISSION.**

Council Member Walsh then asked Judge Owens since the Ethics Commission had not been taken any affirmative action regarding any individual, if it was safe to assume that the Ethics Commission has not found any individual to be in violation. Judge Owens stated that the Commission had not found anyone to be in violation. The Ethics Commission makes a finding of a violation. Judge Owens explained that the Commission cannot remove someone from office, fine someone or exercise other measures. When cases arise where there are investigations by the U.S. Attorney's Office or the Department of Justice, it would not be appropriate for the Ethics Commission to hold a separate hearing. Council Member Walsh asked if there was a finding, if it would be made public. Judge Owens said that a finding would have been made public. He went on to explain that there have been complaints but many of them do not fit into the parameters of the Ethics Commission. The Ethics Commission handles cases where there is involvement of conflict of interest or financial conflict. Council Member Walsh said that there were other towns where the officers or employees who violate the City Charter or ordinances could lose their jobs. Judge Owens replied that it would be up to the City Council to expand the powers and jurisdiction of the Ethics Commission.

**** COUNCIL MEMBER MOJICA SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

Chairman Rodgeron requested that the item be placed on the Consent Calendar.

158-06 APPOINTMENT OF ANN E. OWENS TO THE PARKS COMMISSION

Ms. Owens came forward and introduced herself to the Committee. When asked by Chairman Rodgeron why she wished to be on the Parks Committee, she said that

Bridgeport was known as the Park City. She also pointed out there were many small parks scattered through out the City.

Council Member Walsh asked if Ms. Owens made any commitments to the Mayor or any others to vote one way or another on any matters not yet presented to the Parks Board. Ms. Owens said that she had not.

Council Member Walsh said that there was a park at the corner of Beechwood and Norman that needs attention. Ms. Owens said that she was aware of it.

Council Member Mulligan said that he would like to recommend Ms. Owens appointment to the Parks Commission.

Council Member Baker asked if Ms. Owens had served on the Parks Commission. Ms. Owens said that she had not served on the Park Commission.

Council Member Paoletta said that he would be voting against this nomination because Ms. Owens would be replacing someone who Council Member Paoletta felt should remain on the Commission. He stated that this had no reflection on Ms. Owens at all.

Chairman Rodgerson said that he had been in two different parks recently and noticed that they need work.

**** COUNCIL MEMBER MOJICA MOVED TO APPROVE ITEM 158-06 APPOINTMENT OF ANN E. OWENS TO THE PARKS COMMISSION.
** COUNCIL MEMBER BAKER SECONDED.
** THE MOTION PASSED WITH THREE IN FAVOR (MOJICA, WALSH AND BAKER) AND ONE OPPOSED (PAOLETTA).**

71-06 APPOINTMENT OF DAVID J. SULLIVAN JR. TO THE ETHICS COMMISSION.

Chairman Rodgerson asked Mr. Sullivan why he wished to serve on the Ethics Commission. Mr. Sullivan stated that he was born in Bridgeport many years ago and that his grandfather was working in Bridgeport prior to the outbreak of the Civil War. He said that he appreciates the opportunity to be of service to Bridgeport and its community.

Council Member Paoletta asked if the applicant's paperwork was in order. Council Member Mojica commented that Mr. Sullivan's application had been on last month's agenda and had been tabled.

Council Member Mulligan stated that Mr. Sullivan is from his district and reminded the Committee members that he had spoken in favor of Mr. Sullivan's appointment last month.

Council Member Baker asked why Mr. Sullivan wanted to serve on the Ethics Committee. Mr. Sullivan said that he was one of the co-author of Code of Ethics that was passed in the State Legislature and had the privilege of serving there in the 1970's and worked with the late Jack Caruso from Wallingford and Bill Smythe from Stratford. He said that he was proud to live in Bridgeport and would be honored to help the community in this way.

****COUNCIL MEMBER PAOLETTA MOVED TO APPROVE ITEM 71-06 APPOINTMENT OF DAVID J. SULLIVAN JR. TO THE ETHICS COMMISSION.**

**** COUNCIL MEMBER MOJICA SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

Chairman Rodgerson requested that this item be added to the Consent Calendar.

131-06 APPOINTMENT OF DANIEL MARTINEZ TO THE HARBOR COMMISSION.

Council Member Mojica stated that when the letter was sent to Mr. Martinez about this meeting, it was returned to the City Clerk's Office.

**** COUNCIL MEMBER MOJICA MOVED TO TABLE ITEM 131-06 APPOINTMENT OF DANIEL MARTINEZ TO THE HARBOR COMMISSION UNTIL THE NEXT MEETING OF THE MISCELLANEOUS MATTERS COMMITTEE.**

**** COUNCIL MEMBER BAKER SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

132-06 APPOINTMENT OF MR. ROBERT O. MORTON TO THE PLANNING AND ZONING COMMISSION.

Chairman Rodgerson then asked Mr. Morton why he wished to serve on the Committee. Mr. Morton said that he would like to serve on this Commission because he is keenly aware of the effect that Planning and Zoning has on the City. He also said that the City is on the brink of a new phase. He said that he has lived in Bridgeport all of his life and is familiar with the East End of Bridgeport.

Council Member Paoletta said that he knew Mr. Morton's family and that Mr. Morton has done a lot in the community. Council Member Paoletta said that he would recommend Mr. Morton to the Planning and Zoning Commission.

Council Member Baker said that he had known Mr. Morton for a number of years and that his passion was to move the East End forward.

**** COUNCIL MEMBER BAKER MOVED TO APPROVE ITEM 132-06 APPOINTMENT OF MR. ROBERT O. MORTON TO THE PLANNING AND ZONING COMMISSION.**

**** COUNCIL MEMBER PAOLETTA SECONDED.**

Council Member Walsh said that he knows Mr. Morton and his family, also. He said that Mr. Morton would not only bring a view of the East End to the Planning and Zoning Commission but he also knows the importance of the strong middle class neighborhoods. Council Member Walsh said that he applauds the East End NRZ because they are the only NRZ that is functioning the way they are intended to function. This, Council Member Walsh believes, is because of Mr. Morton. He stated that he fully supports this appointment.

Chairman Rodgerson said that he would like to add his agreement because Land Use is the most important issue facing the City today. He said that a new Master Plan was being implemented, along with new Zoning Regulations, which will be quite different from what the current Commission has used in the past. It is extremely important for Commission members to have an open mind.

**** THE MOTION PASSED UNANIMOUSLY.**

Chairman Rodgerson requested that the item be included on the Consent Calendar.

Council Member Walsh said that the Committee has a responsibility to State Law to appoint minority party members to Boards. Chairman Rodgerson stated that the vote had already been taken. Council Member Walsh said that he realized that but was saying that it was of importance. Chairman Rodgerson said that this issue would have to be brought before the Council. He added that Council Member Walsh had not said anything while the item was opened for discussion.

134-06 APPOINTMENT OF CARMEN NIEVES TO THE REDEVELOPMENT AGENCY

Ms. Nieves was not present at the meeting.

**** COUNCIL MEMBER MOJICA MOVED TO TABLE ITEM 134-06 APPOINTMENT OF CARMEN NIEVES TO THE REDEVELOPMENT AGENCY UNTIL THE NEXT MEETING OF THE MISCELLANEOUS MATTERS COMMITTEE.**

**** COUNCIL MEMBER PAOLETTA SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

159-05 REAPPOINTMENT OF FRANK MERCALDI TO THE PARK COMMISSION.

Mr. Mercaldi said that he had been on the Park Commission for three years and felt that a lot of good work had been accomplished. He said that the Chairman of the Board had come up with a new plan to upgrade the smaller parks. The lack of personnel is the biggest problem that the parks have.

Council Member Paoletta said that he had been the liaison to the Parks Board and that Mr. Mercaldi arrived shortly after Mr. Paoletta's time as liaison ended, but he had spoken with some others about this. Mr. Mercaldi missed only one meeting in the last three years. Council Member Paoletta said that he would not hesitate to reappoint Mr. Mercaldi.

Council Member Walsh said that the Parks have been operating with an Acting Director. Mr. Mercaldi said that this was true. Mr. Estrada is currently the staff assigned to Parks but when he can not attend, Mr. Carroll is in attendance.

Council Member Mulligan said that he had known Mr. Mercaldi for a long time.

- ** COUNCIL MEMBER PAOLETTA MOVED TO APPROVE ITEM 159-05 REAPPOINTMENT OF FRANK MERCALDI TO THE PARK COMMISSION.**
- ** COUNCIL MEMBER MOJICA SECONDED.**
- ** THE MOTION PASSED UNANIMOUSLY.**

Chairman Rodgeron requested that the item be placed on the consent calendar.

150-06 WORKER'S COMPENSATION STIPULATION BETWEEN THE CITY OF BRIDGEPORT AND MR. WILLIAM FARDY.

- ** COUNCIL MEMBER PAOLETTA MOVED TO ENTER INTO EXECUTIVE SESSION TO DISCUSS ITEM 150-06 WORKER'S COMPENSATION STIPULATION BETWEEN THE CITY OF BRIDGEPORT AND MR. WILLIAM FARDY.**
- ** COUNCIL MEMBER BAKER SECONDED.**
- ** THE MOTION PASSED UNANIMOUSLY.**

The Committee entered into executive session at 7:29 p.m. The Committee returned to Public Session at 7:43 p.m.

- ** COUNCIL MEMBER PAOLETTA MOVED TO APPROVE ITEM 150-06 WORKER'S COMPENSATION STIPULATION BETWEEN THE CITY OF BRIDGEPORT AND MR. WILLIAM FARDY.**

**** COUNCIL MEMBER MOJICA SECONDED.
** THE MOTION PASSED WITH THREE IN FAVOR (MOJICA, PAOLETTA
AND RODGERSON) AND TWO OPPOSED (BAKER AND WALSH).**

ADJOURNMENT

**** COUNCIL MEMBER PAOLETTA MOVED TO ADJOURN.
** COUNCIL MEMBER MOJICA SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 7:45 p.m.

Respectfully submitted

Sharon L. Soltes
Telesco Secretarial Services

**CITY OF BRIDGEPORT
MISCELLANEOUS MATTERS
JUNE 25, 2007**

ATTENDANCE: Rafael Mojica, Chairman; Andre Baker, AmyMarie Vizzo-Panicca, Robert Walsh, Warren Blunt (6:57 p.m.)

OTHERS: David Ryan, Merrilyn Vanghele, Philip Norgren, Richard Cruz, Reginald Walker, Atty. Melanie Howlett, City of Bridgeport; Council Member Donna Curran; Daniel Martinez, Atty. Chris Meyers

CALL TO ORDER

Chairman Mojica called the meeting to order at 6:39 p.m.

134-06 -- Appointment of Carmen Nieves to the Redevelopment Agency

Ms. Nieves was not able to attend the meeting due to a conflict in scheduling.

**** COUNCIL MEMBER VIZZO-PANICCA MOVED TO TABLE AGENDA ITEM 134-06 -- APPOINTMENT OF CARMEN NIEVES TO THE REDEVELOPMENT AGENCY.**

**** COUNCIL MEMBER BAKER SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

161-06 -- Appointment of David J. Ryan to the Historic District #1 Commission

Mr. Ryan came forward and introduced himself to the Committee, stating that he lived at 420 Midland Avenue. He informed the Committee that he was involved with the Bridgeport Architectural League.

Council Member Walsh commented that the paperwork indicated that Mr. Ryan would be replacing Mr. Falberg, who was listed as a Republican. He also noted that Mr. Halstead had moved out of town some time ago and that there was an additional vacancy on the Commission.

Chairman Mojica distributed copies of an updated Commission listing to the Committee members.

Council Member Walsh expressed concerns about the minority representation rule for Commissions and said there was no way to know what vacancy that Mr. Ryan was filling. A discussion about this issue followed.

**** COUNCIL MEMBER WALSH MOVED TO APPROVE AGENDA ITEM 161-06 -- APPOINTMENT OF DAVID J. RYAN TO THE HISTORIC DISTRICT #1 COMMISSION IF THE APPOINTMENT OF MR. RYAN DOES NOT VIOLATE THE STATE MINORITY REPRESENTATION STATUTE AND THERE IS CLARIFICATION ON WHETHER THE APPOINTMENT IS TO THE COMMISSION OR AS AN ALTERNATE BEFORE THE ITEM IS PRESENTED TO THE FULL COUNCIL.**

Council Member Walsh stated that he was aware that Mr. Ryan was involved in many different city activities.

Chairman Mojica stated that he also knew this. Chairman Mojica said that he hoped that the Commission would keep in mind the fact that some of the new home buyers are not aware that they have purchased a house located in an historic district.

Council Member Blunt joined the meeting at 6:57 p.m.

**** COUNCIL MEMBER BAKER SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

162-06 -- Appointment of Merrillyn Vanghele to the Harbor Commission

Ms. Vanghele came forward and introduced herself to the Commission. She stated that she lived at 53 Seabright Avenue. Ms. Vanghele stated that she lives in the Black Rock area of town and is right on the water. In the past, she has served on the Planning and Zoning Commission and is a retired probation officer.

Council Member Walsh said that he was aware of Ms. Vanghele's work on the Planning and Zoning and then asked her if she realized that she would be the only woman on the Harbor Commission. Ms. Vanghele replied that this would not be a problem.

Chairman Mojica recognized Council Member Curran. Council Member Curran said that she knew Ms. Vanghele and that she was conscientious and hard working.

**** COUNCIL MEMBER VIZZO-PANICCIA MOVED TO APPROVE AGENDA ITEM 162-06 -- APPOINTMENT OF MERRILYN VANGHELE TO THE HARBOR COMMISSION.**

**** COUNCIL MEMBER BLUNT SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

163-06 -- Appointment of Philip E. Norgren to the Water Pollution Control Authority Commission

Mr. Norgren came forward and introduced himself to the Committee. He explained that he has lived in Bridgeport since 2002 and his current address is 26 Penfield Place. He stated that he currently works part time for the WPCA in Stamford and was on the Stamford Sewer Commission. Chairman Mojica asked Mr. Norgren for some clarification on his work for Stamford, which Mr. Norgren explained.

Council Member Walsh expressed his concern regarding the current composition of the WPCA Board and reiterated his concerns about the minority representation rule. He pointed out that the list indicated that the term for the Chair, Clement Young, had expired and that there was also an additional vacancy on the Board.

**** COUNCIL MEMBER WALSH MOVED TO APPROVE AGENDA ITEM 163-06 -- APPOINTMENT OF PHILIP E. NORGRN TO THE WATER POLLUTION CONTROL AUTHORITY COMMISSION CONTINGENT ON CLARIFICATION OF WHICH VACANCY MR. NORGRN WAS FILLING.**

**** COUNCIL MEMBER BAKER SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

164-06 -- Appointment of Richard Cruz to the Harbor Commission

Mr. Cruz came forward, introduced himself and stated his current address. He then informed the Commission that he had been on the Citizens Committee and currently works at St. Vincent's Medical Center. Chairman Mojica then asked him what other additional activities he had been involved in. Mr. Cruz recounted them for the Commission.

Council Member Walsh stated that in reviewing the paperwork, the tax records refer to a Mr. "Rafael" Cruz, with a date of birth of April 18th, 1966. Mr. Cruz replied that Rafael Cruz was his uncle, who is deceased, but the birth date was his. He also informed the Committee that he frequently receives mail for his deceased uncle.

Council Member Blunt stated that he had known Mr. Cruz for many years and that he will be an asset to the Harbor Commission. Council Member Walsh concurred, stating that he was pleased that the Latino representation would be maintained on the Commission.

**** COUNCIL MEMBER BLUNT MOVED TO APPROVE AGENDA ITEM 164-06 -- APPOINTMENT OF RICHARD CRUZ TO THE HARBOR COMMISSION CONTINGENT ON CLARIFICATION OF THE TAX STATUS RECORDS REGARDING "RAFAEL CRUZ, DATE OF BIRTH APRIL 18, 1966."**

**** COUNCIL MEMBER VIZZO-PANICCIA SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

165-06 -- Appointment of Reginald F. Walker to the Redevelopment Agency

Mr. Walker came forward and stated that he lived at 48 Hazelwood Avenue. Mr. Walker said that he was a retired City employee and had been the Assistant Director of Planning in the past.

Council Member Blunt stated that he had known Mr. Walker most of his life and felt that this was a golden opportunity for the Redevelopment Agency. Council Member Blunt said that he would heartily support this appointment.

Council Member Walsh said that Mr. Walker's history with the City shows his commitment and commented that another appointment had been tabled previously because of a lack of diversity. Since then, Council Member Walsh said that he would applaud the Mayor for heeding the advice that the Miscellaneous Matters Committee had sent to him. Council Member Walsh stated that this was a different board than previously and a much more representative board as far as ethnic diversity and the geographic distribution of residency.

Chairman Mojica recognized Council Member Mulligan. Council Member Mulligan said that Mr. Walker had displayed wisdom during his years as a City employee and that Council Member Mulligan could heartily endorse Mr. Walker's appointment.

Chairman Mojica agreed and said that Mr. Walker had presented many good ideas previously and had worked on the Master Plan. He concluded by saying that he would also endorse Mr. Walker's appointment.

**** COUNCIL MEMBER VIZZO-PANICCIA MOVED TO APPROVE AGENDA ITEM 165-06 -- APPOINTMENT OF REGINALD F. WALKER TO THE REDEVELOPMENT AGENCY.**

**** COUNCIL MEMBER BAKER SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

APPROVAL OF COMMITTEE MEETING MINUTES: MAY 29, 2007

Council Member Walsh stated that he had been misquoted in the minutes for May 29, 2007.

**** COUNCIL MEMBER VIZZO-PANICCIA MOVED TO TABLE THE MINUTES FOR MAY 29, 2007.**

**** COUNCIL MEMBER BAKER SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

EXECUTIVE SESSION

**** COUNCIL MEMBER VIZZO-PANICCIA MOVED TO ENTER EXECUTIVE SESSION TO DISCUSS THE FOLLOWING SETTLEMENT CASES:**

170-06 SUIT SETTLEMENT FOR: LEROY WILLIAM
179-06 SETTLEMENT OF LITIGATION FOR: MONTALVO VS. CITY OF BRIDGEPORT
180-06 SUIT SETTLEMENT FOR: ROBERT DEJESUS
181-06 SUIT SETTLEMENT FOR: LUCY SANTIAGO PPA ANDRE MARCIAL

**** COUNCIL MEMBER BAKER SECONDED.**
**** THE MOTION PASSED UNANIMOUSLY.**

The Miscellaneous Matters Committee, Atty. Melanie Howlett and Atty. Chris Meyers entered into executive session at 7:18 p.m.

**** COUNCIL MEMBER VIZZO-PANICCIA MOVED TO RE-ENTER PUBLIC SESSION.**
**** COUNCIL MEMBER BAKER SECONDED.**
**** THE MOTION PASSED UNANIMOUSLY.**

The Committee resumed public session at 7:52 p.m.

**** COUNCIL MEMBER BAKER MOVED TO APPROVE A SETTLEMENT FOR AGENDA ITEM 170-06 -- SUIT SETTLEMENT FOR: LEROY WILLIAM IN THE AMOUNT OF \$65,000.**
**** COUNCIL MEMBER BLUNT SECONDED.**
**** THE MOTION PASSED UNANIMOUSLY.**

**** COUNCIL MEMBER BAKER MOVED TO DENY AGENDA ITEM 179-06 SETTLEMENT OF LITIGATION FOR: MONTALVO VS. CITY OF BRIDGEPORT.**
**** COUNCIL MEMBER VIZZO-PANICCIA SECONDED.**
**** THE MOTION PASSED WITH THREE IN FAVOR (WALSH, VIZZO-PANICCIA AND BAKER) AND ONE ABSTENTION (BLUNT).**

**** COUNCIL MEMBER VIZZO-PANICCIA MOVED TO TABLE THE TWO FOLLOWING AGENDA ITEMS:**

180-06 SUIT SETTLEMENT FOR: ROBERT DEJESUS
181-06 SUIT SETTLEMENT FOR: LUCY SANTIAGO PPA ANDRE

MARCIAL

**** COUNCIL MEMBER BAKER SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

131-06 Appointment of Daniel Martinez to the Harbor Commission

Mr. Martinez came forward and introduced himself to the Commission. He apologized for not appearing earlier and stated that he had not received the letters from the City Clerk about the appointment. He stated that he was part of the Citizen's Union and had a strong interest in serving the City.

Council Member Baker asked Mr. Martinez if he found the appointment to the Harbor Commission appropriate. Mr. Martinez said that he lived on the East Side and that he believed that the Harbor was an important part of the East Side. He also said that there was a common goal to improve the City.

**** COUNCIL MEMBER VIZZO-PANICCIA MOVED TO APPROVE AGENDA ITEM 131-06 -- APPOINTMENT OF DANIEL MARTINEZ TO THE HARBOR COMMISSION.**

**** COUNCIL MEMBER BAKER SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

ADJOURNMENT

**** COUNCIL MEMBER BAKER MOVED TO ADJOURN.**

**** COUNCIL MEMBER VIZZO-PANICCIA SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:00 p.m.

Respectfully submitted,

Sharon L. Soltes
Telesco Secretarial Services

**BRIDGEPORT CITY COUNCIL
MISCELLANEOUS MATTERS COMMITTEE
JULY 23RD, 2007**

ATTENDANCE: Rafael Mojica, Chair; Keith Rodgerson; Robert Walsh; Andre Baker

STAFF: Mark Anastasi, City Attorney (6:45 p.m.)

CALL TO ORDER

The meeting was called to order at 6:39 p.m. by Mr. Rodgerson.

APPROVAL OF COMMITTEE MEETING MINUTES: JUNE 25TH, 2007

- ** MR. MOJICA MOVED TO TABLE THE MEETING MINUTES OF JUNE 25TH, 2007.
- ** MR. BAKER SECONDED.
- ** MOTION PASSED UNANIMOUSLY.

134-06 Appointment of Carmen Nieves to the Redevelopment Agency

- ** MR. BAKER MOVED TO TABLE THIS ITEM FOR LACK OF APPEARANCE BY MS. NIEVES.
- ** MR. MOJICA SECONDED.
- ** MOTION PASSED UNANIMOUSLY.

Atty. Anastasi arrived at 6:45 p.m.

- ** MR. MOJICA MOVED TO ENTER INTO EXECUTIVE SESSION TO DISCUSS ITEMS 180-06 AND 181-06.
- ** MR. BAKER SECONDED.
- ** MOTION PASSED UNANIMOUSLY.

The Committee entered executive session at 6:45 p.m.

- ** MR. MOJICA MOVED TO END EXECUTIVE SESSION.
- ** MR. BAKER SECONDED.
- ** MOTION PASSED UNANIMOUSLY.

Executive session was ended at 6:47 p.m.

180-06 Suit Settlement for: Robert DeJesus

- ** MR. MOJICA MOVED TO TABLE ITEM 180-06.
- ** MR. BAKER SECONDED.

**** MOTION PASSED UNANIMOUSLY.**

181-06 Suit Settlement for: Lucy Santiago ppa Andre Marcial

**** MR. BAKER MOVED TO TABLE ITEM 181-06.**

**** MR. MOJICA SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

ADJOURNMENT

**** MR. BAKER MOVED TO ADJOURN.**

**** MR. MOJICA SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 6:50 p.m.

Respectfully submitted,

Jessica Schroder
Telesco Secretarial Services

**MINUTES
MISCELLANEOUS MATTERS COMMITTEE
SEPTEMBER 4, 2007**

ATTENDANCE: Keith Rodgerson, Co-Chair; Amy Marie Vizzo-Paniccia; Richard Paoletto; Robert Walsh; Andre Baker.

STAFF: Mark Anastasi, City Attorney.

The meeting was called to order at 6:25 p.m. by the Co-Chair.

- ** COUNCILMEMBER VIZZO-PANICCIA MOVED TO GO INTO EXECUTIVE SESSION TO DISCUSS SUIT SETTLEMENTS FOR ROBERT DEJESUS AND LUCY SANTIAGO PPA ANDRE MARCIAL.**
- ** COUNCILMEMBER PAOLETTO SECONDED.**
- ** MOTION PASSED UNANIMOUSLY.**

The committee went into executive session at 6:25 p.m. and reconvened into Public Session at 7 p.m.

180-06: SUIT SETTLEMENT FOR ROBERT DEJESUS

- ** COUNCILMEMBER PAOLETTO MOVED TO APPROVE THE SUIT SETTLEMENT FOR ROBERT DEJESUS.**
- ** MOTION FAILED FOR LACK OF A SECOND.**

Attorney Anastasi noted there is a motion pending to compel the settlement, which he does not believe has any chance of success; however, it is still out there.

- ** COUNCILMEMBER WALSH MOVED TO TABLE.**
- ** COUNCILMEMBER BAKER SECONDED.**
- ** MOTION PASSED WITH ONE VOTE IN OPPOSITION (PAOLETTO).**

181-06: SUIT SETTLEMENT FOR LUCY SANTIAGO PPA ANDRE MARCIAL

- ** COUNCILMEMBER PAOLETTO MOVED TO APPROVE THE SUIT SETTLEMENT FOR LUCY SANTIAGO PPA ANDRE MARCIAL.**
- ** COUNCILMEMBER WALSH SECONDED.**
- ** MOTION PASSED WITH ONE VOTE IN OPPOSITION (VIZZO-PANICCIA) AND ONE ABSTENTION (BAKER).**

- ** COUNCILMEMBER PAOLETTO MOVED TO ADJOURN.**
- ** COUNCILMEMBER VIZZO-PANICCIA SECONDED.**
- ** MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 7:05 p.m.

Respectfully submitted,

Cheryl Telesco
Telesco Secretarial Services

CITY of BRIDGEPORT
MISCELLANEOUS MATTERS COMMITTEE
SEPTEMBER 17, 2007
6:00 P.M.

ATTENDANCE: Council members: Rodgerson, Mojica, Baker, Vizzo-Paniccia, Paoletto

OTHERS PRESENT: City Attorney Anastasi

Council member Rodgerson called the meeting to order at 6:00 p.m.

180-06 Suit Settlement for: Robert DeJesus

**** COUNCIL MEMBER VIZZO-PANICCIA MOVED TO GO INTO EXECUTIVE SESSION
** COUNCIL MEMBER PAOLETTO SECONDED
** MOTION PASSED UNANIMOUSLY**

The committee went into executive session at 6:10 p.m.

The committee came out of executive session at 6:34 p.m.

**** COUNCIL MEMBER PAOLETTO MOVED TO APPROVE 180-06 SUIT SETTLEMENT
FOR: ROBERT DEJESUS IN THE AMOUNT OF \$267,500.00**

**** COUNCIL MEMBER BAKER SECONDED
** MOTION PASSED WITH FOUR MEMBERS IN FAVOR AND ONE ABSTENTION**

***Not on consent calendar**

ADJOURNED

**** COUNCIL MEMBER MOJICA MOVED TO ADJOURN
** COUNCIL MEMBER PAOLETTO SECONDED
** MOTION PASSED UNANIMOUSLY**

The meeting was adjourned at 6:35 p.m.

Respectfully submitted,

Diane Graham
Telesco Secretarial Services

**BRIDGEPORT CITY COUNCIL
MISCELLANEOUS MATTERS COMMITTEE
SEPTEMBER 24TH, 2007**

ATTENDANCE: Committee Members: Keith Rodgerson, Chair; Rafael Mojica; Richard Paoletto; Amy Marie Vizzo-Paniccia; Warren Blunt; Bob Walsh

STAFF: Ralph Jacobs, Civil Service

OTHERS: Albertha Murrell

CALL TO ORDER

The meeting was called to order at 6:38 p.m. by Mr. Rodgerson.

Approval of committee meeting minutes: June 25, 2007

Approval of committee meeting minutes: July 23, 2007

Approval of committee meeting minutes: September 4, 2007

**** MR. PAOLETTO MOVED TO ACCEPT THE MINUTES OF JUNE 25TH, JULY 23RD AND SEPTEMBER 4TH AS SUBMITTED.**

**** MS. VIZZO-PANICCIA SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

212-06 Appointment of Albertha Murrell (D) to the Fair Housing Commission

Mr. Rodgerson asked Ms. Murrell why she wanted to be part of the Fair Housing Commission.

Ms. Murrell answered that she'd heard about the Fair Housing Commission and had spoken to Mr. Winze, the Fair Housing Director and was told that there was not a lot of activity as of late as far as meetings with the Commission. She said that she wanted to have an active part in some of the housing issues that existed in Bridgeport and that this was a great way to give back to the community.

Mr. Mojica asked Ms. Murrell what her current position was.

Ms. Murrell answered that she was the Assistant Director of Park City Prep Charter School.

Mr. Mojica asked Ms. Murrell if she would have any problem attending the Fair Housing Commission meetings.

Ms. Murrell answered that she was unfamiliar with the schedule of the Fair Housing Commission meetings but had heard that there had not been any meetings held in some time.

Mr. Mojica asked Ms. Murrell if she knew what being a Fair Housing Commissioner entailed.

Ms. Murrell said that she'd hoped that she could gather more information on that as not much had been given to her but she was looking to improve or do whatever she could to make an impact on the Fair Housing Commission.

Mr. Mojica asked Ms. Murrell if she'd had any experience with housing.

Ms. Murrell said that she owned property in Bridgeport; she'd worked with group homes and as the Campus Director at Gibbs College so she understood how brick and mortar worked and understood housing and the concerns thereof.

** **MR. PAOLETTO MOVED TO APPROVE.**

** **MR. MOJICA SECONDED.**

** **MOTION PASSED UNANIMOUSLY.**

Mr. Rodgerson asked that this be placed on the Consent Calendar.

237-06 Proposed Amendment to Civil Service Rules: Appeal Time Limitations

Mr. Jacobs distributed and read the proposed amendment for the Committee (attached). He said that this was written by the City Attorney and had arisen from a series of problems that the Civil Service Commission had with people bringing complaints, appeals and objections about tests that had been done years before and for which lists were already established and even if the Commission had agreed with the complaint or appeal, it would have been far too late to do anything about. He said that the Commission shouldn't have to hear matters that were so untimely that they couldn't be resolved anyway and that this rule would put the obligation back on the person who had a grievance, objection or appeal to make it at the appropriate time and it defined the appropriate time as 30 days after the event or in no case longer than 120 days. He said that the most striking example of this problem was with the Firefighter's list. The City established a Firefighters list initially in 2003 and after it was established there was a series of lawsuits and complaints particularly from one group of individuals who continued to lose every lawsuit they file. All of their complaints were turned down by the Commission but they kept coming back and the current rules of the Civil Service Commission placed no time limit on these types of things so they go on for a very long time. He said that the rule would not prevent someone from filing an appeal, but would

make it so they would have to appeal in a timely manner. He said that the period of time, 30-120 days was worked out by the City Attorney's Office and research conducted found that to be a reasonable period of time and the Commission agreed. He said that the Commission had initially wanted to amend this to say that at the discretion of the Commission the timeframe could be extended but after some discussion with the City Attorney and among themselves they concluded that that would not be a wise change and so what was before this Committee was the rule as it finally emerged from the discussion process.

Mr. Walsh asked if Mr. Jacobs was talking about the appeal of a test in the example he gave.

Mr. Jacobs said that he was. He said that there was a provision in the City Charter that allowed a person who took a test to appeal that they should have received additional points on an answer and that had to be handled within a 30 day timeframe anyway. He said that the appeals that were problematic were more in the nature of rules not being followed. He said that in his example, the appellant objected on numerous occasions to various rules he alleged were not followed and that went to another section of the Charter, section 206 that allowed a person to appeal just about anything that pertained to the administration of the Civil Service law, so they were no longer appealing just on the basis of the test. He said that very often what the person would do was come in and request to be moved up on the list and would offer a reason it would be too late to do anything about it.

Mr. Walsh asked if someone were to appeal an action of Civil Service and have that appeal denied, what other routes they could then take.

Mr. Jacobs said if they'd appealed it to the Commission their only recourse after that was court.

Mr. Walsh asked if this amendment would preclude that.

Mr. Jacobson answered that it would not and they could go to court anyway if they had a case that they believed was sustainable in court. In the case he mentioned the person had lost several lawsuits and the issue was finally at an end after several years.

Mr. Walsh asked why he would give appellants only 120 days while the Commission would still have no time limit on going back and changing their own actions.

Mr. Jacobson said he didn't want to put the Commission in the position of discovering an error that could be easily corrected if not for a time limit. He said that he was not appealing on his own behalf but that of the Community whereas the appellants were appealing on their own behalf seeking to improve their positions on the list.

Mr. Mojica said that what was before them was unclear and he didn't know if the rest of the Committee Members were comfortable with what they had in front of them as far as the explanation and what exactly it was that the Civil Service wanted to have happen.

Mr. Walsh said that typically, the existing language of this would have to be shown, as well as what was being changed by addition, deletion or anything else.

Mr. Jacobson said that nothing would be deleted and that this language would be added. He said that he couldn't change what was in the charter, only adapt rules to administer it in a rational way and that was what he was trying to do. He said that the Charter provision that was the most problematic was under section 206 (a) (4) where it said that among the powers and responsibilities of the Civil Service Commission was the responsibility to "hear and determine complaints or appeals respecting the administrative work of the personnel department, appeals upon the allocations of positions or concerning promotions, the rejection of an applicant for admission to an examination and such other matters as may be referred to the commission by the personnel director;" He said that the key part of that was "hear and determine complaints or appeals respecting the administrative work of the personnel department" and that this meant that anyone who had an objection to anything the Civil Service Commission, Personnel Department or Civil Service Office had done could appeal that to the Commission and that it didn't qualify it in any way except that it had to be pertaining to the Administrative work at a Personnel Department so one could appeal anything. He said that after this rule was passed one could still appeal virtually anything that pertained to the administration of Civil Service but within a certain period of time so issues did not drag on year after year.

Mr. Mojica asked what would happen once the time limit had passed.

Mr. Jacobson said that if a complaint was submitted to him after that time limit, he would have to write a letter back saying that the appeal was too late and that the Commission would not consider it.

Mr. Mojica said that he was in favor of Civil Service wrapping some things up because they had too many open issues not allowing them to continue and there needed to be some rules set to give other people the opportunity to appeal, be heard and move on from there and not hang on for years, because no one would benefit from that.

Mr. Jacobson suggested that this Committee might also consider that all of the other people on the list who believed that their status on the list was settled were going to constantly have to worry about whether or not someone was going to try to unsettle that status if time limits were not set. He said that it was fine for a period of time for people to make legitimate challenges but after a certain point in time it was not really reasonable.

Mr. Walsh asked if Earl King Jr. followed this process in his appeal.

Mr. Jacobson said that his appeal was more complicated, and he wasn't there for the first part of it but it was his understanding that the Commission heard him once and approved

him but then backed away and thought they shouldn't have granted his appeal and then began to have a long protracted discussion about whether they should or should not undo the original decision. He said that that was a different kind of situation.

Mr. Walsh said that he was asking about it because it was a different kind of situation and because the Commission was allowed to go back and appeal their own decision with no time limit and asked if the Commission could put an applicant on a list and then go back a year from then and revisit the issue if the person had not yet been hired.

Mr. Jacobson said they could but only if they believed that there was a real problem that they didn't realize at the time and discovered subsequently but they would still have to be very careful about it. He said that the number and variety of things that could be appealed was very broad and there were probably dozens of possible issues that could turn up later in a process that might have to be revisited and remedied and if the Commission's hands were tied from correcting things that really should be corrected, they would be in a very awkward position if something needed to be corrected. He said that there may be instances where the Commission would be very unwise to revisit an issue that they had settled years before but there may also be circumstances in which they would be very unwise not to and they had to be given a bit of room in any particular case to decide the best course of action.

- ** MR. PAOLETTO MOVED TO APPROVE.
- ** MS. VIZZO-PANICCIA SECONDED.
- ** MOTION PASSED WITH ONE OPPOSED: WALSH.

134-06 Appointment of Carmen Nieves to the Redevelopment Agency

Mr. Mojica said that they'd met on this item several times and that he'd originally spoken to Ms. Nieves who'd said that she couldn't attend the first meeting because she was in school but would attend the next one. He said that he'd told Ms. Nieves at that time to call the City Clerk's Office and she would get a letter about the next meeting. He said that she'd received that letter and continued to not show 3 or 4 more times. Mr. Mojica said that he'd not received any more phone calls and didn't know if the individual was under the presumption that they were already automatically appointed to the Redevelopment Agency and didn't have to attend a meeting or they'd lost interest but eventually this item was going to die.

- ** MS. VIZZO-PANICCIA MOVED TO TABLE ITEM 134-06.
- ** MR. PAOLETTO SECONDED.
- ** MOTION PASSED UNANIMOUSLY.

ADJOURNMENT

- ** MS. VIZZO-PANICCIA MOVED TO ADJOURN.
- ** MR. PAOLETTO SECONDED.
- ** MOTION PASSED UNANIMOUSLY.

The meeting was adjourned at 7:00 p.m.

Respectfully submitted,

Jessica Schroder
Telesco Secretarial Services

Appeal Time Limitations

Time limit to bring appeal, petition, or complaint to the Civil Service Commission.

No appeal, petition, or complaint by a citizen, employee or candidate authorized under Civil Service Provisions of the Charter of the City of Bridgeport including but not limited to sections 206, 212 and 213 shall be brought but within 30 days from the date of when the act, incident and or event is first sustained or discovered or in the exercise of reasonable care should have been discovered, and except in no event shall any appeal or complaint be brought more than 120 days from the date the act, incident or event occurred.

This rule does not preclude the personnel director or the commission from investigating any events, acts or incidents that may be in violation of Civil Service Provisions of the Charter of the City of Bridgeport and/or these Rules.

**CITY OF BRIDGEPORT
MISCELLANEOUS MATTERS COMMITTEE
REGULAR MEETING
OCTOBER 22, 2007**

ATTENDANCE: Keith Rodgerson, Co-Chair; Richard Paoletto, Andre Baker
Robert Walsh, AmyMarie Vizzo-Paniccia, Warren Blunt,
Rafael Mojica, Co-Chair (7:03 p.m.)

OTHERS: Elaine Pivirotto, Council Member; Rita Bakalar, Thomas Mulligan

CALL TO ORDER

Co-chair Rodgerson called the meeting to order at 6:45 p.m.

APPROVAL OF THE COMMITTEE MINUTES: JUNE 25, 2007

**** COUNCIL MEMBER PAOLETTO MOVED TO APPROVE THE
COMMITTEE MINUTES OF JUNE 25, 2007 AS SUBMITTED.**

**** COUNCIL MEMBER VIZZO-PANICCIA SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

APPROVAL OF THE COMMITTEE MINUTES: JULY 23, 2007

**** COUNCIL MEMBER PAOLETTO MOVED TO APPROVE THE
COMMITTEE MINUTES OF JULY 23, 2007 AS SUBMITTED.**

**** COUNCIL MEMBER VIZZO-PANICCIA SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

APPROVAL OF THE COMMITTEE MINUTES: SEPTEMBER 4, 2007

**** COUNCIL MEMBER PAOLETTO MOVED TO APPROVE THE
COMMITTEE MINUTES OF SEPTEMBER 4, 2007 AS SUBMITTED.**

**** COUNCIL MEMBER VIZZO-PANICCIA SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

APPROVAL OF THE COMMITTEE MINUTES: SEPTEMBER 24, 2007

**** COUNCIL MEMBER VIZZO-PANICCIA MOVED TO APPROVE THE
COMMITTEE MINUTES OF SEPTEMBER 24, 2007 AS SUBMITTED.**

**** COUNCIL MEMBER PAOLETTO SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

134-06 APPOINTMENT OF CARMEN NIEVES TO THE REDEVELOPMENT AGENCY.

Council Member Vizzo-Paniccia noted that this appointment had been extended from the previous meeting and that Ms. Nieves had not been able to attend this meeting either.

**** COUNCIL MEMBER VIZZO-PANICCIA MOVED TO DENY THE APPOINTMENT OF CARMEN NIEVES TO THE REDEVELOPMENT AGENCY.**

**** COUNCIL MEMBER PAOLETTO SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

Chairman Rodgeron noted that this would go on the consent calendar.

25506 PROPOSED AMENDMENT TO THE CITY OF BRIDGEPORT'S AFFIRMATIVE ACTION POLICY TO INCLUDE CIVIL UNIONS.

Ms. Bakalar came forward and explained that there was a state law passed to include civil unions. In order to facilitate this, all state contracts that the Mayor signs requires a non-discrimination clause. There is very specific language in the resolution that must be included. There are a number of contracts that are waiting to be passed that need to have this included. Before the Mayor can sign the contracts, the language must be included.

Council Member Baker asked what contracts were being held. Ms. Bakalar reviewed the number of contracts. He then asked who monitors. Ms. Bakalar said that she believed that the City Attorney's office monitors along with Human Relations. Ms. Bakalar said that she was involved in this issue to insure that the grants can be filed.

Council Member Mulligan arrived at 6:52 p.m.

**** COUNCIL MEMBER PAOLETTTO MOVED TO APPROVE THE PROPOSED AMENDMENT TO THE CITY OF BRIDGEPORT'S AFFIRMATIVE ACTION POLICY TO INCLUDE CIVIL UNIONS.**

**** COUNCIL MEMBER VIZZO-PANICCIA SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

259-06 PROPOSED AMENDMENTS TO SCHOOL BUILDING COMMITTEE BY LAWS

Council Member Pivrotto came forward and distributed copies of the By-Laws with some corrections. In order to pay the contractors within 30 days rather than the current practice of 45 days, the By-Laws need to be changed.

Council Member Silva joined the meeting at 6:54 p.m.

Another small change is that the By-Laws calls for verbatim transcripts with a stenographer. However, by changing the by laws, the stenographer would still be included to take the minutes, but not necessary for a meeting.

Council Member Paoletto said that since Council Member Pivirotto joined the building committee, he felt that she had made into a force to be reckoned with. Council Members Paoletto and Mulligan both said that they appreciated her efforts.

Council Member Walsh said that the other meeting that was going on was about the State's unwillingness to fund some projects. Council Member Walsh asked if there would be language in future contracts to hold the City harmless if the State defaults on the payments again.

Council Member. Silva left the meeting at 7:00 p.m. Council Member. Curwen joined the meeting at 7:00 p.m.

Chairman Rodgerson asked about the amending the rules for the organizations. He asked if this was part of the standing rules. Council Member Pivirotto said that it was.

Council Member Blunt asked who was on the committee. Council Member Pivirotto said that it was composed of Council Member Mojica, herself and Council Member Johnny Dye.

**** PAOLETTO MOVED TO APPROVE PROPOSED AMENDMENTS TO SCHOOL BUILDING COMMITTEE BY LAWS
** COUNCIL MEMBER VIZZO-PANICCIA SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

Chairman Rodgerson requested that this item be put on the Consent Calendar.

Co-chair Paoletto joined the meeting at 7:03 p.m.

263-06 REAPPOINTMENT OF MELVILLE T. RILEY (D) TO THE PLANNING AND ZONING COMMISSION.

Mr. Rodgerson said that he had spoken with Mr. Riley, who had stated that he was not a Democrat, he was a Republican. Chairman Rodgerson said that he had contacted the City Clerk's office about this, but the change had not been made. He also explained that Mr. Riley could not attend this meeting due to a conflict with his schedule.

**** COUNCIL MEMBER PAOLETTO MOVED TO TABLE THE REAPPOINTMENT OFR MR. MELVILLE T. RILEY TO THE PLANNING AND ZONING COMMISSION BECAUSE THE APPOINTEE WAS NOT ABLE TO BE PRESENT AT THE MEETING.
** COUNCIL MEMBER VIZZO-PANICCIA SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

**** COUNCIL MEMBER WALSH MOVED TO SUSPEND THE RULES TO ADD AGENDA ITEM 260-06 TO THE CURRENT AGENDA.**

**** COUNCIL MEMBER BAKER SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

Council Member Paoletto said that he believed this was a good idea and that the Committee to force Civil Service to do anything. Council Member Vizzo-Paniccia said that she wanted to state that this was a study. Co-chair Mojica said that the resolution might not be clear to have a survey done and asked if they would understand they were being asked to change.

**** COUNCIL BAKER MOVED TO APPROVE AGENDA ITEM 260-06 AS PRESENTED.**

**** COUNCIL MEMBER VIZZO-PANICCIA SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

ADJOURNMENT

**** COUNCIL MEMBER PAOLETTO MOVED TO ADJOURN.**

**** COUNCIL MEMBER VIZZO-PANICCIA SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 7:10 p.m.

Respectfully submitted,

Sharon L. Soltes

Telesco Secretarial Service

**CITY OF BRIDGEPORT
MISCELLANEOUS MATTERS COMMITTEE
DECEMBER 26, 2006**

ATTENDANCE: Rafael Mojica, Co-chair; AmyMarie Vizzo-Paniccia, Richard Paoletto, Robert Walsh, Andres Ayala, Council President, Andre Baker (6:35 p.m.)

OTHERS: Robert Curwen, Council Member; Donna Curran, Council Member; Elaine Piviroto, Council Member, Thomas Mulligan, Council Member; Fleeta Hudson, City Clerk; Ann Murray, Assistant City Clerk, Barbara Freddino, Joseph Ianniello, City Attorney Mark Anastasi, Angel de Para, Council Member

CALL TO ORDER

Co-chair Mojica called the meeting to order at 6:32 p.m. There was a quorum present.

APPROVAL OF MINUTES FROM THE NOVEMBER 22, 2006 MEETING

Co-chair Mojica asked if the members of the committee had received their copies of the minutes from the previous meeting. It was stated that the minutes had not been received from the secretarial service. Co-chair Mojica disagreed, saying he remembered reading the minutes from the November meeting. In view of the fact that the members did not have a copy of the minutes available, it was decided to table the issue.

**** COUNCIL MEMBER PAOLETTO MOVED TO TABLE THE APPROVAL OF MINUTES FROM THE NOVEMBER 22, 2006 MEETING.**

**** COUNCIL MEMBER VIZZO-PANICCIA SECONDED.**

**** THE MOTION PASSED UNANIMIOUSLY.**

**#298-05 CORRECTION OF A CLERICAL ERROR ON TERM EXPIRATION:
HOWARD T. OWEN – ETHICS COMMISSION (#79-05 ADOPTED 4/3/06).**

Ms. Murray explained to the Committee that Judge Owens's term is scheduled to expire this year. She said that she had been asked to allow the issue to die in committee because Judge Owens was going to be re nominated for a new term in 2007.

**** COUNCIL MEMBER PAOLETTO MOVED TO TABLE ITEM 298-05 CORRECTION OF A CLERICAL ERROR ON TERM EXPIRTATION: HOWARD T. OWEN – ETHICS COMMISSION (#79-05 ADOPTED 4/3/06).**

**** COUNCIL MEMBER VIZZO-PANICCIA SECONDED.**

**** THE MOTION PASSED UNANIMIOUSLY.**

#11-06 REAPPOINTMENT OF BARBARA FREDDINO (D) TO THE PLANNING AND ZONING COMMISSION.

Ms. Freddino greeted the Commission and stated that she resides at 31 Russell Place and had been a member of the Planning and Zoning Commission since December 1999.

Council Member Walsh asked her for clarification on a recent issue that had appeared in a newspaper article about the Planning and Zoning Commission and the Zoning Board of Appeals regarding the withdrawal of an application 72 hours before the scheduled hearing. She stated that it is in the bylaws that a withdrawal must be submitted 72 hours before a hearing in writing. Ms. Freddino stated that she was not at the meeting when the applicant withdrew the entire petition. Ms. Freddino then reviewed the process of withdrawing an application and also explained the procedure involved when a decision is reached on an application “without prejudice” by the Planning and Zoning Commission. Council Member Walsh stated that this was an issue that he had attempted to have the Council render an opinion on, but the City Attorney was reluctant for the Council to take action on this matter. A discussion about the by laws and this issue followed.

Council Member Paoletto complimented Ms. Freddino on her past performance on the Commission. Council Member Pivrotto said that Ms. Freddino was extremely knowledgeable and that she could not think of a better person for the position. Council Member Baker commented that he had served on the Planning and Zoning Commission with Ms. Freddino and that Ms. Freddino is acutely aware of the details of an application and is often able to direct the Commission to important information. Council Member Mulligan concurred. Council President Ayala complimented Ms. Freddino on her excellent attendance record.

Council Member Walsh stated that the one area that needed some type of written opinion from the City Attorney was the composition of the various Boards. Council Member Walsh stated that Council Member Baker was still listed on the Planning and Zoning page with the notation that his term was expired and another former member who moved to North Carolina. Council Member Walsh wished to know what would happen if these two members happened to be the minority party representatives and were no longer serving, if the City was at the most “skirting” the law if not outright breaking it by this practice. Council Member Walsh pointed out that the Commission member who moved to North Carolina was a Republican, which might affect the minority party representation. Council Member Walsh asked if the Chair could address these concerns to the City Attorney and request a written opinion because Council Member Walsh was concerned that the City may be in technical violation of the law regarding expired terms.

Co-chair Mojica asked Ms. Freddino about the situation where a member has either moved away or the term has expired. He asked if the chairperson sends a letter to the Mayor’s office notifying the Mayor that the slot is vacant. Ms. Freddino stated that it has been done in the past. Co-chair Mojica also stated that Ms. Freddino still visits the sites

and asked why the other members of the Commission stopped doing that. Ms. Freddino stated that the Commissioners should visit all the sites in order to have a clear understanding when the blueprints are presented as to how the building will be positioned on the lot. She concluded that it is recommended that the Commissioners visit the site and that she could only speak for herself. Co-chair Mojica stated that he would speak to the Mayor about the vacant slots on the Board. He also asked Ms. Freddino to contact her Chair and request that if there are vacancies, to please contact the Mayor about this. Council President Ayala stated that he knew that there were appointments forthcoming for those vacant slots on the P&Z and other vacant seats. Council President Ayala suggested that the Legislative Director draft a letter to the Mayor on behalf of the Co-chairs of the Committee with the suggestion that this matter was discussed in committee.

Mr. White commented that regarding the listings of Boards and Commission members tends to have a serious time lag. He suggested that this might be where the problem. Council Member Curran commented that with the Bridgeport Redevelopment Agency, there were three vacancies and that only one appointment was made. She suggested that all three seats be appointed at once to insure that there is minority party representation. Co-chair Mojica commented that as members of the Miscellaneous Matters Committee that the Committee members should have lists of all the Boards and Commission members with their expiration dates so that the Committee members know in advance when a term is expiring. Council Member Mulligan commented that the City Clerk's office used to keep the up to date records on the Boards and Commissions. He also commented that the City Clerk's Office used to publish a book with the names of the aldermen embossed on it. He said that he was not sure what happened in the interim with computers and such. The website is not kept up to date. Council Member commented that it is difficult to locate groups of qualified people to serve on the various Boards.

**** COUNCIL MEMBER PAOLETTO MOVED TO APPROVE ITEM #11-06 REAPPOINTMENT OF BARBARA FREDDINO (D) TO THE PLANNING AND ZONING COMMISSION.**

**** COUNCIL MEMBER BAKER SECONDED.**

City Clerk Hudson stated that the City Clerk's Office does have the official Oath book in the office. She stated that if the Commissions and Boards do not use it, as far as the City Clerk's Office is concerned, no official swearing in has taken place. If someone is sworn in and the City Clerk's Office is not notified, it is not entered into the official Oath book, which is the elected official office and is the official record. City Clerk Hudson said that if the swearing in takes place elsewhere; she often does not get a copy of the event.

**** THE MOTION PASSED UNANIMOUSLY.**

Co-chair Mojica requested that this be included on the consent calendar.

#12-06 APPOINTMENT OF JOSEPH IANNIELLO (R) TO THE ETHICS COMMISSION.

Mr. Ianniello greeted the Committee and stated that he lived at 128 Balmforth Street. Mr. Ianniello gave a brief history of his background and education and stated that he has lived in Bridgeport since 1972.

Co-chair Mojica asked Mr. Ianniello what he thought the Ethics Commission's task was. Mr. Ianniello stated that he believe it to be the body that determines if complaints have grounds. Council Member Paoletto asked Mr. Ianniello if he had served on the Police Commission. Mr. Ianniello replied that he had in fact served on the Police Commission. Council Member Paoletto also noted that Mr. Ianniello had served on the Charter Revision Commission during the Gannon administration. Mr. Ianniello confirmed this. Council Member Walsh asked Mr. Ianniello was aware of the fact that the Ethics Commission could launch an investigation. Mr. Ianniello said that he was aware of this. Council Member Walsh stated that with all the transgressions that had taken place in the past, it was important to bear in mind that Ethics Commission could instigate an investigation without a complaint, although he has never heard of them doing so.

Council Member Curran stated that Mr. Ianniello is a friend and a neighbor and that she would recommend his appointment.

Co-chair Mojica asked City Clerk Hudson about the procedure for administration of the oath. City Clerk Hudson replied that it was the responsibility of the person administering the oath to notify the City Clerk. She stated that if she is not the person administering the oath, she should at least be present for the administration of the oath. She stated that in the past she had been notified and gone to the Annex to witness the swearing ins, but notifications were no longer being received. City Clerk Hudson stated that if she is not present, then there is no entry made in the book. A letter may be in the file, but nothing is entered into the book.

**** COUNCIL MEMBER PAOLETTO MOVED TO APPROVE ITEM #12-06 APPOINTMENT OF JOSEPH IANNIELLO (R) TO THE ETHICS COMMISSION.**

**** COUNCIL MEMBER VIZZO-PANICCIA SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

Co-chair Mojica requested that this be included on the consent calendar.

Due to the fact that City Attorney Anastasi had not yet arrived, Co-chair Mojica stated that the Committee would not discuss the matter of the suit settlement until the end of the meeting. This was agreeable to all.

**#137-05 RECOMMENDATION COMMUNICATION FOR THE CHIEF
ADMINISTRATIVE OFFICER.**

Co-chair Mojica stated that this document had been authored by Council President Ayala and therefore the Council President would present the proposal.

Council President Ayala stated that the purpose of this proposal was to give direction and to bring professionalism to the Office of Legislative Director. He stated that it was important to move projects and business ahead. This was being done on the recommendation of the Council in an effort to separate the Executive branches of the administration from the legislative branches. Council President Ayala stated that this was merely an attempt to provide some definition to the role of the Legislative Director. He also commented that he would be allowing Mr. White to give input on the issue.

Attorney Anastasi joined the meeting.

Co-chair Mojica stated that he was personally disappointed that the issues covered by #317-05 and #318-05 could not have been handled in-house.

Mr. White then distributed copies of Resolution # 317-05 to the Committee.

Council President Ayala said that he felt it was important to codify the issue rather than handle the matter in-house. It is important to plan for the future and to set the procedures for all those who may hold this office in the future.

Mr. White said that he hoped that some action by the Council would have lead to a meeting with the Chief Administrative Officers. He said that he had hoped the CAO would review these items and suggest how they would prefer to handle the matter. Initially, Mr. White said, the recommendations were talking points and over time evolved into recommendations. He said that the reason that he was making these recommendations was to help him better manage the office.

#1 - All communications directed to City Council Members should also include the Office of Legislative Services.

Mr. White explained that regarding Item #1, presently he does not received copies of the communications that are generated. Simply by being aware of the various communications, he would be in a better position to know what the issues are.

Attorney Anastasi stated that he had several concerns with both proposals regarding the clarity of language used. He stated that the word "communications" was unclear. He also pointed out that there were confidentiality issues involved. Attorney Anastasi stated that it would be good to discuss each item. Mr. White agreed, saying that was an

excellent point. His concern was with receiving general communications that were addressed to the entire City Council.

Council Member Mulligan asked if this would include the resolutions or ordinances. Mr. White agreed. Council Member Mulligan said that this would simply be a case of an item being sent to the City Clerk with a copy to Mr. White.

Council Member Curwen commented that there had been numerous times when the Council Members had gone to their Committee meetings without receiving the documentation to read beforehand, particularly with the budgets.

Council Member Mulligan asked if Mr. White was talking about issues that would ultimately be voted on by the Council or made part of the record or the agenda. Attorney Anastasi said that everyone was agreeing that the phrase "all communications" needed to be clarified. He suggested that Mr. White might have meant "all written communications" from the various departments. Council Member Paoletto suggested some alternative wording. A discussion on the wording of the first point followed.

Council Member Walsh stated that he preferred to receive all the referrals to the various committees by email. Council Member Curran commented that when Public Facilities was preparing the documentation on the issue of the kennel, she had to make four separate trips to pick up the documents. Council Member Pivrotto also said that it would be helpful to have everyone emailed with the committee information. When asked by Council Member Curwen if copies of the resolutions could be send to all Council Members, Assistant City Clerk Murray replied that this would be ideal but she does not have the staff to do so.

#2 All presentations to City Council Committees must include a synopsis (executive summary) of the item being submitted for approval.

Mr. White then presented the second point of the resolution, which requested that all presentation to the Council for approval include a short synopsis. Council President Ayala stated that this practice should have been done. The synopsis simply needed to explain what the resolution was attempting to accomplish. Attorney Anastasi stated that it would be helpful to both the Council and the Administration. He said that he had spoken to Mr. Feeny about this issue in the past. Attorney Anastasi said that he fully supported this proposal.

#3 Items of significant detail are to be reviewed by Legislative Director for completeness prior to submittal to the City Clerk for City Council approval.

Regarding the third recommendation, Mr. White explained that when the kennel issue had come before the Council, it was an eleventh hour presentation. Mr. White had worked with Mr. Estrada to get the proposal to the Council. Attorney Anastasi pointed

out a danger in that by submitting the proposal to the Legislative Directors office before it was sent to the City Clerk, the Legislative Director could road block the issue. Council Member Walsh agreed. Council Member Mulligan suggested that the Committee clarify what this point would apply to. A synopsis would not need to be more than a very brief summary. He concluded by stating he agreed with Council Member Walsh.

Council Member de Para stated regarding the second recommendation, he felt that the summary should include a brief financial impact statement. Council Member Curran agreed that a financial statement should be included with the executive summary, stating that it was difficult to get an overview on some of the larger, multiple phase projects and contracts.

#4 City web page site plan needs to be altered to reflect the equal status of the Office of Mayor and City Council. Appropriate example is Providence RI.

Recommendation four concerns itself with the official Bridgeport website. Mr. White commented that the front page of the site is all about the Mayor. He reminded everyone that there are two branches of government, the administrative and the legislative. He suggested that the Council speak to this.

#5 Add Legislative Director to contact lists of City Department Heads to assure receipt of communications that may impact the department.

Regarding Recommendation Five, Attorney Anastasi commented that the Legislative branch is perceived as being separate from Administration, which would explain why the Legislative Director was not included on the mailing lists.

#6 Include Legislative Director in any planning for upgrading of Council Chambers facility and equipment.

Recommendation six was a result of the fact that the only way Mr. White had learned about the upgrading of the microphones in the Council Chambers was because he happened to be on site that day.

Council Member Paoletto remarked in reference to Recommendation Four that without the Council, the Mayor would not be able to do his job.

Council President Ayala pointed out that the Committee was changing the various items in order to have things work better. Council Member Vizzo-Paniccia thanked everyone that worked on these items. She said that she had mentioned to the IT Department that Bridgeport needed to have a people friendly site. She also confirmed that the Legislative Director was not listed on the emails that she had received.

City Clerk Hudson expressed concerns about the wording in Recommendation Three. Mr. White suggested alternative wording for that Recommendation.

Council Member Mulligan asked if these items had been discussed with Mr. Feeney. He felt that it made the Council look weak by passing a resolution rather than having a discussion with Mr. Feeney. Council Member Curwen stated that it was important to have the formal process in order to hold people accountable. Council Member Mulligan suggested writing a letter rather than passing a resolution. Council President Ayala said that he would like to have these issues as procedure; otherwise the Council can not insure that the Legislative Director gets the information he needs to perform his job.

**** COUNCIL MEMBER PAOLETTO MOVED TO AMEND
RECOMMENDATION #1**

**FROM: #1 - ALL COMMUNICATIONS DIRECTED TO CITY COUNCIL
MEMBERS SHOULD ALSO INCLUDE THE OFFICE OF LEGISLATIVE
SERVICES**

**TO: #1 - ALL WRITTEN COMMUNICATIONS DIRECTED TO ALL CITY
COUNCIL MEMBERS / OR ALL MEMBERS OF ANY ONE COMMITTEE
SHOULD ALSO INCLUDE THE OFFICE OF LEGISLATIVE SERVICES.**

**** COUNCIL PRESIDENT AYALA SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

Council Members Walsh and Baker left the meeting room.

**** COUNCIL MEMBER PAOLETTO MOVED TO AMEND
RECOMMENDATION #2**

**FROM: #2 ALL PRESENTATIONS TO CITY COUNCIL COMMITTEES MUST
INCLUDE A SYNOPSIS (EXECUTIVE SUMMARY) OF THE ITEM BEING
SUBMITTED FOR APPROVAL**

**TO: #2 ALL SUBMITTALS OF TWENTY PAGES OR MORE TO CITY
COUNCIL COMMITTEES MUST INCLUDE A SYNOPSIS (EXECUTIVE
SUMMARY) OF THE ITEM BEING SUBMITTED FOR APPROVAL.**

**** COUNCIL MEMBER VIZZO-PANNICIA SECONDED.**

Council Member de Para strongly urged the Committee to include the request for the financial impact statement in this recommendation. Council Member Curwen agreed, saying it only needed to be a paragraph or two. Council Member Curran said that she had not wanted to set a page length for the summary.

**** COUNCIL MEMBER PAOLETTO MOVED TO AMEND HIS AMENDMENT OF RECOMMENDATION #2**

FROM: #2 ALL SUBMITTALS OF TWENTY PAGES OR MORE TO CITY COUNCIL COMMITTEES MUST INCLUDE A SYNOPSIS (EXECUTIVE SUMMARY) OF THE ITEM BEING SUBMITTED FOR APPROVAL.

TO: : #2 ALL SUBMITTALS TO CITY COUNCIL COMMITTEES MUST INCLUDE A SYNOPSIS (EXECUTIVE SUMMARY) OF THE ITEM BEING SUBMITTED FOR APPROVAL AND A FINANCIAL IMPACT STATEMENT WHEN APPROPRIATE.

**** CHAIRMAN MOJICA SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

**** COUNCIL MEMBER PAOLETTO MOVED TO AMEND RECOMMENDATION #3**

FROM: #3 ITEMS OF SIGNIFICANT DETAIL ARE TO BE REVIEWED BY LEGISLATIVE DIRECTOR FOR COMPLETENESS PRIOR TO SUBMITTAL TO THE CITY CLERK FOR CITY COUNCIL APPROVAL.

TO: #3 ITEMS OF SIGNIFICANT DETAIL ARE TO BE REVIEWED BY LEGISLATIVE DIRECTOR FOR COMPLETENESS UPON SUBMITTAL TO THE CITY CLERK FOR CITY COUNCIL APPROVAL.

Council Members Walsh and Baker returned to the meeting.

**** COUNCIL MEMBER PAOLETTO MOVED TO AMEND RECOMMENDATION #5**

FROM: #5 ADD LEGISLATIVE DIRECTOR TO CONTACT LISTS OF CITY DEPARTMENT HEADS TO ASSURE RECEIPT OF COMMUNICATIONS THAT MAY IMPACT THE DEPARTMENT.

TO: #5 ADD LEGISLATIVE DIRECTOR TO CONTACT LISTS OF CITY DEPARTMENT HEADS.

**** COUNCIL MEMBER VIZZO-PANICCIA SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

Council Member Walsh then stated that an additional recommendation should be added to the list requesting that all communications to the Council Members be done by email.

Council Member de Para said that the City should be looking towards e-government. A discussion about the pros and cons of transmitting scanned documents followed.

**** COUNCIL MEMBER WALSH MOVED TO ADD AN ADDITIONAL RECOMMATION TO ITEM # 317-06 AS FOLLOWS:**

7. ALL SUBMITTALS TO CITY COUNCIL AND/OR ITS COMMITTEES SHOULD BE SUBMITTED IN HARD COPY AND ELECTRONICALLY.

**** COUNCIL MEMBER PAOLETTO SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

**** COUNCIL MEMBER PAOLETTO MOVED TO APPROVE ITEM #317-06 AS AMENDED:**

RECOMMENDED COMMUNICATIONS TO CHIEF ADMINISTRATIVE OFFICER

1. ALL WRITTEN COMMUNICATIONS DIRECTED TO ALL CITY COUNCIL MEMBERS / OR ALL MEMBERS OF ANY ONE COMMITTEE SHOULD ALSO INCLUDE THE OFFICE OF LEGISLATIVE SERVICES.

2. ALL SUBMITTALS TO CITY COUNCIL COMMITTEES MUST INCLUDE A SYNOPSIS (EXECUTIVE SUMMARY) OF THE ITEM BEING SUBMITTED FOR APPROVAL AND A FINANCIAL IMPACT STATEMENT WHEN APPROPRIATE.

3. ITEMS OF SIGNIFICANT DETAIL ARE TO BE REVIEWED BY LEGISLATIVE DIRECTOR FOR COMPLETENESS UPON SUBMITTAL TO THE CITY CLERK FOR CITY COUNCIL APPROVAL.

4. CITY WEB PAGE SITE PLAN NEEDS TO BE ALTERED TO REFLECT THE EQUAL STATUS OF THE OFFICE OF MAYOR AND CITY COUNCIL. APPROPRIATE EXAMPLE IS PROVIDENCE RI.

5. ADD LEGISLATIVE DIRECTOR TO CONTACT LISTS OF CITY DEPARTMENT HEADS.

6. INCLUDE LEGISLATIVE DIRECTOR IN ANY PLANNING FOR UPGRADING OF COUNCIL CHAMBERS FACILITY AND EQUIPMENT.

7. ALL SUBMITTALS TO CITY COUNCIL AND/OR ITS COMMITTEES SHOULD BE SUBMITTED IN HARD COPY AND ELECTRONICALLY.

**** COUNCIL MEMBER VIZZO-PANICCIA SECONDED.**

Council Member Curran stated that she would like the Legislative Director to be included in the Executive meetings. Council Member Mulligan replied that this could violate the separation of the two branches of government.

Assistant City Clerk Murray commented that there were two different mailing lists, one at the Clerk's Office and a second at the Mayor's Office.

**** THE MOTION PASSED UNANIMOUSLY.**

RECESS

Co-chair Mojica declared a recess at 8:40 p.m. The Committee reconvened at 8:50 p.m.

#318-05 RECOMMENDATION DIRECTED TO CITY CLERK

Co-chair Mojica stated that Council President Ayala was one of the authors of the proposal and turned the floor over to him. Council President Ayala stated that the recommendations in the proposal had not been done in a vacuum. City Clerk Hudson asked why these issues had not been discussed with the City Clerk's Office. Council President Ayala said that was one route that could have taken but the Council was looking to move these procedures forward regardless of who held the offices. He reiterated his earlier statement that this proposal was a means of codifying the procedures. Mr. White said that he hoped that this would be a better way and would lead to a better relationship. City Clerk Hudson replied that it was too late for that, since the recommendations have now been put into writing.

Council Member Curwen commented that there had been incidents in the past when Mr. White had called the Assistant Clerk for assistance regarding an issue and had been told the Clerk's Office could not help him. Council Member Baker asked if these things could have been worked out in a meeting. He then suggested that the Committee table the issue and work out the problems between the offices.

**** COUNCIL MEMBER BAKER MOVED TO TABLE THE MATTER OF ITEM #318-05 RECOMMENDATION DIRECTED TO CITY CLERK.**

**** COUNCIL MEMBER WALSH SECONDED.**

**** THE MOTION FAILED WITH TWO IN FAVOR (BAKER & WALSH) AND THREE AGAINST (AYALA, PAOLETTO AND VIZZO-PANICCIA).**

Council Member Curran stated that this was an attempt to make the work move more efficiently and was not a criticism. She stated that she was in favor of a formal motion for each of the recommendations.

1. ADD TO ALL LISTINGS OF CITY COUNCIL MEMBERS: (HARD-COPY, WEB PAGE, ETC.) OFFICE OF LEGISLATIVE SERVICES, 999 BROAD STREET, CITY HALL ANNEX, BRIDGEPORT, CT 06604 TEL: 203-332-3006 FAX: 203-332-3013

Council Member Mulligan stated that he did not see the need for this additional information. Council Member Vizzo-Paniccia replied that it was the staff address. Council President Ayala added that this was where the office was located, not at the City Clerk's Office. Council Member Baker said that the Council needed to choose one address. Council Member de Para commented that this would just provide the public with one more avenue for access and further institutionalized the office. Council Member Curran stated that this was just a means of being more professional and maintaining the independence of the Legislative branch. Council Member Walsh stated that this was simply more bureaucracy and stated that he did not want anyone else involved. When constituents contact Council Member Walsh, he does not want the Legislative Director to interfere. Council Member Curwen stated that this was a key element of the constituent trying to contact him. He said that it puts the issue on the legislative staff rather than the City Clerk's office. Attorney Anastasi said that the Council needed to distinguish between constituent services and legislative services and decided which role they wished to have the Legislative Office perform. Council Member Mulligan said that this needed to go to the Council first and that the Council should decide if they wished to have the calls routed to the Legislative Office.

Council Member Paoletto commented that the Office is there for the Council Member's convenience. He stated that it is much easier to have Tom and Chris return phone calls than for individual Council members who work full time jobs to do so. He also pointed out that it would be up to the individual Council Members to decide to have the Legislative Office do this. In conclusion, Council Member Paoletto reminded everyone that the Legislative Office is the Council's office, not the City Clerk's.

Council President Ayala commented that when someone calls the Legislative Office, they would actually be able to speak to someone. This is intended to make life easier for both the Council and for the City Clerk's Office.

Council Member Vizzo-Paniccia said that options are good. She said that change can be difficult but she is personally learning how to make her life easier and that requires some changes.

2. Update informational material and web site to reflect the need for all communications to Council Members from City Departments and outside organizations and individuals to include the Legislative Services Department.

Council Member Walsh objected to the fact that the Legislative Office must be included in the mailings. Mr. White explained that currently all the mailings to the Council are

going to the City Clerk's Office. City Clerk Hudson asked the Committee to clarify what they were asking her to do and then stated she would be the one who would decide whether or not she would comply.

Council Member Pivrotto asked if regarding the first recommendation if the contact information could include the email address.

Regarding Recommendation Two, Mr. White suggested that a developer or non profit organization could send their information to the Legislative Office. Council Member Curran said that this was only just updating a directory and building up the office function. Council Member Mulligan commented that this was duplicating the recommendation that was made on #317-06 for the CAO. He also pointed out that the City Clerk has nothing to do with the website, that is under the care of the IT department. There was some further discussion on the details of this issue.

3. Forward to Legislative Services by the following day, a copy (preferably electronic) of all items submitted for City Council approval.

Attorney Anastasi pointed out that this particular recommendation was a duplicate of the recommendation in the #317-06 for the CAO. Council Member Curwen said that the operative question was whether or not directives to the Chief Administrative Office also apply to the City Clerk. Attorney Anastasi stated that the City Clerk does not generate documents, she transmits them to the appropriate parties.

4. Forward to Legislative Services by the following day, a copy (preferably electronic) of committee meeting minutes.

City Clerk Hudson said that the minutes are posted on the City website and Mr. White could download them from there. Mr. White said that he would prefer if the recommendation remained.

5. Notice of Council Committee meetings emailed to Council Members should replace "If you are unable to attend please contact Co-chair....." with "Please confirm your attendance by contacting the Office of Legislative Services at 332-3006 or by e-mail.

Council Member Pivrotto repeated her request that the email address be included. There was a brief discussion regarding what the Council Members email address should be. Mr. White said that he would contact the IT Department about this.

Council Member Walsh stated that he had never called to ahead to confirm his attendance at a Council or committee meeting. Council President Ayala replied that there had been times when it was difficult to attain a quorum. Council Member then challenged Council

President Ayala to name one time when Council Member Walsh's absence had resulted in a lack of a quorum.

Council Member Mulligan suggested that the wording be changed to "If you are unable to attend please contact the Office of Legislative Services at 332-3006 or by e-mail." There was a discussion about why the Council Members should call the Legislative Office rather than the Co-chairs. Council President Ayala stated that he and other members of the Council worked full time jobs. As a teacher, Council President Ayala can not take phone calls during the day while he is class. It would be much better to receive one call from Mr. White informing him that the Committee meeting had been cancelled due to a lack of a quorum rather than two or three calls.

6. Advise City Clerk that Legislative Director and staff are authorized to schedule, cancel or make changes in Council committee meeting arrangements as directed by Council Committee Co-Chairs.

Council Member Mulligan pointed out that only Co-chairs can cancel the meetings. Attorney Anastasi commented that the phrase "as directed by the Council Committee Co-Chairs" was included in the recommendation. Council President Ayala stated that Mr. White could not do this without direction. City Clerk Hudson said that if this recommendation does not work, the Council should not blame the City Clerk's Office.

Mr. White summarized the changes made to #318-05 as amendments to Recommendations #1, 2, 4, 5, & 6. He also noted that Recommendation #3 was being omitted.

Regarding Recommendation 1, Council Member Vizzo-Paniccia suggested that the IT department be approached about putting a link on the opening page to the Council page. City Clerk Hudson stated that she had listed the Council Members names on her page, but felt that the Council should have its own page.

Recommendation #2 needed no adjustments.

Recommendation 3 was being omitted.

Recommendation #4's number was now #3. There were no additional changes to the language.

Recommendation #5's number was now #4. The language was amended.

**** COUNCIL MEMBER PAOLETTO MOVED TO AMEND RECOMMENDATION #5 IN ITEM 318-05 FROM:**

5. NOTICE OF COUNCIL COMMITTEE MEETINGS EMAILED TO COUNCIL MEMBERS SHOULD REPLACE “ IF YOU ARE UNABLE TO ATTEND PLEASE CONTACT CO-CHAIR.....” WITH “PLEASE CONFIRM YOUR ATTENDANCE BY CONTACTING THE OFFICE OF LEGISLATIVE SERVICES AT 332-3006 OR BY E-MAIL.

TO:

4. NOTICE OF COUNCIL COMMITTEE MEETINGS SUBMITTED TO COUNCIL MEMBERS SHOULD REPLACE “ IF YOU ARE UNABLE TO ATTEND PLEASE CONTACT CO-CHAIR.....” IF YOU ARE UNABLE TO ATTEND, PLEASE CONTACT THE OFFICE OF LEGISLATIVE SERVICES AT 332-3006 OR BY E-MAIL.

**** COUNCIL PRESIDENT AYALA SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

Attorney Anastasi remarked that according to the Charter, the City Clerk is independent but that the Office of the City Clerk has assigned duties.

Mr. White stated that Recommendation #6's number was now #5. Following some discussion, the language of the recommendation was amended.

**** COUNCIL MEMBER PAOLETTO MOVED TO AMEND RECOMMENDATION #5 IN ITEM 318-05 FROM:**

6. ADVISE CITY CLERK THAT LEGISLATIVE DIRECTOR AND STAFF ARE AUTHORIZED TO SCHEDULE, CANCEL OR MAKE CHANGES IN COUNCIL COMMITTEE MEETING ARRANGEMENTS AS DIRECTED BY COUNCIL MEMBERS.

TO:

5. ADVISE CITY CLERK THAT LEGISLATIVE DIRECTOR AND STAFF ARE AUTHORIZED TO SCHEDULE, CANCEL OR MAKE CHANGES IN COUNCIL COMMITTEE MEETING ARRANGEMENTS AS DIRECTED BY COUNCIL COMMITTEE CO-CHAIRS.

Council Member Mulligan asked why the Committee did not table this issue earlier and said that he agreed with Council Members Walsh and Baker.

**** COUNCIL PRESIDENT AYALA SECONDED.
** THE MOTION PASSED WITH THREE IN FAVOR (AYALA, PAOLETTO AND VIZZO-PANICCIA) AND TWO AGAINST (BAKER & WALSH).**

**** COUNCIL PRESIDENT AYALA MOVED TO APPROVE THE AMENDED ITEM 318-05 AS FOLLOWS:**

RECOMMENDATIONS DIRECTED TO CITY CLERK

**1. ADD TO ALL LISTINGS OF CITY COUNCIL MEMBERS:
(HARD-COPY, WEB PAGE, ETC.)**

**OFFICE OF LEGISLATIVE SERVICES
999 BROAD STREET, CITY HALL ANNEX
BRIDGEPORT, CT 06604
TEL: 203-332-3006
FAX: 203-332-3013**

2. UPDATE INFORMATIONAL MATERIAL AND WEB SITE TO REFLECT THE NEED FOR ALL COMMUNICATIONS TO COUNCIL MEMBERS FROM CITY DEPARTMENTS AND OUTSIDE ORGANIZATIONS AND INDIVIDUALS TO INCLUDE THE LEGISLATIVE SERVICES DEPARTMENT.

3. FORWARD TO LEGISLATIVE SERVICES, A COPY (PREFERABLY ELECTRONIC) OF COMMITTEE MEETING MINUTES.

4. NOTICE OF COUNCIL COMMITTEE MEETINGS SUBMITTED TO COUNCIL MEMBERS SHOULD REPLACE “ IF YOU ARE UNABLE TO ATTEND PLEASE CONTACT CO-CHAIR.....” IF YOU ARE UNABLE TO ATTEND, PLEASE CONTACT THE OFFICE OF LEGISLATIVE SERVICES AT 332-3006 OR BY E-MAIL.

5. ADVISE CITY CLERK THAT LEGISLATIVE DIRECTOR AND STAFF ARE AUTHORIZED TO SCHEDULE, CANCEL OR MAKE CHANGES IN COUNCIL COMMITTEE MEETING ARRANGEMENTS AS DIRECTED BY COUNCIL COMMITTEE CO-CHAIRS.

**** COUNCIL MEMBER PAOLETTO SECONDED.**

**** THE MOTION PASSED WITH THREE IN FAVOR (AYALA, PAOLETTO AND VIZZO-PANICCIA) AND TWO AGAINST (BAKER & WALSH).**

Co-chair Mojica instructed Mr. White to be sure that all the amendment changes were given to the stenographer. Mr. White said that he would.

14-06 Suit Settlement for Dolores, Rafael and Melanie Fonseca.

**** COUNCIL MEMBER VIZZO-PANICCIA MOVED TO ENTER INTO EXECUTIVE SESSION TO DISCUSS THE MATTER OF ITEM 14-06 SUIT SETTLEMENT FOR DOLORES, RAFAEL AND MELANIE FONSECA.**

**** COUNCIL MEMBER WALSH SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The Miscellaneous Matters Committee and Attorney Anastasi entered into executive session to discuss the matter of 14-06 Suit Settlement for Dolores, Rafael and Melanie Fonseca at 10:23 p.m. The Committee reconvened into public session at 10:55 p.m.

**** COUNCIL MEMBER PAOLETTO MOVED TO APPROVE A SUIT SETTLEMENT OF \$40,000 FOR DOLORES, RAFAEL AND MELANIE FONSECA.**

**** COUNCIL MEMBER WALSH SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

ADJOURNMENT

**** COUNCIL MEMBER PAOLETTO MOVED TO ADJOURN.**

**** COUNCIL PRESIDENT AYALA SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 10:56 p.m.

Respectfully submitted,

Fleeta C. Hudson
City Clerk

**CITY OF BRIDGEPORT
MICELLANIOUS MATTERS COMMITTEE
FEBRUARY 26, 2007**

ATTENDANCE: Keith Rodgerson, Co-Chairman; Rafael Mojica, Co-Chairman
Amy Marie Vizzo-Paniccia, Councilwoman; Andre Baker,
Councilman; Richard Paoletto, Councilman; Robert Walsh,
Councilman.

ABSENT: Warren Blunt.

OTHER: Cecil Young, City Sheriff; Pat Young, HRS; Maria Valle,
Councilwoman; Leticia Colon, Councilwoman. John Kenyhercz,
Deputy Conner; Bridgeport Fire Department, Barbara Messario

CALL TO ORDER

Chairman Rodgerson called the meeting to order at 6:30.

APPROVAL OF THE MINUTES

**** COUNCILMAN PAOLETTO MOVED TO APPROVE THE MINUTES OF
NOVEMBER 27, 2006.**

**** COUNCILMAN BAKER SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

**** COUNCILMAN PAOLETTO MOVED TO APPROVE THE MINUTES OF
JANUARY 22, 2007.**

**** COUNCILWOMAN VIZZO-PANICCIA SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

ITEM 17-06

**Item 17-06: Appointment of John Kenyhercz (R) to the Planning and Zoning
Commission.**

Mr. Kenyhercz was present to follow up some paperwork that had not been submitted at
the last meeting.

**** COUNCILMAN PAOLETTO MOVED TO APPROVE ITEM 17-06:
APPOINTMENT OF JOHN KENYHERCZ (R) TO THE PLANNING AND
ZONING COMMISSION.**

**** COUNCILMAN BAKER SECONDED THE MOTION.**

****THE MOTION PASSED UNANIMOUSLY.**

Mr. Kenyhercz will be replacing Andre Baker on the Planning and Zoning commission.

Mr. Kenyhercz left the meeting at 6:40 P.M

There was a re-arranging of the agenda at this point.

ITEM 48-06

Item 48-06: Resolution to Establish Guidelines for Renaming and Honorary Designations of Streets.

Deputy Conner voiced a concern that people would use the wrong name when calling in a fire, costing the Fire Department valuable time in responding to the fire.

After Deputy Conner spoke, there was a brief discussion in which Councilwoman Vizzo-Paniccia voiced her concerns over the continued tabling of the item.

**** COUNCILMAN MOJICA MADE A MOTION TO TABLE ITEM 48-06:
RESOLUTION TO ESTABLISH GUIDELINES FOR RENAMING AND
HONORARY DESIGNATIONS OF STREETS UNTILL GUIDELINES COULD
BE PROVIDED FOR VOTEING ON.**

**** COUNCILMAN WALSH SECONDED THE MOTION.**

**** THE MOTION PASSED BY A VOTE OF FOUR IN FAVOR (Mojica, Baker,
Paoletto, Walsh) AND ONE AGAINST (Vizzo-Paniccia).**

Deputy Conner left the meeting at 6:55 P.M.

ITEM 56-06

Item 56-06: Resolution to Establish the Requirement for Audio recording of Council Meetings.

A lengthy discussion followed debating the pros and cons of a “short-hand stenographer” vs. Audio recordings vs. Video recordings. Points such as cost, accuracy, and how quickly the information could be procured were raised.

Councilman Paoletto left the meeting at 7:42.

**** COUNCILMAN MOJICA MADE A MOTION TO TABLE ITEM 56-06:RESOLUTION TO ESTABLISH THE REQUIREMENT FOR AUDIO RECORDING OF COUNCIL MEETINGS UNTIL FURTHER INFORMATION REGARDING THE COST OF ITEM 56-06 COULD BE OBTAINED.**

**** COUNCILMAN WALSH SECONDED THE MOTION.**

**** THE MOTION WAS UNANIMOUS.**

CHAIRMAN RODGERSON THEN REQUESTED THAT A NOTE FOR THE CITY CLERK REQUESTING THAT A COPY OF THESE MINUTES PLEASE BE FORWARDED TO THE LEGISLATIVE OFFICE.

ITEM 26-06

Item 26-06: The Fair and Equitable Assignment of all City Sheriff Work to all elected City Sheriffs.

At 7:52 Councilman Paoletto rejoined the meeting.

Chairman Rodgerston said that this item had been previously tabled because the Committee was awaiting a report on the distribution of work to the City Sheriffs.

Councilwoman Pivirotto asked if she could add to the agenda item. Chairman Rodgerston stated that Councilwoman Pivirotto could request the Committee to amend the item if she wished to do so. Councilwoman Pivirotto cited a recent article in the papers about New Haven, which has established a five-man rotation.

Councilman Walsh then said that he had been looking for a letter from Barbara Messario to Cecil Young that Councilman Walsh wished to show Attorney Anastasi in order to request that Attorney Anastasi clarify some of the language in the letter. Councilman Walsh stated that Ms. Messario's letter basically stated that as part of the settlement, Mr. Young would retain his job and continue to perform his duties as City Sheriff as long as Mr. Young was not seeking a monetary award. Councilman Walsh stated that to the best of his recollection, the language in Ms. Messario's letter was very clear.

Secondly, Councilman Walsh stated that there was a procurement ordinance, which Councilman Walsh believes Atty. Anastasi does not believe should apply to him as City Attorney. Councilman Walsh stated that he was prepared to move for approval on this and send it to the full Council. Chairman Rodgerston asked Councilman Walsh for clarification and Councilman Walsh stated that at the last Council meeting, Attorney Anastasi had said that the Council could not tell him what to do. Councilman Walsh said

that in light of this, the Committee could amend the agenda item to include the rotation of the sheriffs, but that Attorney Anastasi would not adhere to the resolution.

Councilwoman Vizzo-Paniccia pointed out that the Committee members did not have the minutes from the last Council meeting available. She then requested that this issue be tabled until someone from the City Attorney's office could verify which rules were on the books. She reminded the Committee that there had been some question about that in the past.

Councilman Baker asked for clarification on the information that had been requested. Chairman Rodgeron stated that the information requested was a list of the distribution of work that has been assigned in regard to the City Sheriff's office by the City Attorney's Office.

Councilman Walsh stated that in Attorney Anastasi's letter included a statement that there was no bias in the assignment of work, which was part of his legal opinion as to why this resolution has no legal standing. Councilman Walsh stated that he had requested that Attorney Anastasi provide detailed information to prove this was so and to have it prepared by the next Committee meeting. Attorney Anastasi was not present at the meeting.

**** COUNCILWOMAN VIZZO-PANICCIA MOVED TO TABLE ITEM 26-06: THE FAIR AND EQUITABLE ASSIGNMENT OF ALL CITY SHERIFF WORK TO ALL ELECTED CITY SHERIFF'S UNTIL THE CITY ATTORNEY AND THE C.A.O. COULD ATTEND THE MEETING WITH THE REQUESTED INFORMATION.**

**** COUNCIL MEMBER MOJICA SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

Chairman Rodgeron noted that the Committee was still awaiting the requested information from the City Attorney's Office on this matter. Councilman Mojica asked if his question from the last meeting had been answered. Mr. Young stated that he could not believe that Councilman Mojica would flip flop on the issue. Councilman Mojica requested that Mr. Young not get personal about the issue. Mr. Young stated that he never got personal in meetings and then stated that he had lost respect for Councilman Mojica.

Council Member Walsh commented that he would like to see a list of any service given to State Marshals that could be given to City Sheriffs.

ITEM 55-06

Item 55-06: Resolution to Establish the Requirement for updating and posting of City Board and Commission Information.

A discussion followed and several instances were recounted where the City Board and Commission Information had been either inaccurate or out of date.

Councilman Baker stepped out of the meeting at 7:58 and rejoined at 8:00

****COUNCILWOMAN VIZZO-PANICCIA MADE A MOTION TO APPROVE ITEM 55-06: RESOLUTION TO ESTABLISH THE REQUIREMENT FOR UPDATING AND POSTING OF CITY BOARD AND COMMISSION INFORMATION.**

**** COUNCILMAN MOJICA SECONDED THE MOTION.**

**** THE MOTION WAS APPROVED UNANIMOUSLY.**

ITEM 46-06

Item 46-06: Amendment to Council Rules of Order: To Elect Committee Co-Chairs individually by vote of members of that committee.

A discussion followed about what the amendment would change and how important the change would be. The effect the amendment has had in towns where the amendment was already in effect was also discussed. There were also some concerns raised about the change in the balance of power.

**** COUNCILWOMAN VIZZO-PANICCIA MADE A MOTION TO APPROVE ITEM 46-06: AMENDMENT TO COUNCIL RULES OF ORDER: TO ELECT COMMITTEE CO-CHAIRS INDIVIDUALLY BY VOTE OF MEMBERS OF THAT COMMITTEE.**

**** COUNCILMAN WALSH SECONDED THE MOTION.**

**** THE MOTION FAILED WITH TWO (Vizzo-Paniccia, Walsh) IN FAVOR AND THREE AGAINST (Mojica, Baker, Paoletto).**

****COUNCILMAN PAOLETTO MADE A MOTION TO DENY ITEM 46-06: AMENDMENT TO COUNCIL RULES OF ORDER: TO ELECT COMMITTEE CO-CHAIRS INDIVIDUALLY BY VOTE OF MEMBERS OF THAT COMMITTEE.**

**** COUNCILMAN BAKER SECONDED THE MOTION.**

**** THE MOTION PASSED WITH THREE (Mojica, Baker, Paoletto) IN FAVOR AND TWO (Vizzo-Paniccia, Walsh) AGAINST.**

ADJOURNMENT

**** CHAIRMAN RODGERSON MADE A MOTION TO ADJOURN.**

**** COUNCILMAN PAOLETTO SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:30 P.M.

Respectfully submitted,
Ian Soltes
Telesco Secretarial Services.

**CITY OF BRIDGEPORT
MISCELLANEOUS MATTERS COMMITTEE
MARCH 26, 2007**

ATTENDANCE: Chairman Mojica, Council Member Rodgerson, Council Member Walsh, Council Member Baker.

OTHERS: David J Sullivan, Jose A. Rivera, James W. Giles, Peter J. Holecz, Johanna T. Dorgan, Thomas Mulligan, Council Member, Patricia Fardy, Planning and Zoning Chairwoman, Council Member Johnny Dye, Council Member Maria Valle, Attorney Melanie Howlett, Associate City Attorney; Attorney Mark Anastasi, City Attorney; Mr. Cecil Young.

CALL TO ORDER

Chairman Mojica called the meeting to order at 6:35 p.m.

APPROVAL OF MINUTES.

Ms. Fardy asked Chairman Mojica if it would be possible to consider the appointment of Ms. Dorgan first as there was a Planning and Zoning Meeting scheduled for later in the evening. Chairman Mojica agreed.

Council Member Mulligan asked to speak to the Committee regarding two of the appointees on the agenda. Chairman Mojica agreed.

Council Member Mulligan stated that David J. Sullivan Jr. was to be considered appointment to the Ethics Commission. Mr. Sullivan was a former State Representative and also a local trial lawyer. Council Member Mulligan said that he felt that Mr. Sullivan would bring a wealth of experience to the position.

Council Member Mulligan then said that Peter J. Holecz is to be considered for reappointment to the Harbor Commission. Mr. Holecz has served on the Harbor Commission for a number of years and also was a former Alderman for the Common Council of the City of Bridgeport. He is also a manager for the Black Rock Oriels Little League Team. Council Member Mulligan said that he could heartily endorse Mr. Holecz for reappointment.

Council Member Mulligan said that he had known Ms. Dorgan for a number of years and that she served well on the Planning and Zoning. He said that he would also endorse Ms. Dorgan's reappointment.

Council Member Mulligan then left to attend another meeting.

104-06 Reappointment of Johanna T. Dorgan (D) to the Planning & Zoning Commission.

Miss Dorgan stated her name, and stated her address. She informed the Committee that she had been a Commissioner for three years and this would be her second term.

Council Member Baker said that he was a former Commissioner and that he had served with Ms. Dorgan. Council Member Baker said that Ms. Dorgan was very open and helpful when he first came on the Commission. Ms. Dorgan evaluated the facts and also took into consideration residents of an area regarding the zoning. Council Member Baker said he would recommend reappointment.

**** COUNCIL MEMBER RODGERSON MOVED TO APPROVE ITEM 104-06 REAPPOINTMENT OF JOHANNA T. DORGAN (D) TO THE WATER POLLUTION CONTROL AUTHORITY.**

**** COUNCIL MEMBER BAKER SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

Chairman Mojica asked that this item be included on the consent calendar.

74-06 REAPPOINTMENT OF JOSE A. RIVERA, JR. (D) TO THE WATER POLLUTION CONTROL AUTHORITY.

Mr. Rivera was asked about how the liens were handled by the WPCA. He explained that 99% of the complaints are handled by the attorneys for the WPCA. Complaints from the residents about the odor are referred to Aquarion. When liens are appealed, the WPCA holds an open meeting and assess the situation. Mr. Rivera pointed out that the WPCA is governed by statutes.

Council Member Walsh asked about paying the bills online. Mr. Rivera explained that the WPCA is not involved in that aspect. Bill payment is handled by Aquarion. Council Member Walsh said that he felt that the WPCA should pursue having the bills paid online. Mr. Rivera said that this issue has never come before the WPCA. Council Member Walsh stated that he pays his Aquarion bill online, but never the WPCA. Mr. Rivera repeated that this has never come before the WPCA Board for discussion and he was not sure this was part of their job to insure that the bills were payable online. Mr. Rivera then said that if Council Member Walsh would care to write a letter to the WPCA Board, Mr. Rivera said he would be sure to have it included on the agenda. Council Member Walsh said that he would like to have this brought up at the next meeting. Mr. Rivera agreed to have online payment included on the next agenda.

Chairman Mojica asked about the lien process. Mr. Rivera then reviewed the process with the Committee. He explained that he believed most of the people who are on the list owe over \$5,000.

Council Member Dye said that he has known Mr. Rivera for a number of years and worked with him on other committees and organizations. Council Member Dye said that he fully supported the reappointment of Mr. Rivera.

Council Member Colon then said that she knows Mr. Rivera and fully supports him. She also expressed her sincerest sympathy to Mr. Rivera and his family.

**** COUNCIL MEMBER RODGERSON MOVED TO APPROVE ITEM 74-06 REAPPOINTMENT OF JOSE A. RIVERA, JR. (D) TO THE WATER POLLUTION CONTROL AUTHORITY.**

**** COUNCIL MEMBER BAKER SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

Chairman Mojica asked that this item be included on the consent calendar.

101-06 Appointment of James W. Giles (D) to the Parks Commission.

Mr. Giles stated his name and address for the Committee. Mr. Giles said that he has served the City in various capacities for thirty years; he felt that he could bring his experience to the Commission. He stated that he was a retired Bridgeport Police Captain.

Council Member Walsh said that he had spoken with the State Senator and that he would support this appointment.

Council Member Valle asked whom Mr. Giles was replacing on the Police Commission. Chairman Mojica said that he did not have that information and thought Mr. Giles was filling a vacancy. Council Member Valle said that she was familiar with Mr. Giles' work in the community and would recommend the appointment.

Chairman Mojica said that he had requested in writing that the various Committees receive a list of board members, with the information on the terms. He said that he would check on this later in the week. Council Member Walsh said that he would be asking to have this information available prior to the Council meeting because there are State laws regarding minority party representation and without knowing which slot Mr. Giles was filling, it was difficult to know if the Committee was doing the right thing.

Council Member Dye said that he would like to support the appointment of Mr. Giles to the Parks Commission. Council Member Dye also informed the Commission that he had spoken with the Parks Department about this process and was fairly sure that the

Commission position that Mr. Giles was filling was for a former member who moved to Milford and was no longer on the Parks Commission.

Council Member Baker asked Mr. Giles about the various activities he was involved in. Mr. Giles said that he was involved in the tennis program for the City. Council Member Baker then asked Mr. Giles to name two things that he would like to see the Parks Commission do.

Mr. Giles said that he had concerns about activities that take place in the parks after the closings of the parks.

**** COUNCIL MEMBER BAKER MOVED TO APPROVE ITEM 101-06
APPOINTMENT OF JAMES W. GILES (D) TO THE PARKS COMMISSION.
** COUNCIL MEMBER RODGERSON SECONDED THE MOTION.
** THE MOTION PASSED UNANIMOUSLY.**

103-06 Reappointment of Peter J. Holecz to the Harbor Commission

Mr. Holecz stated his name and address and informed the Committee that he has been on the Harbor Commission for eighteen years, which is as long as it has been in existence. He said that he was originally appointed by Mayor Bucci. He said that he likes to be part of the advancement and development of the Harbor.

Council Member Baker asked what the Harbor Commission's responsibilities are. Mr. Holecz explained that their first task was to develop a Harbor Management Plan. This outlines what exists today in terms of conditions and recommendations, including goals and objectives. Currently the Harbor Management Plan has recently been revised. Mr. Holecz then gave a quick overview of their various tasks.

Council Member Baker asked about plans for Pleasure Beach. Mr. Holecz said that there were plans for temporary use of boat traffic to Pleasure Beach. Money for a bridge has not been forthcoming. Council Member Baker then asked how many times the Harbor Commission meets. Mr. Holecz said that the Commission meets twice a month, on the first and third Tuesday. He also explained that the Port Jefferson Ferry is handled by the Port Authority.

Council Member Rodgeron asked about the city's boats. The Harbor Commission owns a 42 foot long boat, and a seventeen foot boat that was recently replaced. The Port Authority has two vessels. He then gave some details about the berthing and location of the boats.

Council Member Walsh asked if the Harbor Commission raises revenue. Mr. Holecz then explained that the boat registration and some of the permit fees go to the Harbor Management Plan. Boating violation fees go to the State. Mr. Holecz said that many of the municipalities are working together to change the laws in favor of the municipalities.

**** COUNCIL MEMBER RODGERSON MOVED TO APPROVE ITEM 103-06 REAPPOINTMENT OF PETER J. HOLECZ TO THE HARBOR COMMISSION.**
**** COUNCIL MEMBER WALSH SECONDED THE MOTION.**
**** THE MOTION PASSED UNANIMOUSLY.**

26-06 The Fair and Equitable Assignment of all City Sheriff Work to all elected City Sheriffs

Chairman Mojica stated that this was the third time Item 26-06 had come before the Committee. After a discussion, the item was tabled pending an opinion from the City Attorney's Office. The Commission also heard from many of the Council Members and Mr. Young. Following this, the item was tabled once again in order to find out how other municipalities assign the sheriff's work. Chairman Mojica said that he believed that all the parties concerned have been heard from.

Attorney Howlett said that Council Member Pivrotto had been relying on an ordinance that addressed setting salaries for elected officials. Attorney Howlett said she had done some State and Federal case law studies about this. Unfortunately, the ordinance that Council Member Pivrotto had cited will not be helpful in this scenario. Attorney Howlett said that she had checked with a number of towns, including Stamford, Milford, and Danbury about how these assignments are handled. She reported that these municipalities had also had difficulties with various sheriffs and litigations or other problems. Many of them have part time Corporation Counsels with a full time salaried Deputy Corporation Counsels. Danbury allows the Counsels to weigh in on issues regarding litigation or creditability. Outside employees must be approved by their Corporation Counsel. This means that they reserve the right to reject an applicant. Stamford and Milford were more like Bridgeport. Chairman Mojica then summarized Attorney Howlett's report by saying that the other municipalities do not use a rotating system. Attorney Howlett agreed and said that an applicant can be eliminated from being allowed to serve if there are issues or problems. Chairman Mojica then asked if there were some towns that use a rotating system. Attorney Howlett agreed that there were, but she had attempted to contact cities similar to Bridgeport. In terms of infrastructure, there are only four or five cities similar to Bridgeport. These were the ones that she spoke with.

Council Member Walsh asked Attorney Howlett if she was familiar with the memo from January 2007. Attorney Howlett said that she was and she agreed with it. Council

Member Walsh asked about paragraph four, which deals with sheriff's selection regardless by race, religion, gender or affiliation. He then asked Attorney Howlett for a break down on the various sheriffs employed by the City. Attorney Howlett said that while she could give an overview, she did not have that information available because she had not been asked to analyze that aspect. Attorney Anastasi said that it wasn't a judgment based on race, or other criteria but a determination on whether or not the sheriffs were being treated similarly. Attorney Anastasi pointed out that Mr. Young, who had been used by the City Attorney's Office for a number of years, is not similarly situated. Attorney Anastasi said that he would like Mr. Young to put on the record whatever pending claims or litigation he is currently pursuing against the City of Bridgeport. Then Attorney Anastasi requested that the Committee go into Executive Session to discuss some confidential information under the ordinances.

Council Member Walsh stated that he felt it was unacceptable that the City Attorney did not have the information he had asked for three months ago. Attorney Anastasi said that he would provide Council Member Walsh with the break down information. Council Member Walsh said that he no longer wanted it. Council Member Walsh cited Chapter 7 of the Charter and stated that he did not believe that the phrase "other assistants" was in the Charter. He then quoted that "the City Council does not have the authority to direct the City Attorney as to the manner in which to exercise said Charter powers." He then asked if that means that the ordinance, which has established a minority contracting goal for the City of Bridgeport, does not apply to the City Attorney's Office. Attorney Howlett said that this was correct.

Attorney Howlett said that when she needs a sheriff, there is a posted list of all the sheriffs available per county. Her secretary starts calling down the list and the first sheriff who answers and has the time to perform the duty is the one who gets the task. Attorney Howlett said that Attorney Liskov might have records of who is assigned for his sheriff's duties. Every secretary has the same list. Council Member Walsh said that he totally disagreed with Attorney Howlett's interpretation of the ordinance. Attorney Howlett said that it is a contract. Council Member Walsh disagreed saying that every time an attorney is hired, it is contract. Attorney Anastasi stated that he felt this was irrelevant to the issue. The key issue is why Mr. Young is distinct from any other sheriff. Attorney Anastasi reiterated that the Committee needs to ask Mr. Young what pending litigation he has against the City. He also suggested that Mr. Young be called into Executive Session with Attorney Anastasi and the Committee to gain a better sense of why it is that Mr. Young is in the situation that is unique.

Council Member Baker asked if Mr. Young would be out of the picture, if this ordinance would fit into the picture. Attorney Howlett said that because of the way that the Charter is written she does not feel the issue would fit. She also stated that she is first and the only black attorney hired by the City of Bridgeport in house. Because of this, Attorney Howlett said that in her opinion that the criteria for having minority contractors does not apply to expert personnel. No one would hire an attorney to appear before the Supreme

Court based on race. The lawyers who appear before the Supreme Court are there based on their experience and their ability to win. Under the Code of Ethics, this has ramifications on a lawyer is to protect their clients. Attorney Howlett explained that there is a license, which obligates and binds a lawyer on how they represent a client in court and these ethics and obligations supercede the City's ordinances. Attorney Howlett pointed out that attempting to order the City Attorney's office on how they should take care of litigation, who will be assigned to deliver it and what is going to happen actually interferes with the ethical responsibilities under the statutes. This could result in arrest and loss of license to practice. Attorney Anastasi pointed out that this also applies to hiring medical experts, accident reconstruction experts and other professions. Council Member Baker then said that the Attorney's Office needs to reserve the right pick and choose who they wish to use to serve the warrants. Attorney Anastasi said that it can't be done in an discriminatory manner. Attorney Howlett stated that it is their legal obligation and responsibility to put forth the best case to protect the client. She explained that it is vitally important to be able to trust the person that is being given the job and secondly, it is important to rely on their abilities to do the job. There isn't any time to watch the sheriff, it has to be done by trust. Attorney Howlett then gave an example of a case that was thrown out of Federal court because the sheriff lied on affidavit. The attorney will not use that sheriff again. Attorney Howlett said that it is imperative that the lawyers in a firm trust one another and also the sheriffs that they work with.

Council Member Rodgeron asked Attorney Anastasi how long Mr. Young had worked for the City Attorney's Office. Attorney Anastasi said that it was for a long time until recently. Someone commented that Mr. Young had worked as a sheriff for sixteen years. Council Member Rodgeron then asked when the problems began to arise. Attorney Anastasi said he thought it may have been May of 2005 or 2006. When asked about the distribution of work five years ago, Attorney Anastasi said that Mr. Young and another sheriff caught the bulk of Attorney Liskov's work. He went on to say that a great deal of the work assignment came because Mr. Young was always available. Attorney Anastasi then reviewed various assignments that could be given to various types of sheriff's.

****COUNCIL MEMBER RODGERSON MOTIONED TO ENTER INTO EXECUTIVE SESSION.**

****COUNCIL MEMBER BAKER SECONDED THE MOTION.**

Council Member Walsh then asked about the Freedom of Information Act. Both Attorney Howlett and Anastasi stated that this comes under pending litigation. Attorney Anastasi also pointed out that the Ethics Code for the City of Bridgeport, which prohibits the disclosure of information.

**** THE MOTION PASSED.**

The Committee, Mr. Young, Attorney Anastasi and Attorney Howlett then moved into Executive Session at 7:35 p.m. to discuss 26-06 The Fair and Equitable Assignment of all City Sheriff Work to all elected City Sheriffs.

**** COUNCIL MEMBER RODGERSON MOVED TO END THE EXECUTIVE SESSION.**

**** COUNCIL MEMBER BAKER SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

**** COUNCIL MEMBER RODGERSON MOVED TO ENTER BACK INTO PUBLIC SESSION.**

**** COUNCIL MEMBER WALSH SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The Committee returned to public session at 8:15 p.m.

Council Member Walsh then reiterated one comment that he believes that the action taken here is punitive in nature and is aimed at discouraging Mr. Young from pursuing legal avenues that are available to him and that the removal of work was because Mr. Young had done so. That is why this resolution was put forward to begin with and Council Member Walsh said that he had yet to hear anything that led him to think otherwise.

Council Member Pivrotto then asked that the same be done as was done for Ms. Woodward. She said that she could appreciate that the City Attorney needs discretion when they hire an attorney, but the service of process is a very simple thing. Council Member Pivrotto then outlined the requirements. She added that Sheriff Young is duly elected, as are five other duly elected sheriffs. To Council Member Pivrotto, that implies an equal distribution of work.

Council Member Baker said that he felt it was a shame that the matter has come to this point where Committee has to make a decision based on fairness and equality of sheriff's work in the City based on the situation with Mr. Young. He said that he wished that it was not directly related to the fact that someone felt that he was being alienated from the process.

Attorney Howlett commented that regardless of the substantive matter, she said that on a procedural basis, this issue was beyond the scope of the Committee's jurisdiction.

Chairman Mojica repeated that he believed that this item had been before the Committee long enough and that the Committee needs to make a decision. Chairman Mojica said that previously Mr. Young had been a reliable employee. At some point, this had changed and the trust and confidence was broken. Whether or not the Committee has the jurisdiction to tell the City Attorney how to run their office, which Chairman Mojica did

not believe that the Committee has, shedding some light such as a rotating basis would prevent something like this happening in the future.

**** COUNCIL MEMBER BAKER MOVED TO APPROVE ITEM 26-06 THE FAIR AND EQUITABLE ASSIGNMENT OF ALL CITY SHERIFF WORK TO ALL ELECTED CITY SHERIFFS**

Council Member Rodgeron asked for a point of clarification. He said that the resolution was in the Miscellaneous Matters Committee. Attorney Howlett agreed and said that if it was something that would occur more than once, the resolution needed to go before the Ordinance Committee. Council Member Rodgeron stated that an ordinance is a law. He then said that the jurisdiction of the Miscellaneous Matters Committee and of this resolution is of such a nature that this resolution is a non binding because it is not an ordinance. Attorney Howlett agreed.

Council Member Baker stated that he wanted to move the resolution and add to it that the rotating basis has to be for those sheriffs qualified to work only within the City of Bridgeport. Chairman Mojica asked if this would only be a recommendation. Attorney Howlett agreed and said that Council Member Rodgeron had pointed out that lacking an ordinance, the resolution is unenforceable. She said that Congress would call it a “non-binding resolution/recommendation”.

**** COUNCIL MEMBER WALSH SECONDED.**

There was a discussion regarding whether the resolution should be amended in Committee or on the Council floor. Council Member Walsh asked if anyone had the original resolution. No one had a copy at the meeting. Council Member Walsh then said that the motion could be passed in Committee and Council Member Baker could amend it when it comes before the full Council.

**** THE MOTION PASSED UNANIMOUSLY.**

102-06 Reappointment of John I. Tenn to the Harbor Commission

Chairman Mojica then suggested that Agenda Item 102-06 Reappointment of John I. Tenn to the Harbor Commission be tabled until next month because the appointee was not present.

**** COUNCIL MEMBER RODGERSON MOVED TO TABLE ITEM 102-06 REAPPOINTMENT OF JOHN I. TENN TO THE HARBOR COMMISSION UNTIL NEXT MONTH.**

**** COUNCIL MEMBER WALSH SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

71-06 Appointment of David J. Sullivan Jr. to the Ethics Commission

Chairman Mojica then suggested that Agenda Item 71-06 Appointment of David J. Sullivan Jr. to the Ethics Commission be tabled until next month because the appointee was not present.

**** COUNCIL MEMBER RODGERSON MOVED TO TABLE ITEM 71-06 APPOINTMENT OF DAVID J. SULLIVAN JR. TO THE ETHICS COMMISSION TO NEXT MONTH.**

**** COUNCIL MEMBER WALSH SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

Chairman Mojica asked Attorney Anastasi about adding items to the agenda. Attorney Anastasi said that this Committee has jurisdiction over litigation and settlements. There have been a number of times over the years when there has been a need to act expeditiously because Mr. Bowhannen needs expertise and guidance. Council Member Walsh stated that the rules state that the matter can be added to the agenda if it has been brought before the Committee. Council Member Walsh said that this item had not been brought before the Committee. Attorney Anastasi repeated that the Committee has general jurisdiction over matters of litigation. There have been a number of matters over the years where there were discussion to control risk. Chairman Mojica said that he had discussed this with the City Clerk and that the City Clerk had said that the past practice was wrong. The last time Chairman Mojica added something to the agenda, there was a problem. Attorney Anastasi said that he would discuss the matter with the City Clerk. Council Member Walsh objected. Attorney Anastasi said that he agreed that it was not expressly clear under the rules and believes it is consistent with past practice. Attorney Anastasi said that he believes that there needs to be rule that expressly says the Miscellaneous Matter it is proper to come to the Committee to get advise. Council Member Rodgeron asked the City Attorney to draft a rule about this. Chairman Mojica took a quick poll of the Committee about this that resulted in two Council Members being for hearing the matter (Rodgeron, Baker) and one against (Walsh).

**** COUNCIL MEMBER RODGERSON MOVED TO ADD THE MATTER OF LANGER VS CITY OF BRIDGEPORT FOR DISCUSSION ONLY.**

**** COUNCIL MEMBER BAKER SECONDED.**

**** THE MOTION PASSED WITH TWO IN FAVOR (RODGERSON AND BAKER) AND ONE AGAINST (WALSH).**

**** COUNCIL MEMBER RODGERSON MOVED TO ENTER INTO EXECUTIVE SESSION TO DISCUSS THE TWO FOLLOWING MATTERS:**

LANGER VS CITY OF BRIDGEPORT FOR DISCUSSION ONLY AND;

87-06 PROPOSED SETTLEMENT OF AFSCME LOCAL 15 POLICE UNION GRIEVANCE/LITIGATION.

**** COUNCIL MEMBER BAKER SECONDED.**

**** THE MOTION PASSED WITH TWO IN FAVOR (RODGERSON AND BAKER) AND ONE AGAINST (WALSH).**

The Committee, Attorney Anastasi and Attorney Howlett entered into Executive Session in order to discuss the matters of Langer vs. the City of Bridgeport and 87-06 Proposed Settlement of AFSCME Local 15 Police Union Grievance/Litigation at 8:36 p.m.

**** COUNCIL MEMBER RODGERSON MOVED TO APPROVE 87-06 PROPOSED SETTLEMENT OF AFSCME LOCAL 15 POLICE UNION GRIEVANCE/LITIGATION.**

**** THE MOTION FAILED DUE TO LACK OF A SECOND.**

**** COUNCIL MEMBER RODGERSON MOVED TO DENY 87-06 PROPOSED SETTLEMENT OF AFSCME LOCAL 15 POLICE UNION GRIEVANCE/LITIGATION.**

**** COUNCIL MEMBER BAKER SECONDED.**

**** THE MOTION PASSED WITH TWO IN FAVOR (WALSH AND BAKER) AND ONE AGAINST (RODGERSON).**

Council Member Walsh stated that someone had to step up to the plate and take responsibility for this settlement.

80-06 Refund of Excess Payments

**** COUNCIL MEMBER RODGERSON MOVED TO TABLE 80-06 REFUND OF EXCESS PAYMENTS.**

**** COUNCIL MEMBER BAKER SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

93-06 Refund of Excess Payments

**** COUNCIL MEMBER RODGERSON MOVED TO TABLE 93-06 REFUND OF EXCESS PAYMENTS.**

**** COUNCIL MEMBER BAKER SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

ADJOURNMENT

**** COUNCIL MEMBER RODGERSON MOVED TO ADJOURN.**

**** COUNCIL MEMBER WALSH SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 9:35 p.m.

Respectfully submitted,

Sharon L. Soltes
Telesco Secretarial Services

CITY of BRIDGEPORT
JOINT COMMITTEE on MISCELLANEOUS MATTERS and ORDINANCE
APRIL 2, 2007

ATTENDANCE

Ordinance Committee: Council members - McCarthy, Walsh, Holloway, Lyons, Curwen, Silva,

Miscellaneous Committee: Council members – Rodgerson, Paoletto, Walsh

OTHERS PRESENT: Associate City Attorney Howlett

Co-Chair Council member Rodgerson called the meeting to order at 5:52 p.m.

86-06 Proposed Settlement of Federal Law Suite brought by TelComm Technologies

** COUNCIL MEMBER PAOLETTO MOVED TO GO INTO EXECUTIVE SESSION
** COUNCIL MEMBER SILVA SECONDED
** MOTION PASSED UNANIMOUSLY

The committee moved into executive session at 5:53 p.m.

The committee came out of executive session at 6:03 p.m.

** COUNCIL MEMBER CURWEN MOVED TO APPROVE THE CITY ATTORNEY'S
RECOMMENDATION AS IT PERTAINED TO ITEM 86-07 PROPOSED SETTLEMENT
OF FEDERAL LAW SUITE BROUGHT BY TELCOMM TECHNOLOGIES
** COUNCIL MEMBER SILVA SECONDED
** MOTION PASSED WITH SIX VOTES IN FAVOR AND ONE ABSTENTION

* It was noted for the record that Council member Holloway abstained due to a conflict of interest, in that he works for the Public Facilities Department.

ADJOURNED

** COUNCIL MEMBER CURWEN MOVED TO ADJOURN
** COUNCIL McCARTHY SECONDED
** MOTION PASSED UNANIMOUSLY

The meeting was adjourned at 6:05 p.m.

Respectfully submitted,
Diane Graham
Telesco Secretarial Services

City of Bridgeport
Joint Committee on Miscellaneous Matters and Ordinance
April 2, 2007
Page 1

CITY of BRIDGEPORT
MISCELLANEOUS MATTERS COMMITTEE
APRIL 23, 2007

ATTENDANCE: Council members – Mojica, Rodgerson, Paoletto, Walsh

ABSENT: Council members – Vizzo-Paniccia, Blunt, Baker

OTHERS: Council members Mulligan, *Holloway

* = left the meeting before it was called to order

Council member Rodgerson called the meeting to order at 6:37 p.m.

Approval of joint committee meeting minutes: April 2, 2007

** COUNCIL MEMBER PAOLETTO MOVED TO ACCEPT THE MINUTES
** COUNCIL MEMBER WALSH SECONDED
** MOTION PASSED UNANIMOUSLY

71-06 Appointment of David J. Sullivan Jr. to the Ethics Commission

Council member Mojica stated that Mr. Sullivan called him to let him know he intended to attend the meeting tonight. The committee waited a few minutes to give Mr. Sullivan time to show up, however, he didn't appear, so:

** COUNCIL MEMBER PAOLETTO MOVED TO TABLE
** COUNCIL MEMBER MOJICA SECONDED
** MOTION PASSED UNANIMOUSLY

80-06 Refund of Excess Payments

Council member Mojica stated that he received a call from Kelly Lenz, Acting Tax Collector requesting that these two items be tabled.

** COUNCIL MEMBER PAOLETTO MOVED TO TABLE
** COUNCIL MEMBER MOJICA SECONDED
** MOTION PASSED UNANIMOUSLY

93-06 Refund of Excess Payments

-same information as above-

** COUNCIL MEMBER PAOLETTO MOVED TO TABLE
** COUNCIL MEMBER WALSH SECONDED
** MOTION PASSED UNANIMOUSLY

102-06 Reappointment of John I. Tenn to the Harbor Commission

Council member Rodgerson asked Mr. Tenn to tell the committee about his experience serving on the commission. Mr. Tenn said he worked with the other commission members and they work together to solve any problems that come up. He expressed that if his services were still needed, it would be a pleasure to serve.

Council member Rodgerson asked what the duties were of the commission. Mr. Tenn explained that if someone was looking to build on the water, the commission takes into consideration construction; drainage issues etc. and then they decided whether or not to approve or disapprove.

Council member Paoletto commented that Mr. Tenn has served on the board for ten years and he commended him for helping the city for that period of time. He further noted that his attendance indicated he was really dedicated to attending each meeting. Again, he commended him for this service to the city.

Council member Mojica stated that Mr. Tenn was due to attend the last meeting, but the following week he received several calls from him indicating that he didn't get the notice in time, but that he wanted to attend the next meeting to address the committee, he said he appreciated his calls and service to the city.

** COUNCIL MEMBER PAOLETTO MOVED TO APPROVE
** COUNCIL MEMBER MOJICA SECONDED
** MOTION PASSED UNANIMOUSLY

*Consent calendar

ADJOURNED

** COUNCIL MEMBER PAOLETTO MOVED TO ADJOURN
** COUNCIL MOJICA SECONDED
** MOTION PASSED UNANIMOUSLY

The meeting was adjourned at 6:52 p.m.

Respectfully submitted,

Diane Graham
Telesco Secretarial Services

City of Bridgeport
Miscellaneous Matters Committee
April 23, 2007
Page 2

RE: Miscellaneous Matters Committee – Meeting April 23, 2007

Note: Prior to the meeting being called to order, Council member Holloway addressed Council member Rodgerson to recall a matter that came up at the joint meeting between Miscellaneous Matters and Ordinance committees on April 4, 2007. He referred to the issue of Council member Rodgerson disallowing him to state his reason for wanting to abstain on an agenda item, which he thought was wrong. He recalled that after the meeting was adjourned, Council member Curwen requested that the recording secretary indicate his abstention for the record, due to the fact that he works for the Public Facilities Department. He also apologized to Council member Rodgerson for calling him a derogatory name referencing a particular body part, noting that he was wrong as well for doing that. Council member Rodgerson acknowledged the apology and said it would be noted for the record.

**CITY OF BRIDGEPORT
MISCELLANEOUS MATTERS
MAY 29, 2007**

ATTENDANCE: Keith Rodgerson, Chairman; Rafael Mojica, Co-chair; Richard Paoletta, Andre Baker, Robert Walsh

OTHERS: Council Member Thomas Mulligan, Anne Kelly-Lenz, Acting Tax Collector; Bruce N. Gallo, the Honorable Howard T. Owens, Jr.; Ann Owens, David Sullivan

CALL TO ORDER

Chairman Rodgerson called the meeting to order at 6:38 p.m.

**80-06 REFUND OF EXCESS PAYMENTS
& 93-06 REFUND OF EXCESS PAYMENTS**

Ms. Kelly-Lenz came forward and reviewed the three funds. Item 80-06 was for taxes that had already been paid and a court ordered refund was due. The second case, Item 93-06, had to do with two separate parties, one of whom issued a duplicate check to the City for payment and the second party sending in a check that including an overpayment.

**** COUNCIL MEMBER PAOLETTA MOVED TO APPROVE AGENDA ITEM 80-06– REFUND OF EXCESS PAYMENT.
**COUNCIL MEMBER MOJICA SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

Chairman Rodgerson requested that this item be added to the Consent Calendar.

**** COUNCIL MEMBER PAOLETTA MOVED TO APPROVE AGENDA ITEM 93-06– REFUND OF EXCESS PAYMENT.
**COUNCIL MEMBER MOJICA SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

Chairman Rodgerson requested that this item be added to the Consent Calendar.

**261-06 APPOINTMENT OF BRUCE N. GALLO (D) TO REDEVELOPMENT
AGENCY**

Mr. Gallo came forward and introduced himself to the Committee. Council Member Mojica stated that the last time that Mr. Gallo had come before the Committee, the motion has been tabled because there was some paperwork that needed to be processed

by the Mayor's Office. Council Member Mojica then stated that all the paperwork was now in order.

Council Member Mulligan then stated that Mr. Gallo was from the 130th District and that he was a participant in the various community activities.

**** COUNCIL MEMBER MOJICA MOVED TO APPROVE ITEM 261-06
APPOINTMENT OF BRUCE N. GALLO (D) TO REDEVELOPMENT AGENCY.
** COUNCIL MEMBER PAOLETTA SECONDED.**

Council Member Baker said that he had asked Mr. Gallo a question about moderate income redevelopment in particular areas. He then asked if Mr. Gallo had the same views regarding allowing developers to come in and disregard the zoning rules and various districts plans. Mr. Gallo replied that he could not say in good conscious that he would allow developers to do whatever they wanted and that smart planning was the way to go. Mr. Gallo said that each case would have to be evaluated on its own. He added that he had thought about Council Member Baker's comments in the interval between meetings and said he would be open to Council Member Baker's showing him the neighborhoods that he might not have as much knowledge about in order to understand Council Member Baker's idea and plans. Council Member Baker replied that there are a number of NRZs working in various districts and those people are the stakeholders. The Boards need to take the NRZs comments into consideration because the NRZs are the ones that will have to live with the decisions.

Council Member Walsh asked if the Committee had a list showing the most recent make up of the Redevelopment Agency Board. He stated that he had checked the City's website and found a partial listing of the Board. Council Member Mojica pointed out that the application paperwork indicates which slot Mr. Gallo would be filling. Chairman Rodgerson also commented that Ms. Nieves appointment to the Redevelopment Agency was also on the agenda for the Committee's approval. Council Member Mojica said that there was a copy of the proposed Committee members at his seat in the Council Chambers and excused himself to retrieve that.

Council Member Walsh said that Mr. Gallo had been outspoken about the Black Rock Arts Center in the past. Mr. Gallo said that he believed that this had been discussed at the last meeting. Council Member Walsh said that there were emails being distributed about this issue. Mr. Gallo reiterated that this had been discussed at the last meeting. Council Member Walsh then asked Mr. Gallo if he was acknowledging that he had been outspoken about the Black Rock Arts Center. Mr. Gallo replied that he was. Council Member Walsh then said that Mr. Gallo had never been at the Center but had formed an opinion. Mr. Gallo replied that he had been at the Center once. Council Member Walsh then asked if Mr. Gallo would at this point in time, agree to recuse himself from any votes having to do with the Black Rock Arts Center that come before the Redevelopment Agency. Chairman Rodgerson said that this was a first and that a Committee member

would intervene and asked an appointee about their particular political views and to recuse themselves from business on a committee agenda because of the person's predisposition in regard to a certain action. Council Member Walsh replied that the Mayor had publicly gone on record as saying he planned on having the Redevelopment Agency serve as the Board to review any RFPs or RFQs for that property. This individual has spoken out against the Black Rock Arts Center in the past and Council Member Walsh felt that Mr. Gallo should recuse himself from all business regarding the Black Rock Arts Center for that building. Chairman Rodgerson then said that with all due respect, if Council Member Walsh wished to vote down this candidate because of his views in regard to a situation, whether past or present, that would be acceptable. However, Chairman Rodgerson said he did not think it was appropriate for Council Member Walsh to request that Mr. Gallo recuse himself future business of the agency. Council Member Walsh stated that if Mr. Gallo wanted his vote, that was what he would have to do. Chairman Rodgerson then stated that Mr. Gallo was free to respond or not respond to that request and the Committee would move on. Mr. Gallo said that he would not respond.

Council Member Mulligan said that it was unprecedented that Council Member Walsh would require this stipulation and that if he asked that pledge of anyone who might be voting on the Black Rock Arts Center, Council Member Mulligan stated that the City Council might have to recuse itself almost in its entirety from any kind of voting. Council Member Mojica agreed. Council Member Mulligan then stated that he did not believe that the Committee members could ask a candidate to recuse himself regarding future votes.

Mr. Gallo then pointed out that the Council Members had expressed opinions on various issues before a vote but had not recused themselves from the votes. He said that he felt this request was improper and premature.

Council Member Paoletta then said he felt it was ludicrous that Mr. Gallo would be asked to recuse himself from that vote because he does not agree with Council Member Walsh on the Black Rock Arts Center. Council Member Paoletta then said that he agreed with his colleagues that the Council Members all have opinions on the Center and are allowed to vote. Council Member Paoletta then said in all due fairness that if this was the only issue, he would like to move the question.

Council Member Walsh said that he had more issues. Chairman Rodgerson recognized Council Member Mojica.

Council Member Mojica said that he would have to agree with Council Member Paoletta and Mulligan. He also pointed out that this had gone through the Ethics Committee and been approved. Council Member Mojica said that if the Ethics Committee had thought that there would be a conflict of interest, they would not have approved this appointment. Secondly, Council Member Mojica pointed out that everyone is entitled to their personal

opinion on the matter and that should not be held against them. He stated that Mr. Gallo meets more than the criteria requirements. Council Member Mojica said that the first time Mr. Gallo had come before the Committee, this same approach was taken against him. Council Member Mojica said that he did not believe that this had any basis in this Committee.

Council Member Walsh reiterated that the Mayor was the one that indicated that the Redevelopment Agency Board would be serving as the evaluator of the RFP and RFQ process. He then challenged anyone to indicate when the Redevelopment Agency had ever been involved in this type of arrangement before. Chairman Rodgerson pointed out that the Committee was not present to evaluate the Redevelopment Agency. Council Member Walsh said that the circumstances leading up to his question was unprecedented. Chairman Rodgerson then stated that for Council Member Walsh to assume that every candidate for every agency was arriving with complete blank slate would be unrealistic. Council Member Walsh said that if a candidate comes forward and is predisposed on a matter this important, Council Member Walsh did not see why the Committee should go ahead and approve it because everyone had an opinion.

Council Member Baker said that the purpose of the Board was to review the paperwork and determine if the candidate would serve properly on the Boards.

Council Member Walsh then asked about past taxes on a vehicle when Mr. Gallo was originally nominated. Mr. Gallo replied that the situation had been cleared up. Council Member Walsh then pointed out that Mr. Gallo was behind in his real estate taxes in May. Mr. Gallo said that he was able to pay up his mortgage but there were subsequent problems with the paperwork. Mr. Gallo stated that he was one of the highest residential taxpayers in the City. When he discovered there was a problem, he paid the money. Council Member Walsh said that with all the emphasis placed on taxes in the City, he was amazed that there was twenty thousand dollars due. Mr. Gallo repeated that he had paid those taxes.

Council Member Walsh then said that there was no one present who could answer his next question, but he wished to find out how the Redevelopment Agency was constituted. He said that there is no ordinance on the City's books establishing this Agency. It is by State Statute and then proceeded to read the statute. Absence of that, Council Member Walsh stated that the municipality could designate the Housing Authority of the Municipality. Council Member Walsh then asked how the Committee knew that prior Councils did not dictate such action. When this email was sent to the City Clerk in September, he received a response that said the request required some research and that the City Clerk believed that the Redevelopment Agency was created by resolution rather than ordinance a long time. He then stated that he had not received any further explanation as to how the body was created.

Chairman Rodgerson said that Council Member Walsh would need to be discuss this issue with the City Attorney, the CAO or the Administration. This Committee has previously approved candidates for the Redevelopment Agency and will continue to do so until such time as directed otherwise. Council Member Walsh then said he had questions about how the body is constituted and whether the Committee legally has the power to approve these appointments. Chairman Rodgerson then reiterated that Council Member Walsh contact the City Attorney's office and request an opinion regarding that. Chairman Rodgerson said this matter should not be dropped on the Committee members in the middle of a meeting when the Committee was considering appointments to the Board. He concluded with the statement that this was not the forum for the issue because it was not the Ordinance Committee or the City Attorney's office. If this issue needs to be put on the Council agenda, Chairman Rodgerson encouraged Council Member Walsh to do so.

Council Member Mojica said that the Committee was present to conduct City business and that were any questions that needed to be answered should be forwarded to the City Attorney. He stated that he never heard any previous questions regarding whether the Committee had the authority to approve members to this particular Board and if this proved not to be the case, the Committee will be notified.

Council Member Walsh then stated as a point of order that there is an ordinance on the books that requires the Mayor to name who any nominee is replacing. Council Member Walsh stated that there was no paperwork present that indicating that the Mayor has done so. Council Member Walsh then stated that the nomination was out of order and should not be acted upon.

Council Member Paoletta stated that no one, including Council Member Walsh, had the original resolution that was sent to the Committee. Council Member Paoletta stated that he truly believed that the designation was on the original because it has been on every single one that he has received. Council Member Walsh said that it was a simple question of whom Mr. Gallo was replacing. Council Member Mojica said that Mr. Gallo was replacing the seat held by Mr. Dennis O'Malley and the term is set to expire on March 1st. Council Member Walsh objected, saying that the current list does not show a seat held by Dennis O'Malley. Chairman Rodgerson commented that this was because the term had expired on March 1st and was now listed as vacant.

Chairman Rodgerson then called for a repeat of the motion.

**** COUNCIL MEMBER MOJICA MOVED TO APPROVE ITEM 261-06
APPOINTMENT OF BRUCE N. GALLO (D) TO REDEVELOPMENT AGENCY.
** COUNCIL MEMBER PAOLETTA SECONDED.
** THE MOTION PASSED WITH THREE IN FAVOR (BAKER, MOJICA AND
PAOLETTA) AND ONE OPPOSED (WALSH).**

**130-06 REAPPOINTMENT OF THE HONORABLE HOWARD T. OWENS, JR.
TO THE ETHICS COMMISSION**

Judge Owens gave the Committee a quick overview of the work that the Ethics Commission had done during his previous term on the Commission.

Council Member Mulligan said that he would like to recommend Judge Owens, who was a former State Senator, and an attorney from the 132nd District.

Council Member Paoletta said that he did not have a question for the Judge, but stated that the Judge's reputation as a man of integrity and hard work has preceded him. He said that he was aware that the Ethics Commission had done due diligence with the various issues that have been sent to them.

**** COUNCIL MEMBER PAOLETTA MOVED TO APPROVE 130-06
REAPPOINTMENT OF THE HONORABLE HOWARD T. OWENS, JR. TO THE
ETHICS COMMISSION.**

Council Member Walsh then asked Judge Owens since the Ethics Commission had not been taken any affirmative action regarding any individual, if it was safe to assume that the Ethics Commission has not found any individual to be in violation. Judge Owens stated that the Commission had not found anyone to be in violation. The Ethics Commission makes a finding of a violation. Judge Owens explained that the Commission cannot remove someone from office, fine someone or exercise other measures. When cases arise where there are investigations by the U.S. Attorney's Office or the Department of Justice, it would not be appropriate for the Ethics Commission to hold a separate hearing. Council Member Walsh asked if there was a finding, if it would be made public. Judge Owens said that a finding would have been made public. He went on to explain that there have been complaints but many of them do not fit into the parameters of the Ethics Commission. The Ethics Commission handles cases where there is involvement of conflict of interest or financial conflict. Council Member Walsh said that there were other towns where the officers or employees who violate the City Charter or ordinances could lose their jobs. Judge Owens replied that it would be up to the City Council to expand the powers and jurisdiction of the Ethics Commission.

**** COUNCIL MEMBER MOJICA SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

Chairman Rodgeron requested that the item be placed on the Consent Calendar.

158-06 APPOINTMENT OF ANN E. OWENS TO THE PARKS COMMISSION

Ms. Owens came forward and introduced herself to the Committee. When asked by Chairman Rodgeron why she wished to be on the Parks Committee, she said that

Bridgeport was known as the Park City. She also pointed out there were many small parks scattered through out the City.

Council Member Walsh asked if Ms. Owens made any commitments to the Mayor or any others to vote one way or another on any matters not yet presented to the Parks Board. Ms. Owens said that she had not.

Council Member Walsh said that there was a park at the corner of Beechwood and Norman that needs attention. Ms. Owens said that she was aware of it.

Council Member Mulligan said that he would like to recommend Ms. Owens appointment to the Parks Commission.

Council Member Baker asked if Ms. Owens had served on the Parks Commission. Ms. Owens said that she had not served on the Park Commission.

Council Member Paoletta said that he would be voting against this nomination because Ms. Owens would be replacing someone who Council Member Paoletta felt should remain on the Commission. He stated that this had no reflection on Ms. Owens at all.

Chairman Rodgerson said that he had been in two different parks recently and noticed that they need work.

**** COUNCIL MEMBER MOJICA MOVED TO APPROVE ITEM 158-06 APPOINTMENT OF ANN E. OWENS TO THE PARKS COMMISSION.
** COUNCIL MEMBER BAKER SECONDED.
** THE MOTION PASSED WITH THREE IN FAVOR (MOJICA, WALSH AND BAKER) AND ONE OPPOSED (PAOLETTA).**

71-06 APPOINTMENT OF DAVID J. SULLIVAN JR. TO THE ETHICS COMMISSION.

Chairman Rodgerson asked Mr. Sullivan why he wished to serve on the Ethics Commission. Mr. Sullivan stated that he was born in Bridgeport many years ago and that his grandfather was working in Bridgeport prior to the outbreak of the Civil War. He said that he appreciates the opportunity to be of service to Bridgeport and its community.

Council Member Paoletta asked if the applicant's paperwork was in order. Council Member Mojica commented that Mr. Sullivan's application had been on last month's agenda and had been tabled.

Council Member Mulligan stated that Mr. Sullivan is from his district and reminded the Committee members that he had spoken in favor of Mr. Sullivan's appointment last month.

Council Member Baker asked why Mr. Sullivan wanted to serve on the Ethics Committee. Mr. Sullivan said that he was one of the co-author of Code of Ethics that was passed in the State Legislature and had the privilege of serving there in the 1970's and worked with the late Jack Caruso from Wallingford and Bill Smythe from Stratford. He said that he was proud to live in Bridgeport and would be honored to help the community in this way.

****COUNCIL MEMBER PAOLETTA MOVED TO APPROVE ITEM 71-06 APPOINTMENT OF DAVID J. SULLIVAN JR. TO THE ETHICS COMMISSION.**

**** COUNCIL MEMBER MOJICA SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

Chairman Rodgerson requested that this item be added to the Consent Calendar.

131-06 APPOINTMENT OF DANIEL MARTINEZ TO THE HARBOR COMMISSION.

Council Member Mojica stated that when the letter was sent to Mr. Martinez about this meeting, it was returned to the City Clerk's Office.

**** COUNCIL MEMBER MOJICA MOVED TO TABLE ITEM 131-06 APPOINTMENT OF DANIEL MARTINEZ TO THE HARBOR COMMISSION UNTIL THE NEXT MEETING OF THE MISCELLANEOUS MATTERS COMMITTEE.**

**** COUNCIL MEMBER BAKER SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

132-06 APPOINTMENT OF MR. ROBERT O. MORTON TO THE PLANNING AND ZONING COMMISSION.

Chairman Rodgerson then asked Mr. Morton why he wished to serve on the Committee. Mr. Morton said that he would like to serve on this Commission because he is keenly aware of the effect that Planning and Zoning has on the City. He also said that the City is on the brink of a new phase. He said that he has lived in Bridgeport all of his life and is familiar with the East End of Bridgeport.

Council Member Paoletta said that he knew Mr. Morton's family and that Mr. Morton has done a lot in the community. Council Member Paoletta said that he would recommend Mr. Morton to the Planning and Zoning Commission.

Council Member Baker said that he had known Mr. Morton for a number of years and that his passion was to move the East End forward.

**** COUNCIL MEMBER BAKER MOVED TO APPROVE ITEM 132-06
APPOINTMENT OF MR. ROBERT O. MORTON TO THE PLANNING AND
ZONING COMMISSION.**

**** COUNCIL MEMBER PAOLETTA SECONDED.**

Council Member Walsh said that he knows Mr. Morton and his family, also. He said that Mr. Morton would not only bring a view of the East End to the Planning and Zoning Commission but he also knows the importance of the strong middle class neighborhoods. Council Member Walsh said that he applauds the East End NRZ because they are the only NRZ that is functioning the way they are intended to function. This, Council Member Walsh believes, is because of Mr. Morton. He stated that he fully supports this appointment.

Chairman Rodgerson said that he would like to add his agreement because Land Use is the most important issue facing the City today. He said that a new Master Plan was being implemented, along with new Zoning Regulations, which will be quite different from what the current Commission has used in the past. It is extremely important for Commission members to have an open mind.

**** THE MOTION PASSED UNANIMOUSLY.**

Chairman Rodgerson requested that the item be included on the Consent Calendar.

Council Member Walsh said that the Committee has a responsibility to State Law to appoint minority party members to Boards. Chairman Rodgerson stated that the vote had already been taken. Council Member Walsh said that he realized that but was saying that it was of importance. Chairman Rodgerson said that this issue would have to be brought before the Council. He added that Council Member Walsh had not said anything while the item was opened for discussion.

**134-06 APPOINTMENT OF CARMEN NIEVES TO THE REDEVELOPMENT
AGENCY**

Ms. Nieves was not present at the meeting.

**** COUNCIL MEMBER MOJICA MOVED TO TABLE ITEM 134-06
APPOINTMENT OF CARMEN NIEVES TO THE REDEVELOPMENT AGENCY
UNTIL THE NEXT MEETING OF THE MISCELLANEOUS MATTERS
COMMITTEE.**

**** COUNCIL MEMBER PAOLETTA SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

159-05 REAPPOINTMENT OF FRANK MERCALDI TO THE PARK COMMISSION.

Mr. Mercaldi said that he had been on the Park Commission for three years and felt that a lot of good work had been accomplished. He said that the Chairman of the Board had come up with a new plan to upgrade the smaller parks. The lack of personnel is the biggest problem that the parks have.

Council Member Paoletta said that he had been the liaison to the Parks Board and that Mr. Mercaldi arrived shortly after Mr. Paoletta's time as liaison ended, but he had spoken with some others about this. Mr. Mercaldi missed only one meeting in the last three years. Council Member Paoletta said that he would not hesitate to reappoint Mr. Mercaldi.

Council Member Walsh said that the Parks have been operating with an Acting Director. Mr. Mercaldi said that this was true. Mr. Estrada is currently the staff assigned to Parks but when he can not attend, Mr. Carroll is in attendance.

Council Member Mulligan said that he had known Mr. Mercaldi for a long time.

- ** COUNCIL MEMBER PAOLETTA MOVED TO APPROVE ITEM 159-05 REAPPOINTMENT OF FRANK MERCALDI TO THE PARK COMMISSION.**
- ** COUNCIL MEMBER MOJICA SECONDED.**
- ** THE MOTION PASSED UNANIMOUSLY.**

Chairman Rodgeron requested that the item be placed on the consent calendar.

150-06 WORKER'S COMPENSATION STIPULATION BETWEEN THE CITY OF BRIDGEPORT AND MR. WILLIAM FARDY.

- ** COUNCIL MEMBER PAOLETTA MOVED TO ENTER INTO EXECUTIVE SESSION TO DISCUSS ITEM 150-06 WORKER'S COMPENSATION STIPULATION BETWEEN THE CITY OF BRIDGEPORT AND MR. WILLIAM FARDY.**
- ** COUNCIL MEMBER BAKER SECONDED.**
- ** THE MOTION PASSED UNANIMOUSLY.**

The Committee entered into executive session at 7:29 p.m. The Committee returned to Public Session at 7:43 p.m.

- ** COUNCIL MEMBER PAOLETTA MOVED TO APPROVE ITEM 150-06 WORKER'S COMPENSATION STIPULATION BETWEEN THE CITY OF BRIDGEPORT AND MR. WILLIAM FARDY.**

**** COUNCIL MEMBER MOJICA SECONDED.
** THE MOTION PASSED WITH THREE IN FAVOR (MOJICA, PAOLETTA
AND RODGERSON) AND TWO OPPOSED (BAKER AND WALSH).**

ADJOURNMENT

**** COUNCIL MEMBER PAOLETTA MOVED TO ADJOURN.
** COUNCIL MEMBER MOJICA SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 7:45 p.m.

Respectfully submitted

Sharon L. Soltes
Telesco Secretarial Services

**CITY OF BRIDGEPORT
MISCELLANEOUS MATTERS
JUNE 25, 2007**

ATTENDANCE: Rafael Mojica, Chairman; Andre Baker, AmyMarie Vizzo-Panicca, Robert Walsh, Warren Blunt (6:57 p.m.)

OTHERS: David Ryan, Merrilyn Vanghele, Philip Norgren, Richard Cruz, Reginald Walker, Atty. Melanie Howlett, City of Bridgeport; Council Member Donna Curran; Daniel Martinez, Atty. Chris Meyers

CALL TO ORDER

Chairman Mojica called the meeting to order at 6:39 p.m.

134-06 -- Appointment of Carmen Nieves to the Redevelopment Agency

Ms. Nieves was not able to attend the meeting due to a conflict in scheduling.

**** COUNCIL MEMBER VIZZO-PANICCA MOVED TO TABLE AGENDA ITEM 134-06 -- APPOINTMENT OF CARMEN NIEVES TO THE REDEVELOPMENT AGENCY.**

**** COUNCIL MEMBER BAKER SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

161-06 -- Appointment of David J. Ryan to the Historic District #1 Commission

Mr. Ryan came forward and introduced himself to the Committee, stating that he lived at 420 Midland Avenue. He informed the Committee that he was involved with the Bridgeport Architectural League.

Council Member Walsh commented that the paperwork indicated that Mr. Ryan would be replacing Mr. Falberg, who was listed as a Republican. He also noted that Mr. Halstead had moved out of town some time ago and that there was an additional vacancy on the Commission.

Chairman Mojica distributed copies of an updated Commission listing to the Committee members.

Council Member Walsh expressed concerns about the minority representation rule for Commissions and said there was no way to know what vacancy that Mr. Ryan was filling. A discussion about this issue followed.

**** COUNCIL MEMBER WALSH MOVED TO APPROVE AGENDA ITEM 161-06 -- APPOINTMENT OF DAVID J. RYAN TO THE HISTORIC DISTRICT #1 COMMISSION IF THE APPOINTMENT OF MR. RYAN DOES NOT VIOLATE THE STATE MINORITY REPRESENTATION STATUTE AND THERE IS CLARIFICATION ON WHETHER THE APPOINTMENT IS TO THE COMMISSION OR AS AN ALTERNATE BEFORE THE ITEM IS PRESENTED TO THE FULL COUNCIL.**

Council Member Walsh stated that he was aware that Mr. Ryan was involved in many different city activities.

Chairman Mojica stated that he also knew this. Chairman Mojica said that he hoped that the Commission would keep in mind the fact that some of the new home buyers are not aware that they have purchased a house located in an historic district.

Council Member Blunt joined the meeting at 6:57 p.m.

**** COUNCIL MEMBER BAKER SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

162-06 -- Appointment of Merrillyn Vanghele to the Harbor Commission

Ms. Vanghele came forward and introduced herself to the Commission. She stated that she lived at 53 Seabright Avenue. Ms. Vanghele stated that she lives in the Black Rock area of town and is right on the water. In the past, she has served on the Planning and Zoning Commission and is a retired probation officer.

Council Member Walsh said that he was aware of Ms. Vanghele's work on the Planning and Zoning and then asked her if she realized that she would be the only woman on the Harbor Commission. Ms. Vanghele replied that this would not be a problem.

Chairman Mojica recognized Council Member Curran. Council Member Curran said that she knew Ms. Vanghele and that she was conscientious and hard working.

**** COUNCIL MEMBER VIZZO-PANICCIA MOVED TO APPROVE AGENDA ITEM 162-06 -- APPOINTMENT OF MERRILYN VANGHELE TO THE HARBOR COMMISSION.
** COUNCIL MEMBER BLUNT SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

163-06 -- Appointment of Philip E. Norgren to the Water Pollution Control Authority Commission

Mr. Norgren came forward and introduced himself to the Committee. He explained that he has lived in Bridgeport since 2002 and his current address is 26 Penfield Place. He stated that he currently works part time for the WPCA in Stamford and was on the Stamford Sewer Commission. Chairman Mojica asked Mr. Norgren for some clarification on his work for Stamford, which Mr. Norgren explained.

Council Member Walsh expressed his concern regarding the current composition of the WPCA Board and reiterated his concerns about the minority representation rule. He pointed out that the list indicated that the term for the Chair, Clement Young, had expired and that there was also an additional vacancy on the Board.

**** COUNCIL MEMBER WALSH MOVED TO APPROVE AGENDA ITEM 163-06 -- APPOINTMENT OF PHILIP E. NORGRN TO THE WATER POLLUTION CONTROL AUTHORITY COMMISSION CONTINGENT ON CLARIFICATION OF WHICH VACANCY MR. NORGRN WAS FILLING.**

**** COUNCIL MEMBER BAKER SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

164-06 -- Appointment of Richard Cruz to the Harbor Commission

Mr. Cruz came forward, introduced himself and stated his current address. He then informed the Commission that he had been on the Citizens Committee and currently works at St. Vincent's Medical Center. Chairman Mojica then asked him what other additional activities he had been involved in. Mr. Cruz recounted them for the Commission.

Council Member Walsh stated that in reviewing the paperwork, the tax records refer to a Mr. "Rafael" Cruz, with a date of birth of April 18th, 1966. Mr. Cruz replied that Rafael Cruz was his uncle, who is deceased, but the birth date was his. He also informed the Committee that he frequently receives mail for his deceased uncle.

Council Member Blunt stated that he had known Mr. Cruz for many years and that he will be an asset to the Harbor Commission. Council Member Walsh concurred, stating that he was pleased that the Latino representation would be maintained on the Commission.

**** COUNCIL MEMBER BLUNT MOVED TO APPROVE AGENDA ITEM 164-06 -- APPOINTMENT OF RICHARD CRUZ TO THE HARBOR COMMISSION CONTINGENT ON CLARIFICATION OF THE TAX STATUS RECORDS REGARDING "RAFAEL CRUZ, DATE OF BIRTH APRIL 18, 1966."**

**** COUNCIL MEMBER VIZZO-PANICCIA SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

165-06 -- Appointment of Reginald F. Walker to the Redevelopment Agency

Mr. Walker came forward and stated that he lived at 48 Hazelwood Avenue. Mr. Walker said that he was a retired City employee and had been the Assistant Director of Planning in the past.

Council Member Blunt stated that he had known Mr. Walker most of his life and felt that this was a golden opportunity for the Redevelopment Agency. Council Member Blunt said that he would heartily support this appointment.

Council Member Walsh said that Mr. Walker's history with the City shows his commitment and commented that another appointment had been tabled previously because of a lack of diversity. Since then, Council Member Walsh said that he would applaud the Mayor for heeding the advice that the Miscellaneous Matters Committee had sent to him. Council Member Walsh stated that this was a different board than previously and a much more representative board as far as ethnic diversity and the geographic distribution of residency.

Chairman Mojica recognized Council Member Mulligan. Council Member Mulligan said that Mr. Walker had displayed wisdom during his years as a City employee and that Council Member Mulligan could heartily endorse Mr. Walker's appointment.

Chairman Mojica agreed and said that Mr. Walker had presented many good ideas previously and had worked on the Master Plan. He concluded by saying that he would also endorse Mr. Walker's appointment.

**** COUNCIL MEMBER VIZZO-PANICCIA MOVED TO APPROVE AGENDA ITEM 165-06 -- APPOINTMENT OF REGINALD F. WALKER TO THE REDEVELOPMENT AGENCY.**

**** COUNCIL MEMBER BAKER SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

APPROVAL OF COMMITTEE MEETING MINUTES: MAY 29, 2007

Council Member Walsh stated that he had been misquoted in the minutes for May 29, 2007.

**** COUNCIL MEMBER VIZZO-PANICCIA MOVED TO TABLE THE MINUTES FOR MAY 29, 2007.**

**** COUNCIL MEMBER BAKER SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

EXECUTIVE SESSION

**** COUNCIL MEMBER VIZZO-PANICCIA MOVED TO ENTER EXECUTIVE SESSION TO DISCUSS THE FOLLOWING SETTLEMENT CASES:**

170-06 SUIT SETTLEMENT FOR: LEROY WILLIAM
179-06 SETTLEMENT OF LITIGATION FOR: MONTALVO VS. CITY OF BRIDGEPORT
180-06 SUIT SETTLEMENT FOR: ROBERT DEJESUS
181-06 SUIT SETTLEMENT FOR: LUCY SANTIAGO PPA ANDRE MARCIAL

**** COUNCIL MEMBER BAKER SECONDED.**
**** THE MOTION PASSED UNANIMOUSLY.**

The Miscellaneous Matters Committee, Atty. Melanie Howlett and Atty. Chris Meyers entered into executive session at 7:18 p.m.

**** COUNCIL MEMBER VIZZO-PANICCIA MOVED TO RE-ENTER PUBLIC SESSION.**
**** COUNCIL MEMBER BAKER SECONDED.**
**** THE MOTION PASSED UNANIMOUSLY.**

The Committee resumed public session at 7:52 p.m.

**** COUNCIL MEMBER BAKER MOVED TO APPROVE A SETTLEMENT FOR AGENDA ITEM 170-06 -- SUIT SETTLEMENT FOR: LEROY WILLIAM IN THE AMOUNT OF \$65,000.**
**** COUNCIL MEMBER BLUNT SECONDED.**
**** THE MOTION PASSED UNANIMOUSLY.**

**** COUNCIL MEMBER BAKER MOVED TO DENY AGENDA ITEM 179-06 SETTLEMENT OF LITIGATION FOR: MONTALVO VS. CITY OF BRIDGEPORT.**
**** COUNCIL MEMBER VIZZO-PANICCIA SECONDED.**
**** THE MOTION PASSED WITH THREE IN FAVOR (WALSH, VIZZO-PANICCIA AND BAKER) AND ONE ABSTENTION (BLUNT).**

**** COUNCIL MEMBER VIZZO-PANICCIA MOVED TO TABLE THE TWO FOLLOWING AGENDA ITEMS:**

180-06 SUIT SETTLEMENT FOR: ROBERT DEJESUS
181-06 SUIT SETTLEMENT FOR: LUCY SANTIAGO PPA ANDRE

MARCIAL

**** COUNCIL MEMBER BAKER SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

131-06 Appointment of Daniel Martinez to the Harbor Commission

Mr. Martinez came forward and introduced himself to the Commission. He apologized for not appearing earlier and stated that he had not received the letters from the City Clerk about the appointment. He stated that he was part of the Citizen's Union and had a strong interest in serving the City.

Council Member Baker asked Mr. Martinez if he found the appointment to the Harbor Commission appropriate. Mr. Martinez said that he lived on the East Side and that he believed that the Harbor was an important part of the East Side. He also said that there was a common goal to improve the City.

**** COUNCIL MEMBER VIZZO-PANICCIA MOVED TO APPROVE AGENDA ITEM 131-06 -- APPOINTMENT OF DANIEL MARTINEZ TO THE HARBOR COMMISSION.**

**** COUNCIL MEMBER BAKER SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

ADJOURNMENT

**** COUNCIL MEMBER BAKER MOVED TO ADJOURN.**

**** COUNCIL MEMBER VIZZO-PANICCIA SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:00 p.m.

Respectfully submitted,

Sharon L. Soltes
Telesco Secretarial Services

**BRIDGEPORT CITY COUNCIL
MISCELLANEOUS MATTERS COMMITTEE
JULY 23RD, 2007**

ATTENDANCE: Rafael Mojica, Chair; Keith Rodgerson; Robert Walsh; Andre Baker

STAFF: Mark Anastasi, City Attorney (6:45 p.m.)

CALL TO ORDER

The meeting was called to order at 6:39 p.m. by Mr. Rodgerson.

APPROVAL OF COMMITTEE MEETING MINUTES: JUNE 25TH, 2007

- ** MR. MOJICA MOVED TO TABLE THE MEETING MINUTES OF JUNE 25TH, 2007.
- ** MR. BAKER SECONDED.
- ** MOTION PASSED UNANIMOUSLY.

134-06 Appointment of Carmen Nieves to the Redevelopment Agency

- ** MR. BAKER MOVED TO TABLE THIS ITEM FOR LACK OF APPEARANCE BY MS. NIEVES.
- ** MR. MOJICA SECONDED.
- ** MOTION PASSED UNANIMOUSLY.

Atty. Anastasi arrived at 6:45 p.m.

- ** MR. MOJICA MOVED TO ENTER INTO EXECUTIVE SESSION TO DISCUSS ITEMS 180-06 AND 181-06.
- ** MR. BAKER SECONDED.
- ** MOTION PASSED UNANIMOUSLY.

The Committee entered executive session at 6:45 p.m.

- ** MR. MOJICA MOVED TO END EXECUTIVE SESSION.
- ** MR. BAKER SECONDED.
- ** MOTION PASSED UNANIMOUSLY.

Executive session was ended at 6:47 p.m.

180-06 Suit Settlement for: Robert DeJesus

- ** MR. MOJICA MOVED TO TABLE ITEM 180-06.
- ** MR. BAKER SECONDED.

**** MOTION PASSED UNANIMOUSLY.**

181-06 Suit Settlement for: Lucy Santiago ppa Andre Marcial

**** MR. BAKER MOVED TO TABLE ITEM 181-06.**

**** MR. MOJICA SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

ADJOURNMENT

**** MR. BAKER MOVED TO ADJOURN.**

**** MR. MOJICA SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 6:50 p.m.

Respectfully submitted,

Jessica Schroder
Telesco Secretarial Services

**MINUTES
MISCELLANEOUS MATTERS COMMITTEE
SEPTEMBER 4, 2007**

ATTENDANCE: Keith Rodgerson, Co-Chair; Amy Marie Vizzo-Paniccia; Richard Paoletto; Robert Walsh; Andre Baker.

STAFF: Mark Anastasi, City Attorney.

The meeting was called to order at 6:25 p.m. by the Co-Chair.

- ** COUNCILMEMBER VIZZO-PANICCIA MOVED TO GO INTO EXECUTIVE SESSION TO DISCUSS SUIT SETTLEMENTS FOR ROBERT DEJESUS AND LUCY SANTIAGO PPA ANDRE MARCIAL.**
- ** COUNCILMEMBER PAOLETTO SECONDED.**
- ** MOTION PASSED UNANIMOUSLY.**

The committee went into executive session at 6:25 p.m. and reconvened into Public Session at 7 p.m.

180-06: SUIT SETTLEMENT FOR ROBERT DEJESUS

- ** COUNCILMEMBER PAOLETTO MOVED TO APPROVE THE SUIT SETTLEMENT FOR ROBERT DEJESUS.**
- ** MOTION FAILED FOR LACK OF A SECOND.**

Attorney Anastasi noted there is a motion pending to compel the settlement, which he does not believe has any chance of success; however, it is still out there.

- ** COUNCILMEMBER WALSH MOVED TO TABLE.**
- ** COUNCILMEMBER BAKER SECONDED.**
- ** MOTION PASSED WITH ONE VOTE IN OPPOSITION (PAOLETTO).**

181-06: SUIT SETTLEMENT FOR LUCY SANTIAGO PPA ANDRE MARCIAL

- ** COUNCILMEMBER PAOLETTO MOVED TO APPROVE THE SUIT SETTLEMENT FOR LUCY SANTIAGO PPA ANDRE MARCIAL.**
- ** COUNCILMEMBER WALSH SECONDED.**
- ** MOTION PASSED WITH ONE VOTE IN OPPOSITION (VIZZO-PANICCIA) AND ONE ABSTENTION (BAKER).**

- ** COUNCILMEMBER PAOLETTO MOVED TO ADJOURN.**
- ** COUNCILMEMBER VIZZO-PANICCIA SECONDED.**
- ** MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 7:05 p.m.

Respectfully submitted,

Cheryl Telesco
Telesco Secretarial Services

CITY of BRIDGEPORT
MISCELLANEOUS MATTERS COMMITTEE
SEPTEMBER 17, 2007
6:00 P.M.

ATTENDANCE: Council members: Rodgerson, Mojica, Baker, Vizzo-Paniccia, Paoletto

OTHERS PRESENT: City Attorney Anastasi

Council member Rodgerson called the meeting to order at 6:00 p.m.

180-06 Suit Settlement for: Robert DeJesus

**** COUNCIL MEMBER VIZZO-PANICCIA MOVED TO GO INTO EXECUTIVE SESSION
** COUNCIL MEMBER PAOLETTO SECONDED
** MOTION PASSED UNANIMOUSLY**

The committee went into executive session at 6:10 p.m.

The committee came out of executive session at 6:34 p.m.

**** COUNCIL MEMBER PAOLETTO MOVED TO APPROVE 180-06 SUIT SETTLEMENT
FOR: ROBERT DEJESUS IN THE AMOUNT OF \$267,500.00**

**** COUNCIL MEMBER BAKER SECONDED
** MOTION PASSED WITH FOUR MEMBERS IN FAVOR AND ONE ABSTENTION**

***Not on consent calendar**

ADJOURNED

**** COUNCIL MEMBER MOJICA MOVED TO ADJOURN
** COUNCIL MEMBER PAOLETTO SECONDED
** MOTION PASSED UNANIMOUSLY**

The meeting was adjourned at 6:35 p.m.

Respectfully submitted,

Diane Graham
Telesco Secretarial Services

**BRIDGEPORT CITY COUNCIL
MISCELLANEOUS MATTERS COMMITTEE
SEPTEMBER 24TH, 2007**

ATTENDANCE: Committee Members: Keith Rodgerson, Chair; Rafael Mojica; Richard Paoletto; Amy Marie Vizzo-Paniccia; Warren Blunt; Bob Walsh

STAFF: Ralph Jacobs, Civil Service

OTHERS: Albertha Murrell

CALL TO ORDER

The meeting was called to order at 6:38 p.m. by Mr. Rodgerson.

Approval of committee meeting minutes: June 25, 2007

Approval of committee meeting minutes: July 23, 2007

Approval of committee meeting minutes: September 4, 2007

**** MR. PAOLETTO MOVED TO ACCEPT THE MINUTES OF JUNE 25TH, JULY 23RD AND SEPTEMBER 4TH AS SUBMITTED.**

**** MS. VIZZO-PANICCIA SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

212-06 Appointment of Albertha Murrell (D) to the Fair Housing Commission

Mr. Rodgerson asked Ms. Murrell why she wanted to be part of the Fair Housing Commission.

Ms. Murrell answered that she'd heard about the Fair Housing Commission and had spoken to Mr. Winze, the Fair Housing Director and was told that there was not a lot of activity as of late as far as meetings with the Commission. She said that she wanted to have an active part in some of the housing issues that existed in Bridgeport and that this was a great way to give back to the community.

Mr. Mojica asked Ms. Murrell what her current position was.

Ms. Murrell answered that she was the Assistant Director of Park City Prep Charter School.

Mr. Mojica asked Ms. Murrell if she would have any problem attending the Fair Housing Commission meetings.

Ms. Murrell answered that she was unfamiliar with the schedule of the Fair Housing Commission meetings but had heard that there had not been any meetings held in some time.

Mr. Mojica asked Ms. Murrell if she knew what being a Fair Housing Commissioner entailed.

Ms. Murrell said that she'd hoped that she could gather more information on that as not much had been given to her but she was looking to improve or do whatever she could to make an impact on the Fair Housing Commission.

Mr. Mojica asked Ms. Murrell if she'd had any experience with housing.

Ms. Murrell said that she owned property in Bridgeport; she'd worked with group homes and as the Campus Director at Gibbs College so she understood how brick and mortar worked and understood housing and the concerns thereof.

** **MR. PAOLETTO MOVED TO APPROVE.**

** **MR. MOJICA SECONDED.**

** **MOTION PASSED UNANIMOUSLY.**

Mr. Rodgerson asked that this be placed on the Consent Calendar.

237-06 Proposed Amendment to Civil Service Rules: Appeal Time Limitations

Mr. Jacobs distributed and read the proposed amendment for the Committee (attached). He said that this was written by the City Attorney and had arisen from a series of problems that the Civil Service Commission had with people bringing complaints, appeals and objections about tests that had been done years before and for which lists were already established and even if the Commission had agreed with the complaint or appeal, it would have been far too late to do anything about. He said that the Commission shouldn't have to hear matters that were so untimely that they couldn't be resolved anyway and that this rule would put the obligation back on the person who had a grievance, objection or appeal to make it at the appropriate time and it defined the appropriate time as 30 days after the event or in no case longer than 120 days. He said that the most striking example of this problem was with the Firefighter's list. The City established a Firefighters list initially in 2003 and after it was established there was a series of lawsuits and complaints particularly from one group of individuals who continued to lose every lawsuit they file. All of their complaints were turned down by the Commission but they kept coming back and the current rules of the Civil Service Commission placed no time limit on these types of things so they go on for a very long time. He said that the rule would not prevent someone from filing an appeal, but would

make it so they would have to appeal in a timely manner. He said that the period of time, 30-120 days was worked out by the City Attorney's Office and research conducted found that to be a reasonable period of time and the Commission agreed. He said that the Commission had initially wanted to amend this to say that at the discretion of the Commission the timeframe could be extended but after some discussion with the City Attorney and among themselves they concluded that that would not be a wise change and so what was before this Committee was the rule as it finally emerged from the discussion process.

Mr. Walsh asked if Mr. Jacobs was talking about the appeal of a test in the example he gave.

Mr. Jacobs said that he was. He said that there was a provision in the City Charter that allowed a person who took a test to appeal that they should have received additional points on an answer and that had to be handled within a 30 day timeframe anyway. He said that the appeals that were problematic were more in the nature of rules not being followed. He said that in his example, the appellant objected on numerous occasions to various rules he alleged were not followed and that went to another section of the Charter, section 206 that allowed a person to appeal just about anything that pertained to the administration of the Civil Service law, so they were no longer appealing just on the basis of the test. He said that very often what the person would do was come in and request to be moved up on the list and would offer a reason it would be too late to do anything about it.

Mr. Walsh asked if someone were to appeal an action of Civil Service and have that appeal denied, what other routes they could then take.

Mr. Jacobs said if they'd appealed it to the Commission their only recourse after that was court.

Mr. Walsh asked if this amendment would preclude that.

Mr. Jacobson answered that it would not and they could go to court anyway if they had a case that they believed was sustainable in court. In the case he mentioned the person had lost several lawsuits and the issue was finally at an end after several years.

Mr. Walsh asked why he would give appellants only 120 days while the Commission would still have no time limit on going back and changing their own actions.

Mr. Jacobson said he didn't want to put the Commission in the position of discovering an error that could be easily corrected if not for a time limit. He said that he was not appealing on his own behalf but that of the Community whereas the appellants were appealing on their own behalf seeking to improve their positions on the list.

Mr. Mojica said that what was before them was unclear and he didn't know if the rest of the Committee Members were comfortable with what they had in front of them as far as the explanation and what exactly it was that the Civil Service wanted to have happen.

Mr. Walsh said that typically, the existing language of this would have to be shown, as well as what was being changed by addition, deletion or anything else.

Mr. Jacobson said that nothing would be deleted and that this language would be added. He said that he couldn't change what was in the charter, only adapt rules to administer it in a rational way and that was what he was trying to do. He said that the Charter provision that was the most problematic was under section 206 (a) (4) where it said that among the powers and responsibilities of the Civil Service Commission was the responsibility to "hear and determine complaints or appeals respecting the administrative work of the personnel department, appeals upon the allocations of positions or concerning promotions, the rejection of an applicant for admission to an examination and such other matters as may be referred to the commission by the personnel director;" He said that the key part of that was "hear and determine complaints or appeals respecting the administrative work of the personnel department" and that this meant that anyone who had an objection to anything the Civil Service Commission, Personnel Department or Civil Service Office had done could appeal that to the Commission and that it didn't qualify it in any way except that it had to be pertaining to the Administrative work at a Personnel Department so one could appeal anything. He said that after this rule was passed one could still appeal virtually anything that pertained to the administration of Civil Service but within a certain period of time so issues did not drag on year after year.

Mr. Mojica asked what would happen once the time limit had passed.

Mr. Jacobson said that if a complaint was submitted to him after that time limit, he would have to write a letter back saying that the appeal was too late and that the Commission would not consider it.

Mr. Mojica said that he was in favor of Civil Service wrapping some things up because they had too many open issues not allowing them to continue and there needed to be some rules set to give other people the opportunity to appeal, be heard and move on from there and not hang on for years, because no one would benefit from that.

Mr. Jacobson suggested that this Committee might also consider that all of the other people on the list who believed that their status on the list was settled were going to constantly have to worry about whether or not someone was going to try to unsettle that status if time limits were not set. He said that it was fine for a period of time for people to make legitimate challenges but after a certain point in time it was not really reasonable.

Mr. Walsh asked if Earl King Jr. followed this process in his appeal.

Mr. Jacobson said that his appeal was more complicated, and he wasn't there for the first part of it but it was his understanding that the Commission heard him once and approved

him but then backed away and thought they shouldn't have granted his appeal and then began to have a long protracted discussion about whether they should or should not undo the original decision. He said that that was a different kind of situation.

Mr. Walsh said that he was asking about it because it was a different kind of situation and because the Commission was allowed to go back and appeal their own decision with no time limit and asked if the Commission could put an applicant on a list and then go back a year from then and revisit the issue if the person had not yet been hired.

Mr. Jacobson said they could but only if they believed that there was a real problem that they didn't realize at the time and discovered subsequently but they would still have to be very careful about it. He said that the number and variety of things that could be appealed was very broad and there were probably dozens of possible issues that could turn up later in a process that might have to be revisited and remedied and if the Commission's hands were tied from correcting things that really should be corrected, they would be in a very awkward position if something needed to be corrected. He said that there may be instances where the Commission would be very unwise to revisit an issue that they had settled years before but there may also be circumstances in which they would be very unwise not to and they had to be given a bit of room in any particular case to decide the best course of action.

- ** MR. PAOLETTO MOVED TO APPROVE.
- ** MS. VIZZO-PANICCIA SECONDED.
- ** MOTION PASSED WITH ONE OPPOSED: WALSH.

134-06 Appointment of Carmen Nieves to the Redevelopment Agency

Mr. Mojica said that they'd met on this item several times and that he'd originally spoken to Ms. Nieves who'd said that she couldn't attend the first meeting because she was in school but would attend the next one. He said that he'd told Ms. Nieves at that time to call the City Clerk's Office and she would get a letter about the next meeting. He said that she'd received that letter and continued to not show 3 or 4 more times. Mr. Mojica said that he'd not received any more phone calls and didn't know if the individual was under the presumption that they were already automatically appointed to the Redevelopment Agency and didn't have to attend a meeting or they'd lost interest but eventually this item was going to die.

- ** MS. VIZZO-PANICCIA MOVED TO TABLE ITEM 134-06.
- ** MR. PAOLETTO SECONDED.
- ** MOTION PASSED UNANIMOUSLY.

ADJOURNMENT

- ** MS. VIZZO-PANICCIA MOVED TO ADJOURN.
- ** MR. PAOLETTO SECONDED.
- ** MOTION PASSED UNANIMOUSLY.

The meeting was adjourned at 7:00 p.m.

Respectfully submitted,

Jessica Schroder
Telesco Secretarial Services

Appeal Time Limitations

Time limit to bring appeal, petition, or complaint to the Civil Service Commission.

No appeal, petition, or complaint by a citizen, employee or candidate authorized under Civil Service Provisions of the Charter of the City of Bridgeport including but not limited to sections 206, 212 and 213 shall be brought but within 30 days from the date of when the act, incident and or event is first sustained or discovered or in the exercise of reasonable care should have been discovered, and except in no event shall any appeal or complaint be brought more than 120 days from the date the act, incident or event occurred.

This rule does not preclude the personnel director or the commission from investigating any events, acts or incidents that may be in violation of Civil Service Provisions of the Charter of the City of Bridgeport and/or these Rules.

**CITY OF BRIDGEPORT
MISCELLANEOUS MATTERS COMMITTEE
REGULAR MEETING
OCTOBER 22, 2007**

ATTENDANCE: Keith Rodgerson, Co-Chair; Richard Paoletto, Andre Baker
Robert Walsh, AmyMarie Vizzo-Paniccia, Warren Blunt,
Rafael Mojica, Co-Chair (7:03 p.m.)

OTHERS: Elaine Pivirotto, Council Member; Rita Bakalar, Thomas Mulligan

CALL TO ORDER

Co-chair Rodgerson called the meeting to order at 6:45 p.m.

APPROVAL OF THE COMMITTEE MINUTES: JUNE 25, 2007

**** COUNCIL MEMBER PAOLETTO MOVED TO APPROVE THE
COMMITTEE MINUTES OF JUNE 25, 2007 AS SUBMITTED.**

**** COUNCIL MEMBER VIZZO-PANICCIA SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

APPROVAL OF THE COMMITTEE MINUTES: JULY 23, 2007

**** COUNCIL MEMBER PAOLETTO MOVED TO APPROVE THE
COMMITTEE MINUTES OF JULY 23, 2007 AS SUBMITTED.**

**** COUNCIL MEMBER VIZZO-PANICCIA SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

APPROVAL OF THE COMMITTEE MINUTES: SEPTEMBER 4, 2007

**** COUNCIL MEMBER PAOLETTO MOVED TO APPROVE THE
COMMITTEE MINUTES OF SEPTEMBER 4, 2007 AS SUBMITTED.**

**** COUNCIL MEMBER VIZZO-PANICCIA SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

APPROVAL OF THE COMMITTEE MINUTES: SEPTEMBER 24, 2007

**** COUNCIL MEMBER VIZZO-PANICCIA MOVED TO APPROVE THE
COMMITTEE MINUTES OF SEPTEMBER 24, 2007 AS SUBMITTED.**

**** COUNCIL MEMBER PAOLETTO SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

134-06 APPOINTMENT OF CARMEN NIEVES TO THE REDEVELOPMENT AGENCY.

Council Member Vizzo-Paniccia noted that this appointment had been extended from the previous meeting and that Ms. Nieves had not been able to attend this meeting either.

**** COUNCIL MEMBER VIZZO-PANICCIA MOVED TO DENY THE APPOINTMENT OF CARMEN NIEVES TO THE REDEVELOPMENT AGENCY.**

**** COUNCIL MEMBER PAOLETTO SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

Chairman Rodgeron noted that this would go on the consent calendar.

25506 PROPOSED AMENDMENT TO THE CITY OF BRIDGEPORT'S AFFIRMATIVE ACTION POLICY TO INCLUDE CIVIL UNIONS.

Ms. Bakalar came forward and explained that there was a state law passed to include civil unions. In order to facilitate this, all state contracts that the Mayor signs requires a non-discrimination clause. There is very specific language in the resolution that must be included. There are a number of contracts that are waiting to be passed that need to have this included. Before the Mayor can sign the contracts, the language must be included.

Council Member Baker asked what contracts were being held. Ms. Bakalar reviewed the number of contracts. He then asked who monitors. Ms. Bakalar said that she believed that the City Attorney's office monitors along with Human Relations. Ms. Bakalar said that she was involved in this issue to insure that the grants can be filed.

Council Member Mulligan arrived at 6:52 p.m.

**** COUNCIL MEMBER PAOLETTTO MOVED TO APPROVE THE PROPOSED AMENDMENT TO THE CITY OF BRIDGEPORT'S AFFIRMATIVE ACTION POLICY TO INCLUDE CIVIL UNIONS.**

**** COUNCIL MEMBER VIZZO-PANICCIA SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

259-06 PROPOSED AMENDMENTS TO SCHOOL BUILDING COMMITTEE BY LAWS

Council Member Pivrotto came forward and distributed copies of the By-Laws with some corrections. In order to pay the contractors within 30 days rather than the current practice of 45 days, the By-Laws need to be changed.

Council Member Silva joined the meeting at 6:54 p.m.

Another small change is that the By-Laws calls for verbatim transcripts with a stenographer. However, by changing the by laws, the stenographer would still be included to take the minutes, but not necessary for a meeting.

Council Member Paoletto said that since Council Member Pivirotto joined the building committee, he felt that she had made into a force to be reckoned with. Council Members Paoletto and Mulligan both said that they appreciated her efforts.

Council Member Walsh said that the other meeting that was going on was about the State's unwillingness to fund some projects. Council Member Walsh asked if there would be language in future contracts to hold the City harmless if the State defaults on the payments again.

Council Member. Silva left the meeting at 7:00 p.m. Council Member. Curwen joined the meeting at 7:00 p.m.

Chairman Rodgerson asked about the amending the rules for the organizations. He asked if this was part of the standing rules. Council Member Pivirotto said that it was.

Council Member Blunt asked who was on the committee. Council Member Pivirotto said that it was composed of Council Member Mojica, herself and Council Member Johnny Dye.

**** PAOLETTO MOVED TO APPROVE PROPOSED AMENDMENTS TO SCHOOL BUILDING COMMITTEE BY LAWS
** COUNCIL MEMBER VIZZO-PANICCIA SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

Chairman Rodgerson requested that this item be put on the Consent Calendar.

Co-chair Paoletto joined the meeting at 7:03 p.m.

263-06 REAPPOINTMENT OF MELVILLE T. RILEY (D) TO THE PLANNING AND ZONING COMMISSION.

Mr. Rodgerson said that he had spoken with Mr. Riley, who had stated that he was not a Democrat, he was a Republican. Chairman Rodgerson said that he had contacted the City Clerk's office about this, but the change had not been made. He also explained that Mr. Riley could not attend this meeting due to a conflict with his schedule.

**** COUNCIL MEMBER PAOLETTO MOVED TO TABLE THE REAPPOINTMENT OFR MR. MELVILLE T. RILEY TO THE PLANNING AND ZONING COMMISSION BECAUSE THE APPOINTEE WAS NOT ABLE TO BE PRESENT AT THE MEETING.
** COUNCIL MEMBER VIZZO-PANICCIA SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

**** COUNCIL MEMBER WALSH MOVED TO SUSPEND THE RULES TO ADD AGENDA ITEM 260-06 TO THE CURRENT AGENDA.**

**** COUNCIL MEMBER BAKER SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

Council Member Paoletto said that he believed this was a good idea and that the Committee to force Civil Service to do anything. Council Member Vizzo-Paniccia said that she wanted to state that this was a study. Co-chair Mojica said that the resolution might not be clear to have a survey done and asked if they would understand they were being asked to change.

**** COUNCIL BAKER MOVED TO APPROVE AGENDA ITEM 260-06 AS PRESENTED.**

**** COUNCIL MEMBER VIZZO-PANICCIA SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

ADJOURNMENT

**** COUNCIL MEMBER PAOLETTO MOVED TO ADJOURN.**

**** COUNCIL MEMBER VIZZO-PANICCIA SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 7:10 p.m.

Respectfully submitted,

Sharon L. Soltes

Telesco Secretarial Service