

**CITY OF BRIDGEPORT  
ORDINANCE COMMITTEE  
INFORMATIONAL MEETING  
JUNE 22, 2015**

**ATTENDANCE:** Eneida Martinez, Co-Chair; Mary McBride-Lee, Enrique Torres, José Casco; Lydia Martinez (6:09 p.m.); Melanie Jackson (6:18 p.m.)

**OTHERS:** Anne Kelly-Lenz, Finance Director; Mark Anastasi, City Attorney; Atty. Russell Liskov, City Attorney's Office; Council Member Milta Feliciano, Council Member Alfred Castillo, Veronica Jones, Tax Collector; Council Member Robert Halstead

**CALL TO ORDER**

Council Member E. Martinez called the meeting to order at 6:08 p.m. A quorum was present. She stated that this was an informational meeting only and that all questions should go through the Chair. The Council Members then introduced themselves.

*Council Member L. Martinez joined the group at 6:09 p.m.*

**85-14 Request that the taking of Vehicles and the action of "Booting" must only be employed after multiple offenses and that a Certified Letter be submitted to the owners of Vehicle and that Notice is provided to the appropriate City Council Committee for their Approval of said action.**

Ms. Kelly-Lenz, the Finance Director, came forward and said that the booting process was changed about seven years ago. Previously it was done by a sheriff and a tow truck. It was put out to a third party contractor that had a tow truck with a camera on the back. The vehicle has a list of license plates loaded into the camera computer. The staff drives around the City and the vehicle scans the plates of the parked cars it passes. When a plate on the list is located and identified, the vehicle is booted. When the amount of taxes that a resident owes reaches a certain threshold, a letter is mailed to the resident followed by a second installment bill. Another letter, called a warrant, is sent out, then the vehicle can be booted. Usually it was booted at night and never during the tax season or around the Christmas holidays.

When the fourth letter is sent out, the residents know that they are at risk for being booted. A large neon sticker is put on the vehicle with the exact instructions along a ticket to bring to the Tax Payer. If the tickets are paid promptly, the boot is removed. If the ticket is not paid within 48 hours, it is towed. The City can't leave the vehicles on the street once they are booted because they are often vandalized.

Council Member L. Martinez asked which vendors were towing the vehicles. Ms. Kelly-Lenz explained that they City started with six vendors and the list has been decreased down to one vendor, Midtown Towing, due to vendors dropping off.

The City is currently working on a new RFP for towers to get on the list.

*Council Member Melanie Jackson joined the meeting at 6:18 p.m.*

Ms. Kelly-Lenz then reviewed the statistics with the Council Member. If the City finds an unregistered, uninsured vehicle, it is towed immediately. She listed a number of scenarios where residents have walked away from the vehicles.

Council Member McBride-Lee asked what happens if someone's vehicle is booted by mistake. Ms. Kelly-Lenz reviewed the process. Council Member McBride-Lee said that it appears to her that it seems that the taxpayers are being penalized for not having the money at the time of the booting. If the resident had the money to pay the tax, they would have before the boot is put on. Sometimes it is more than the vehicle is worth. Ms. Kelly-Lenz explained that the residents have nine months and four written notices. If someone comes to the Tax Collector, they try to work it out with them.

Council Member Torres asked what the threshold for booting. Ms. Kelly-Lenz said that it was \$100.00. Ms. Kelly-Lenz explained that there was a collection agency involved once it was over \$76.00 along with the \$15.00 interest. The company receives over 100,000 records. Council Member Torres asked why the towing company gets the amount owed. Previously, the marshals received a warrant and they could seize the vehicle. Now Bio-Alert gets the information and they locate and boot the vehicle. A marshal will not be involved until the vehicle has been abandoned for over 30 days.

*Atty. Anastasi joined the meeting at 6:30 p.m.*

Council Member Torres asked why vehicles with very little worth are towed since the City will not get anything back. He added that he would like to see this program discontinued. Ms. Kelly-Lenz explained that the program has brought in 1.5 million in revenue each year.

Council Member E. Martinez asked Attorney Anastasi if there was an ordinance in place for this. Attorney Anastasi said that there was not. Ms. Kelly-Lenz said that the tax Collector has jurisdiction by State Law.

Council Member L. Martinez asked if there were other States that did this. Council Member E. Martinez said that Council Member Jackson had requested information from CCM about other Connecticut towns that were using the booting program. Council Member Jackson said that the report says that Bristol has been doing it. Ms. Kelly-Lenz said that Newtown, and another city use the Bio-Alert system.

Council Member E. Martinez asked if a car is worth more than bill, who gets the revenue. Ms. Kelly-Lenz reviewed the process and said that the towing company would have to get papers from the DMV and if they are going to auction, a marshal is notified. The actual net from the auction would pay off fees first and any residual goes to the City. Ms. Kelly-Lenz said that she could trace a particular vehicle. Council Member E. Martinez said that she would like the last five years on all the vehicles. Ms. Kelly-Lenz said that it would be time consuming and labor

intensive. Council Member L. Martinez said that she felt that it would be important to know what happened to the cars.

Council Member E. Martinez said that she would like to see the booting and towing broken out in terms of the various districts. Ms. Kelly-Lenz said that they don't have it by address, but by license plate. Council Member E. Martinez said that the cars that were being booted were in minority districts. Ms. Kelly-Lenz said that she would have to think about how to do this.

Council Member Torres said that Ms. Kelly-Lenz had stated earlier that the towing companies were not making money. He asked about the costs of the original tow and the overnight storage. She said that the two towing companies that had dropped out of the program told her it was because they were not making money. Council Member E. Martinez said that they would like to have the towing companies come in to answer questions.

Council Member Torres said that he would like to know how much the taxpayer ends up paying the fines. He said that the poorest among the city were ending up paying the most. Ms. Kelly-Lenz sends out the first bill cost \$48,000, the second notice is sent out \$30,000. It costs approximately an additional \$48,000 to send out the second notice and \$20,000 for the warrants. Council Member Torres said that it did not answer his question. He said that he wanted to know what the cost was for a taxpayer. He said that people in Bridgeport pay exorbitant car tax. Once they get behind, they get hit again. Ms. Kelly-Lenz said in 2008 a number of vehicles that had been plotted as to the location where they were booted. There were a number vehicles in the North End and another location, but very few in the East End.

Council Member Torres asked if the Council could change the manner in which the taxes were collected. Attorney Anastasi said that the Tax Collector had a State Mandate to collect the taxes and the Council could have a discussion with the Tax Collector, which was happening at this meeting.

Council Member McBride-Lee said that the City seemed to be proud of booting the taxpayers. They should have some kind of compassion. Ms. Kelly-Lenz said that if the City does not collect, the debt is passed on to those who are paying their taxes on time. Council Member McBride-Lee said that the City raises the taxes anyway. Ms. Kelly-Lenz explained that the residents get nine months and four notices to pay the overdue amounts. Previously, the days before the property tax deadlines were the ones where the most taxes were paid. Now, it is when the residents come in to pay their car taxes. If the resident pays it down under \$100, their vehicle won't be booted. However, if it isn't taken care of promptly, the fees can push it over \$100 quickly.

Council Member L. Martinez said that she was concerned with the booting and the practices that are being used. Ms. Kelly-Lenz reminded her that the program brings in 1.5 million a year. Council Member L. Martinez said that she wanted to know if the City benefits by this. Ms. Kelly-Lenz said that it was a deterrent. Council Member L. Martinez said that it is troubling people that this is being done. Council Member L. Martinez asked if there was anything else that the City could do. Ms. Kelly-Lenz said that if the program was discontinued, the City would lose even more money. Council Member L. Martinez said that it was not fair that there isn't staff to help the Council Members in their office with this.

Council Member Jackson said that she understood that the Tax Collector is like the IRS. Her concern was that some vehicles were towed for \$76.00 and asked if there was a way to make sure that the vehicles weren't being sold off to benefit a marshal. Ms. Kelly-Lenz said that the towing company provides the Tax Collector with a report. The towing company contracts with the marshals, not the City. Council Member Jackson said that the Council Members want to make sure that everything is done correctly. Council Member Jackson said that she wanted to see the original reports. Ms. Kelly-Lenz said that those records are kept in boxes.

*Council Member Halstead joined the meeting at 7:10 p.m.*

Council Member Torres said that before the program started the collection was at 78%. Once the program started it went up to 90%. Council Member Torres said that he would like to have the number of cars booted per year.

**86-14 Request that Leaning or the taking of Homes by Foreclosure Action by the WPCA or the City of Bridgeport must only be employed after consultation and approval of said action by the Common Council, first through appropriate Committee and then as a Whole Council.**

Attorney Anastasi said that Mr. Robinson, the WPCA General Manager, was out of Town and unable to attend the meeting. He said that Atty. Liskov was available to answer questions. Council Member E. Martinez said that she had asked for the information in writing. Attorney Anastasi said that his office does not have the WPCA records.

Atty. Liskov said that he had been working with the WPCA starting when there was 23 million in debt and there was a bill threshold of \$500 or more. Now there are 950 delinquent accounts and 1.2 million outstanding. Previously, the residents were racking up 18% in interest on the bills. There are three collections agents in the office. The residents get four notices and a final demand letter from Atty. Liskov before they are sued by Atty. Liskov. There is over \$800,000 collected in delinquent bills.

Council Member Feliciano asked if it was a City department. Attorney Anastasi said that they were a statutory department. It operates with an enterprise fund adopted by statute and consent degree from the DEEP. It is 100% funded through user fee payments. There is 120 day lag before the demand letter goes out. Then a lien is placed on the property.

Council Member E. Martinez asked for a copy of the statute. Attorney Anastasi submitted a copy of this to the Chair.

Council Member Jackson asked about several details of the process, which Atty. Liskov reviewed with her, along with the fees incurred, such as attorney fees, which is 15%. The WPCA can make payment arrangements until they are in foreclosure. He said that the goal is to getting people to pay their bills and pointed out that they have a myriad list of reasons why they can't pay, such as illness, divorce, job loss, etc. He said that Council Member L. Martinez comes to his office with residents to negotiate the bills.

Council Member Torres asked about who authorized the amount and the threshold of the bill. Council Member Torres said that they should find out who did this. Attorney Anastasi said that the information was on the City website. Council Member Torres said that there was a double trigger, the amount and the time. A discussion followed about how the process worked.

Council Member E. Martinez asked how the money collected is used. Atty. Liskov said that the money was used to reduce the rate that everyone pays. Attorney Anastasi said that when there was a large amount of delinquent bills, it costs the taxpayers who pay on time.

There was a comment that the sewers were continually backing up and the pipes were always breaking. Attorney Anastasi pointed out that when the sewers were built 100 years ago, it was both sewer and storm water. Now the federal government requires that they be separated.

Council Member E. Martinez said that they wanted to see the actual files of closed cases. Atty. Liskov said that he had hundreds of them and invited the Council to come to his office to see the files.

Council Member Torres asked about the process of priority liens, which Atty. Liskov reviewed with him and how the priority liens work. The attorney fees are 15% of the debt owed, not on the added costs, such as a court entry fee of \$300.00.

Council Member Halstead asked how much the outside attorney gets paid if it goes to foreclosures. Attorney Liskov said that it was not normally sent to an outside attorney. However, some cases are. Those fees are set by the court, along with the other issues such as a title search, and filing costs. If the residents come in before the court filing is done, they can avoid the \$300.00 filing fee. He said that the residents are treated respectfully, and given the truth.

Council Member Halstead said that he had been told that the WPCA has gone into their bank accounts to deduct the money. Attorney Liskov said that they were allowed to do this. They can also attach a paycheck.

Council Member McBride-Lee asked about the lien on the property after the bill is paid. Attorney Liskov said that there was a \$10.00 fee to place the lien on the property and a \$10.00 fee to take it off.

Council Member McBride-Lee said that when she had been called to her church, she found out that the church was delinquent with the WPCA. She said that the attorney was not very polite and at the end of the process, they had put a balloon payment on the loan. Attorney Liskov explained that when the outside attorneys are given the cases, they absorb the cost of the case.

Council Member L. Martinez asked if there were ordinances or state laws that dictate how to do this. Attorney Liskov said that there were State Laws and the WPCA collect the same as the Tax Collectors. Council Member Torres said that the City could choose how to collect the fees.

Council Member McBride-Lee asked if there was a list of fees that the Council Members could have. Attorney Liskov said that there was a list of fees, but there were many variables, such as travel, copying fees, and other things. The judge determines how much the marshal will be paid.

Council Member Torres asked how many cases were done by the City in a month. Attorney Liskov said that it had been as low as 75 cases and as high as 375 cases.

Council Member Torres said that he wanted to have political oversight of who is being sued. Attorney Anastasi said that the departments are required to collect from everyone. Council Member Torres asked why the numbers were so fluid. Attorney Liskov explained that it is attached to the billing cycle and a very fluid number because residents come in to work out a payment system.

Council Member McBride-Lee said that she liked Attorney Liskov and they exchanged fist bumps.

**84-14 Request that Home Foreclosure action must only be employed after consultation and approval of said action by Common Council, first through appropriate Committee and then as a Whole Council.**

Council Member E. Martinez pointed out that the Committee was scheduled to have a regular meeting the next day. She asked if the Committee wanted to discuss this agenda item at that meeting. This was agreeable to all.

#### **ADJOURNMENT**

**\*\* COUNCIL MEMBER MCBRIDE-LEE MOVED TO ADJOURN.**

**\*\* COUNCIL MEMBER L. MARTINEZ SECONDED.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:02 p.m.

Respectfully submitted,

S. L. Soltes  
Telesco Secretarial Services