

**CITY OF BRIDGEPORT
ORDINANCE COMMITTEE
SPECIAL MEETING
MARCH 21, 2016**

ATTENDANCE: Jose Casco, Co-Chair; Eneida Martinez, Co-Chair; Jack Banta;
Mary McBride-Lee; Michelle Lyons

MISC: Milta Feliciano; Anthony Paoletto; Denese Taylor-Moye; Tom
McCarthy; Atty. Mark Anastasi; Mary Evette Brantley;
Nessah Smith; Richard Salter; Angel DePara, CAO Dept.

CALL TO ORDER

Co-Chair Martinez called the meeting to order at 5:50 PM. A quorum was present.

PROPOSED AMENDMENTS

38-15: Proposed Amendment to the Municipal Code of Ordinances, Chapter 2.04 Officers and Employees Generally, amend Section 2.04.010 – Justices of the Peace.

Atty. Anastasi distributed copies of an opinion on Item 38-15 to the committee members. In it, he suggests two major changes to the proposed amendment, the first being that the maximum number be increased to 300 and the second (and resulting change) be that those justices are then divided into thirds to account for registered Republicans, registered Democrats, and registered voters whose affiliation is not either of the former. Atty. Anastasi stated that the maximum number is determined by state statute, and that the maximum number any given municipality is allowed to have is equal to a third of the number of jurors in said municipality, according to General Statute 51-220. He stated that all of these calculations are done by the Jury Administrative Office, and while he has not heard back from them regarding the calculation, he is confident that their number falls well below the City's true maximum. He stated that they may choose to pick less than this calculated number, but to be safe, he suggested caveat language in the middle of the first page of the opinion. In this way, it provides them with wiggle room in regards to the number.

Atty. Anastasi stated that the committee had three possible options in proceeding:

1. The committee adopts both amendments, incorporating the number to 300 in addition to the caveat language.
2. The committee adopts the amendment increasing the number to 300, sans the caveat language.
3. The committee denies the ordinance amendment altogether.

Council Member Martinez asked if there were copies available for the committee, and Atty. Anastasi stated that he was told they would be given copies.

Council Member Lyons asked how the Justices of the Peace are selected, as she has been one for 4 years, but isn't clear on how they are selected when the candidates are not affiliated with either major political party. Council President McCarthy stated that this item came to their attention due to the bipartisan efforts of the Democratic and Republican chairmen, as Bridgeport has a comparably low number of Justices of the Peace. He stated that he is completely confident that the selected number is well below the maximum percentage of the $\frac{1}{3}$ of jurors. Council President McCarthy stated that he can only speak to the selection process for the Democratic party- at a town committee meeting, recommendations are made, candidates are then selected from that pool and voted on every 2 years. He stated that when a couple applies for a marriage license, they then receive a list of every Justice of the Peace.

Council Member Brantley asked if the terms expire every 2 years, and Council President McCarthy answered in the affirmative. Council Member Brantley asked if the re-election schedule is congruent with those in Town Hall, and Council President McCarthy stated that he wasn't sure, but that April is key to their reappointment. Council Member Brantley asked how many are selected per town committee, and Council President McCarthy stated that they receive a third of the total. He stated that the specifics of selection are dependent on the party, and that each party creates their own rules. He stated that the Democrats provide that each district gets a certain number of Justices in addition to some at-large individuals, who are used to ensure diversity in equal appointment.

Council Member Paoletto stated that the selection of non-affiliated Justices of the Peace are likely done through the Clerk's office. Atty. Anastasi stated that none of that selection process is changed by the amendment, just the number of individuals. Co-Chair Martinez stated that they still had questions that needed clarification. Atty. Anastasi stated that the questions may not be able to be answered tonight, but that he agrees they are entitled to answers.

Co-Chair Martinez suggested examining the statute to see if it would provide them the answers they needed. Atty. Anastasi examined the statute.

Council Member Lyons stated that there was a Justice of the Peace who was on-staff for a period of time, on a daily basis. Co-Chair Martinez stated that this person took a great deal of clientele, and Council Member Lyons stated that 1 to 2 of those individuals aren't there anymore.

Atty. Anastasi located the information requested in the statute, and retrieved Council President McCarthy from the hallway where he was making inquiry calls.

Atty. Anastasi stated that Council Member Paoletto was correct, and that the selection process is handled through the town clerk for the unaffiliated.

Council Member Brantley asked if all the terms expire in April, and Council President McCarthy answered in the affirmative.

Council Member Smith stated that when she was selected as a Justice of the Peace, she received a letter and was sworn in.

Co-Chair Martinez read the resolution into the record as follows:

The number of the Justices of the Peace, to be elected by the State biennial election, should be a total of 300, with 100 each elected by the Democratic Party and Republican Party, and 100 each by the minor parties and unaffiliated voters.

**** MOTION TO AMEND ITEM 38-15: PROPOSED AMENDMENT TO THE MUNICIPAL CODE OF ORDINANCES, CHAPTER 2.04 OFFICERS AND EMPLOYEES GENERALLY, AMEND SECTION 2.04.010 – JUSTICES OF THE PEACE WITH AS FOLLOWS:**

A. THE ADDITION OF THE FOLLOWING LANGUAGE: ‘OR SUCH LESSER TOTAL NUMBER OF JUSTICES OF THE PEACE FOR THE CITY AS NECESSARY, IN THE EVENT THAT 300 JUSTICES OF THE PEACE WOULD EXCEED $\frac{1}{3}$ THE NUMBER OF JURORS TO WHICH THE CITY IS ENTITLED TO BY LAW, PERMITTED BY THE CONNECTICUT GENERAL STATUTES, PARTICULARLY 9-183A AND 51-219A, WITH $\frac{1}{3}$ EACH ELECTED BY THE DEMOCRATIC PARTY, $\frac{1}{3}$ EACH ELECTED BY THE REPUBLICAN PARTY, AND $\frac{1}{3}$ EACH ELECTED BY THE MINOR PARTIES OR UNAFFILIATED VOTERS.

**** COUNCIL MEMBER LYONS SECONDED THE MOTION.**

**** MOTION PASSED UNANIMOUSLY.**

Co-Chair Martinez asked if the amount should be more than allowed Atty. Anastasi stated that they should go to the lesser number necessary to comply via amendment.

Council Member Banta asked what the procedure would be if the independents do not meet their number. Atty. Anastasi clarified that the amount stated is not a mandatory total, but a maximum amount/cap.

**** COUNCIL MEMBER BANTA MOVED TO APPROVE THE RESOLUTION AS AMENDED.**

**** COUNCIL PRESIDENT MCCARTHY SECONDED THE MOTION.**

**** MOTION PASSED UNANIMOUSLY.**

Co-Chair Martinez asked if the item necessitated a public hearing. Council President McCarthy stated they would hold a hearing at 7 PM, to cover all of their bases. Atty. Anastasi informed the committee members that the item would need a $\frac{2}{3}$ vote in order to be heard.

**** COUNCIL PRESIDENT MCCARTHY MOVED TO ORDER A PUBLIC HEARING RE: ITEM 38-15: PROPOSED AMENDMENT TO THE MUNICIPAL CODE OF ORDINANCES, CHAPTER 2.04 OFFICERS AND EMPLOYEES GENERALLY, AMEND SECTION 2.04.010 – JUSTICES OF THE PEACE.**

**** COUNCIL MEMBER LYONS SECONDED THE MOTION.**

**** MOTION PASSED UNANIMOUSLY.**

ADJOURNMENT

**** COUNCIL PRESIDENT MCCARTHY MOVED TO ADJOURN.**

**** COUNCIL MEMBER LYONS SECONDED THE MOTION.**

**** MOTION PASSED UNANIMOUSLY.**

The meeting adjourned 6:11 PM.

Respectfully submitted,

Catherine Ramos
Telesco Secretarial Services