

CITY OF BRIDGEPORT
ORDINANCE COMMITTEE of the CITY COUNCIL
TUESDAY, JANUARY 25, 2011
6:00 PM

ATTENDANCE: Council members: Paoletto, Co-chair; Baker, Co-chair;
dePara, Bonney

NON-COMMITTEE: Council members: Holloway, Walsh

OTHER(s): City Attorney Anastasi

Co-chair Paoletto called the meeting to order at 6:15 pm.

Approval of Committee Minutes: November 23, 2010

**** COUNCIL MEMBER dePARA MOVED TO ACCEPT THE MINUTES**
**** COUNCIL MEMBER BAKER SECONDED**
**** MOTION PASSED UNANIMOUSLY**

Co-chair Paoletto stated that the agenda would be taken out of order:

08-10 Proposed Amendments to the Municipal Code of Ordinances, amend to add new Chapter Greater Bridgeport Council of Elected Officials.

City Attorney Anastasi stated this was a simple ordinance to provide policy guidance to the Greater Bridgeport Regional Planning Agency. The matter involved statutory authorization, for multiple cities to approve the elected officials for the region. It will become official when it's approved by all communities and the item requires a public hearing.

Co-chair Baker asked who made up the elected officials. Attorney Anastasi said they will be the Mayor's first selectman.

Brian Bodoli was present to speak on behalf of the item. He stated that Stratford held a meeting last night and they decided to move forward. The Town of Easton decided to do the same. He further stated that the intention was to allow an administrative ordinance

for the purpose of putting the Region-6 officials at the top to set priority and budget planning. He explained that the change started due to state funding and availability that will allow them to increase other funding.

Council member Bonney asked if doing this will negate other city policies that are in place. Attorney Anastasi said it won't affect anything now, because they operate as a planning agency.

**** COUNCIL MEMBER BAKER MOVED TO APPROVE**

**** COUNCIL MEMBER BONNEY SECONDED**

**** MOTION PASSED UNANIMOUSLY**

***Consent calendar**

**** COUNCIL MEMBER BAKER MOVED TO SCHEDULE A PUBLIC HEARING
PRIOR TO THE NEXT CITY COUNCIL MEETING**

**** COUNCIL MEMBER BONNEY SECONDED**

**** MOTION PASSED UNANIMOUSLY**

70-09 Proposed Amendments to the Municipal Code of Ordinances,
Chapter 8.76 Anti-Blight Program, amend Section 8.76.040
Enforcement, Subsection A.

Council member Holloway stated that as a maker of the resolution, after some discussion, they found there was a slight problem. The problem concerned anti-blight versus the housing code. He explained that what they were dealing with here was the problem with people depositing litter on a property, street and curbside. The city found that these people are imposed a fine of \$100.00. It was his opinion that Public Facilities is being too aggressive with imposing fines.

Co-chair Paoletto clarified that what Council member Holloway was alluding to, was that it was originally indicated that the problem fell under anti-blight and should be under the jurisdiction of Public Facilities and he's looking to address the problem involving illegal depositing.

Council member Holloway continued and stated that the cities of New Haven and Stamford might come by a property and see a chair, rug etc. and give a five day warning notice to remove the item(s); if the item(s) aren't removed, the person is then

fined. He also stated that there are many absentee landlords, who may or may not be residing in the state that are unaware the item is deposited on the property, but he could still be fined.

City Attorney Anastasi said that perhaps they should impose a policy that landlords should have property management. He clarified that illegal depositing comes in two types i.e., dumping an item off of a truck or car or dumping in front of a house.

Council member Holloway gave an example of a landlord that lives out of town that has a tenant who leaves things on the street. Attorney Anastasi commented that blight tends to be a long term process and illegal dumping is easier to address.

Council member Holloway said what is currently on record is wrong and blight doesn't mean discarded stuff.

Co-chair Paoletto said that Council member Holloway determined that the item should be tabled tonight for the purpose of obtaining all the proper codes and numbers that illegal dumping entails. And then a supervisor from the Public Facilities Department will come in and explain their philosophy.

Council member dePara commented that he agreed with Council member Holloway. He felt that the spirit and intent of how to handle the problem was necessary. He further stated that anyone can dump on a property and the homeowner can be fined. However, it's not fair and they shouldn't get away scott free.

Council member Bonney questioned if he lived at an address and someone dumped something there, was he responsible for the removal or the fine. Co-chair Paoletto replied yes.

Council member Bonney asked if the ordinance will give some relief to the homeowner. Co-chair Paoletto said all ordinances from the state down lead back to the homeowner. For example, if someone dumps something on a property, the homeowner is responsible.

Co-chair Paoletto stated that he has literally seen someone put something out, and within an hour, a ticket will be written for a fine. He clarified that Council member Holloway is looking for a little relief to incorporate a warning first.

**** COUNCIL MEMBER BAKER MOVED TO TABLE**
**** COUNCIL MEMBER BONNEY SECONDED**

Council member Bonney asked if they will differentiate between a property owner and a property that is managed. Co-chair Paoletto said no, they aren't looking to have different sets of laws; they are looking for an ordinance that will apply across the board.

**** MOTION PASSED UNANIMOUSLY**

79-09 Request concerning Personal Services Contracts and the Procurement Ordinance.

Council member Walsh updated on this item to say that the matter dates back to May.

Co-chair Paoletto distributed and submitted into the record a master list indicating payout records.

Attorney Anastasi stated that many of the payouts were under the \$10k threshold. A few were much higher and some much lower. He said the expectation was for the committee to take the listing and peruse it, then they should follow up on the items they want more detail for. He noted that the list covers a broader portion of fiscal year 2010.

Attorney Anastasi reminded the committee that there was a \$10k threshold, so they want to look at single or cumulative payments that exceed \$10k.

Council member Bonney asked if the payouts denoted closed meant they were paid. Attorney Anastasi thought that's what it meant, but he wasn't sure. He said the Finance Department could answer that question.

Council member dePara stated that it seemed the initial purchase orders were made during the summer of 2009, but they weren't paid until 2010; so he thought they were probably outstanding.

Council member Walsh stated that he would like more information to find out what each amount actually indicates. He thought the agency needed to define what the payout actually was and he wanted to be sure that nothing was missing from the report. He also questioned if any of the items involved minority contractors.

Council member Baker asked if he would like to see the list broken down into departments and categories. Council member Walsh clarified that he would like to see what the report actually indicates.

Attorney Anastasi suggested that the Finance Department e-mail each council member the codes that apply to each category item.

Council member Walsh asked if every contract was reviewed by the city attorney's office. Attorney Anastasi said no, many are done through the Purchasing Department. He explained that his office reviews personal serviced type contracts.

Council member Walsh asked if his office keeps a log of what is approved or reviewed. Attorney Anastasi said it's not a formal log, but he can generate a list of what was approved. He added that he will also see what he could come up with as far as providing more information.

Council member Walsh stated that a log would be good to cross check against the list that was distributed tonight. Attorney Anastasi said he will research the matter to find out if there is some sort of case list.

Council member dePara said he found it hard to believe that in this new technology age that before the city pays anything, there isn't some source of where the information is recorded. He expressed that if there isn't, he begged the question of accountability and who is keeping track of everything. Attorney Anastasi said the Finance Department can generate a list of payments, but the question is what payments were made and what were they comprised of.

Council member Baker asked if there was a certain dollar amount they look at. Attorney Anastasi said they look at whatever gets signed off on. As far as supplies, those amounts aren't signed off on, but they do review the contract.

Co-chair Paoletto recapped Attorney Anastasi's suggestion to obtain more information from the Finance Department. He asked for clarification from the committee of exactly what they were looking for. Council member Baker said the list distributed was a start, but it's hard to decipher what percentage went to minority contractors and others. He said he would like to see more detail coded, particularly for a professional, consultant fee or equipment. He emphasized that there should be something more concise to review that will then allow the committee to ask more questions based on the detailed

listing. Or he suggested they could have a representative from the Finance Department attend a meeting to explain and clarify the listing. Attorney Anastasi said he would speak to someone in the Finance Department about attending a meeting, or to clarify the listing or about modifying the listing with a more detailed explanation, inclusive of indicating the minority contractors information.

Co-chair Paoletto added that if the Finance Department doesn't have all the answers, they may have to see assistance from the Purchasing Department as well. Attorney Anastasi said he would approach both departments and then convey the wishes of the committee to them and report back to the co-chairs.

Co-chair Paoletto said if they are unable to get answers through e-mail or a report, then it will be a good idea to have a representative from the Finance Department come to a meeting.

Council member Walsh stressed that it was very important to get a barometer for minority contractors, as well as other contracts they give out.

Council member Baker recalled that Elaine Pivrotto used to provide a schools building report update that outlined the minority contractors involved. He said he found the information to be very helpful in what was being done. Co-chair Paoletto commented that Elaine did that as a personal consideration on her own. He thought that type of request should be directed to the proper department. Council member dePara commented that Council members Martinez, Curwen and Holloway are on the Schools Building Committee.

Council member dePara said he was interested to find out by means of a narrative, what some of the items were paid out for and particularly the contractors that chose a particular vendor. He questioned why they didn't go through the regular bidding process.

Co-chair Paoletto recapped that if they had a question about a particular item, Attorney Anastasi may be able to provide the information. Attorney Anastasi said that was correct. He briefly scanned the list to identify minor payout amounts and he noted that he doubted the committee would want to know any detailed information for the lower amounts.

Council member dePara clarified that he would want to see information for repeat vendors and where the threshold amount has been exceeded. Council member Walsh

added that it will also be good if the Finance Department could provide at least a map of more detail to explain what's involved.

Attorney Anastasi commented that Council member T. McCarthy expressed some concern in requesting the data also. He thought that between tonight and the next meeting more information could be requested and submitted.

**** COUNCIL MEMBER BAKER MOVED TO TABLE
** COUNCIL MEMBER dePARA SECONDED
** MOTION PASSED UNANIMOUSLY**

ADJOURNMENT

**** COUNCIL MEMBER BAKER MOVED TO ADJOURN
** COUNCIL MEMBER BONNEY SECONDED
** MOTION PASSED UNANIMOUSLY**

The meeting was adjourned at 7:05 pm.

Respectfully submitted,

Diane Graham
Telesco Secretarial Services